



STUDENT PROTECTION PROCESSES

**REPORTING AND INTERVENTION PROCESSES
SUSPECTED SEXUAL ABUSE, HARM AND INAPPROPRIATE
BEHAVIOUR BY AN EMPLOYEE TOWARDS A STUDENT**

**REPORTING PROCESSES FOR ALLEGATIONS OF
CHILD/STUDENT HARM BY:
A PERSON WHO IS NOT AN EMPLOYEE
(i.e. FAMILY MEMBER, FRIEND OR OTHER)
ANOTHER STUDENT
STUDENT SELF-HARM**

**PROCESSES FOR ENSURING THAT THE STUDENT PROTECTION
PROCESSES ARE MADE KNOWN TO STUDENTS AND TO STAFF
AND ARE BEING IMPLEMENTED IN SCHOOLS**

**Catholic Education
Archdiocese of Brisbane
July 2011**

PART 1

**REPORTING AND INTERVENTION PROCESSES:
SUSPECTED SEXUAL ABUSE, HARM AND INAPPROPRIATE
BEHAVIOUR BY AN EMPLOYEE TOWARDS A STUDENT**

PART 2

**REPORTING PROCESSES FOR ALLEGATIONS OF CHILD/
STUDENT HARM BY:**

- **A PERSON WHO IS NOT AN EMPLOYEE
(i.e. FAMILY MEMBER, FRIEND OR OTHER)**
- **ANOTHER STUDENT**
- **STUDENT SELF-HARM**

PART 3

**PROCESSES FOR ENSURING THAT THE STUDENT PROTECTION
PROCESSES ARE MADE KNOWN TO STUDENTS AND TO STAFF
AND ARE BEING IMPLEMENTED IN SCHOOLS**

PART 1



STUDENT PROTECTION

REPORTING AND INTERVENTION PROCESSES

**SUSPECTED SEXUAL ABUSE, HARM AND INAPPROPRIATE
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**Catholic Education
Archdiocese of Brisbane
Revised July 2011**

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EXECUTIVE DIRECTOR'S MESSAGE

Dignity and justice for *all is a value* that is foundational to the work of those who serve within Brisbane Catholic Education. Because we also hold to the value of stewardship, we accept that as individuals we are capable of making moral choices and should take responsibility for our actions.

For education in our schools to be a life-giving process, it needs to be characterised by a deep respect and reverence for the young people in our care and a recognition of their equal dignity as human beings. While historically Catholic Education has been a grace to so many, it is with shame that we acknowledge that there have been occasions where we have fallen short of this aspiration. Regrettably, there have been instances in which individuals entrusted to respect and nurture those in their care within Catholic schools have fallen well short of, or even betrayed, this awesome responsibility.

Past failings can assist us in being resolute not to allow past mistakes to be repeated. The abuse of students by persons in positions of trust and authority is a very serious matter. The welfare and best interests of students must be paramount in all that we do. Brisbane Catholic Education is committed to the importance and implementation of effective student protection strategies and processes.

This document of processes for Catholic schools administered by Brisbane Catholic Education has been produced to ensure that appropriate responses are made whenever there is an allegation or suspicion of sexual abuse, harm or inappropriate behaviour by an employee towards a student. The processes laid down are intended to ensure that the steps taken at all levels will result in prompt, professional, sensitive and appropriate action being taken by Brisbane Catholic Education personnel in schools and at the Brisbane Catholic Education Office.

These processes also conform to relevant legislative and church requirements as explained in the pages that follow.

I feel confident that staff willingly undertake the requirement to know and understand the serious responsibilities that apply to them in this area. Please be assured of my prayerful support as we continue to implement our shared vision for Catholic schooling in each unique school community.



David J Hutton

Executive Director of Catholic Education
Archdiocese of Brisbane

1.0 OVERVIEW

1.1 Introduction

In Catholic Education, protection for students is based upon the belief that each person is made in the image of God and that the inherent dignity of all should be recognised and fostered.

Employees' interactions with students take place in the context of the employee being in a position of trust arising from the nature of their role. It follows therefore that employees must always treat students with care and respect and must recognise that attention to their safety and wellbeing is paramount.

Catholic Education in the Archdiocese of Brisbane seeks to fulfil its duty of care to all within its school communities and particularly its duty of care to students. By its commitment to the importance and implementation of student protection processes and interventions Brisbane Catholic Education upholds the right of students to a safe and secure environment based on the belief that this is critical to fulfilling their academic achievements and potential and indeed critical to their overall wellbeing.

1.2 Purpose

The purpose of this document is to provide a framework for responding to and reporting allegations or suspicions of sexual abuse, harm and inappropriate behavior by employees towards students.

The document sets out the processes to be followed to ensure that prompt, professional, sensitive and appropriate action is taken by Brisbane Catholic Education personnel in schools and at the Brisbane Catholic Education Office.

It has been developed in accordance with Brisbane Catholic Education's obligations under the *Education (General Provisions) Act and Regulation 2006*, the *Education (Accreditation of Non-State Schools) Regulation 2001*, and the *Education (Queensland College of Teachers) Act 2005*.

This document is also underpinned by the Catholic Education Council's *Student Protection Policy* and complements the procedures developed by the National Committee for Professional Standards entitled *Towards Healing – Principles and Procedures in Responding to Complaints of Abuse Against Personnel of the Catholic Church in Australia* (2010).

To assist in fulfilling its purpose, each principal is responsible for ensuring that this document is freely available to employees and students, that employees and students are aware of the relevant contents of the document, and that its provisions are being implemented within the school.

1.3 Scope

This document applies to an allegation or suspicion of sexual abuse, harm, or inappropriate behaviour towards a student by a person who is **an employee**. It does not apply to allegations or suspicions of sexual abuse, harm or inappropriate behaviour towards a student by a person other than an employee (e.g. a family member, friend, or another person) or harm to a student by another student, or student self-harm. The action to be followed in such cases is outlined in the document *Student Protection – Reporting Processes for Allegation of Child/Student Harm by a person who is not an employee (i.e. family member, friend or other), other Students or Student Self Harm* (2009).

A situation may arise in which Brisbane Catholic Education becomes aware that a current employee has been under police investigation or has been prosecuted for an offence against a **child** who is not a student attending the school. In such a case, Brisbane Catholic Education will take all appropriate measures to ensure that students are protected. Such a response will be guided by the principles and procedures framework found in this document.

1.4 Guiding Principles

The following principles are to be adhered to when responding to student protection concerns.

- Every child/student has a right to protection from sexual abuse, harm and inappropriate behaviour
- The welfare and best interest of the child/student are paramount
- All adults have a responsibility to care for children/students, to positively promote their welfare and to protect them from any kind of harm
- All persons who honestly report a matter in good faith to an authority in accordance with these procedures will not be disadvantaged for doing so
- All persons who are the subject of an allegation of improper conduct will be treated fairly and reasonably and provided with access to support services as appropriate
- All persons involved in situations where sexual abuse, harm or inappropriate behaviour towards a student is suspected and/or disclosed must be treated with sensitivity, dignity and respect

1.5 Confidentiality

Staff members who have access to information regarding suspected or alleged sexual abuse, harm or inappropriate behaviour by an employee towards a student must observe appropriate confidentiality in relation to the matter, and also must ensure that any associated documentation is kept in a secure place.

Staff members are directed that the matter must remain highly confidential, should never become a topic of gossip and should never be spoken freely about with others.

If the restricted and confidential information is communicated to anyone beyond those with a strict need to know, an action for damages for defamation could be taken by the person subject to the allegation, or a complaint could be made to the Office of the Privacy Commissioner in relation to a breach of the person's privacy. In such a situation, the staff member responsible for such a breach of confidence could be personally liable to penalty as a result of legal proceedings.

1.6 Legal implications of reporting - Protection for notifiers

The *Education (General Provisions) Act 2006* provides protection from liability for staff members who make an honest **mandatory** report of suspected sexual abuse of a student by a current employee.

The terms and conditions of Brisbane Catholic Education's insurer's policy provides a staff member with protection from civil action in the unlikely event such action is brought against the staff member as a consequence of acting within the scope of their professional duties and making an

honest and conscientious report of suspected harm or inappropriate behaviour by an employee towards a student.

1.7 The role of Brisbane Catholic Education Office personnel in providing advice to school staff

Principals and other Student Protection Contacts may consult with relevant personnel in the Brisbane Catholic Education Office regarding the processes for allegations of harm and inappropriate behaviour outlined in this document. The Area Supervisor, Manager Professional Standards, Legal Counsel or Employee Relations personnel may be able to provide advice concerning an assessment of inappropriate behaviour or harm. A Student Protection Officer may also be able to assist with an assessment of harm or the likelihood of harm having occurred.

However, if a staff member (*the first person*) becomes aware of, or reasonably suspects that a current employee has sexually abused a student, he/she MUST IMMEDIATELY make a written mandatory report to the principal or the Archbishop of Brisbane. Likewise, upon receiving the written report from the 'first person', the principal or Archbishop of Brisbane MUST IMMEDIATELY forward to the police the written report. See Section 5 for details.

A staff member who makes a written mandatory report to the Archbishop must also send a copy of the report to the Executive Director without delay.

2.0 DEFINITIONS

Student Protection is a complex issue and requires all staff to be aware of their responsibilities and to know clearly what it is they are required to report. Following is a list of relevant definitions that can assist in clarifying important terms used within this document.

Archbishop of Brisbane The Archbishop is the person appointed by ecclesiastical authority to be the Catholic Archbishop of Brisbane, and thus the Director of The Corporation of the Trustees of the Roman Catholic Archdiocese of Brisbane; otherwise a person who has the authority to act in the position of Archbishop.

Cleric A cleric is an ordained priest or deacon of the Catholic Church.

Director of Professional Standards The Director of Professional Standards is the person appointed by the bishops and heads of religious institutes in Queensland to manage the implementation of the *Towards Healing* principles and processes.

Employee An employee is any person who is engaged to carry out work at the school for financial reward, whether an employee of Brisbane Catholic Education or not. This includes any cleric or religious who is an employee.

Executive Director The Executive Director is the person appointed by the Catholic Archbishop of Brisbane to be the Executive Director of Brisbane Catholic Education and who has the delegated authority to administer and manage diocesan and parish schools in the Archdiocese of Brisbane; otherwise a person who has the authority to act in the position of Executive Director.

First Person The “first person” is a staff member who becomes aware, or reasonably suspects, that a student under 18 years attending the school has been sexually abused by another person who is an employee [*Education (General Provisions) Act 2006 Sec 366 (1)*].

Harm Harm has been defined in Section 3 of the *Education (Accreditation of Non-State Schools) Regulation 2001* as:

- (1) “Harm”, caused to a student under 18 years, is any detrimental effect of a significant nature on the student’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.

Whilst the definition of “harm” as outlined above only relates to students under 18 years of age, this document extends the general meaning to include students attending Brisbane Catholic schools who are 18 years of age or above.

Inappropriate behaviour Inappropriate behaviour includes but is not limited to any behaviour, including words, towards a student that is contrary to what is required of staff members under Brisbane Catholic Education’s *Code of Conduct*. Further, any report from a person, including a student, about an employee’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 and must be responded to in accordance with the processes contained within this document.

Principal The principal is the person appointed to be the religious and educational leader of a Catholic Education school within the Archdiocese of Brisbane; otherwise a person who has the delegated authority to act in the position of principal.

Reasonable suspicion A *reasonable suspicion* is a suspicion that would be formed by a reasonable person based on the evidence available to them. In other words, a reasonable suspicion is an objectively justifiable suspicion that is based on specific facts or circumstances.

A reasonable suspicion of sexual abuse, harm or inappropriate behaviour may be formed if:

- a student discloses something about an employee
- another student discloses something about another student and an employee
- a parent or another person reports his/her concerns about a student and/or an employee's behaviour towards a student
- relevant incidents (behaviours, situations) involving an employee and a student are witnessed or other firsthand knowledge of such incidents is gained

Religious A religious is a member of an institute of consecrated life or a society of apostolic life within the Catholic Church. Religious are generally known as brothers, nuns or sisters.

Sexual abuse Sexual abuse of a student by a current employee occurs when the employee uses power or authority over the student to involve the student in sexual activity. Sexual abuse can be physical, verbal or emotional. Physical force may sometimes be involved. Specific examples of conduct which constitutes sexual abuse are contained within **Section 5** of this document.

Staff member A staff member is any person who is employed by Brisbane Catholic Education on a casual, fixed term or continuing basis.

Student A student is any person under the age of 18 enrolled in a school, who is in attendance at a Brisbane Catholic Education school or college.

Student Protection Contact A Student Protection Contact is one of at least two persons who are so designated in each school in compliance with *the Education (Accreditation of Non-State Schools) Regulations* (Provision 10, (4)). The role of a Student Protection Contact is to receive reports of suspected harm and alleged inappropriate behaviour by employees towards students and to take subsequent action as set down in the processes within this document. The names of the Student Protection Contacts are to be made known to the members of the school community and prominently displayed around the school. In Brisbane Catholic Education schools the school principal is to be one of the Student Protection Contacts. Information relating to the selection and support of Student Protection Contacts is to be found in **Appendix A** of this document.

Volunteer A volunteer is any person who performs work on a voluntary basis for Brisbane Catholic Education. The relationship between the volunteer and Brisbane Catholic Education is not bound by a contract of employment and no payment is made by Brisbane Catholic Education to the volunteer for the work performed.

3.0 STUDENT REPORTING PROCESSES

IMPORTANT INFORMATION

Nothing that is written below should prevent a student from reporting any matter of concern to his/her parent(s), to any employee at a school, or to the police.

If a student has reported a concern according to these processes but does not feel sure that the appropriate action is being taken he/she should contact the Area Supervisor, Manager Employee Relations or Manager Professional Standards within the Brisbane Catholic Education Office and/or police directly.

Should a student consider that the behaviour of staff member towards him/her or towards another student is or has been inappropriate, he/she may report this to a Student Protection Contact at the school.

A student may make the report orally, in writing, or through any other means of communication.

A student's parent or carer may make the report on behalf of the student.

Whether or not the staff member receiving the report is a Student Protection Contact, on receiving such a report from or on behalf of a student, the staff member must respond in accordance with processes set down in **Section 4** and the following sections.

4.0 WHEN AND HOW STAFF SHOULD RESPOND

INTERVENTIONS TO BE USED IN RELATION TO ALLEGATIONS OR SUSPICIONS OF SEXUAL ABUSE, HARM OR INAPPROPRIATE BEHAVIOUR BY EMPLOYEES TOWARDS STUDENTS

IMPORTANT INFORMATION

Nothing that is written below should prevent a staff member or any other person from taking immediate action to notify police, particularly if he/she believes that it is essential to act to ensure a student's safety.

If a staff member has reported a concern according to these processes but does not feel sure that the appropriate action is being taken to ensure a student is safe from harm he/she should contact the Area Supervisor, Manager Employee Relations or Manager Professional Standards within the Brisbane Catholic Education Office and/or police directly.

Incidents that initially appear to warrant one type of intervention may turn out to be more serious or complex than first thought. If this occurs, the intervention process must be halted and steps taken immediately to escalate the matter to the appropriate level.

4.1 SUMMARY OF A STAFF MEMBER'S RESPONSIBILITIES

A staff member has a responsibility to make a report in any of the situations listed below:

- i. If he/she becomes aware of, or reasonably suspects:
 - a. that a current employee has sexually abused a student;
 - b. that harm has been caused to a student as a result of the behaviour of an employee;
 - c. any inappropriate behaviour by an employee towards a student.
- ii. If a student alleges to him/her any of the above about an employee.
- iii. If a staff member becomes aware of any such allegation against him/her.

4.2 SUMMARY OF REPORTING PROCESSES FOR STAFF

i. Sexual abuse

If a staff member becomes aware, or reasonably suspects, that a current employee has **sexually abused** a student, the first staff member who becomes aware or suspects the sexual abuse **must, by law**, provide a written report of the matter to the **principal** or the **Archbishop of Brisbane**. A staff member who sends a written report to the Archbishop must also send a copy to the Executive Director without delay. Specific details of the reporting processes for allegations of suspected sexual abuse are contained within **Section 5**.

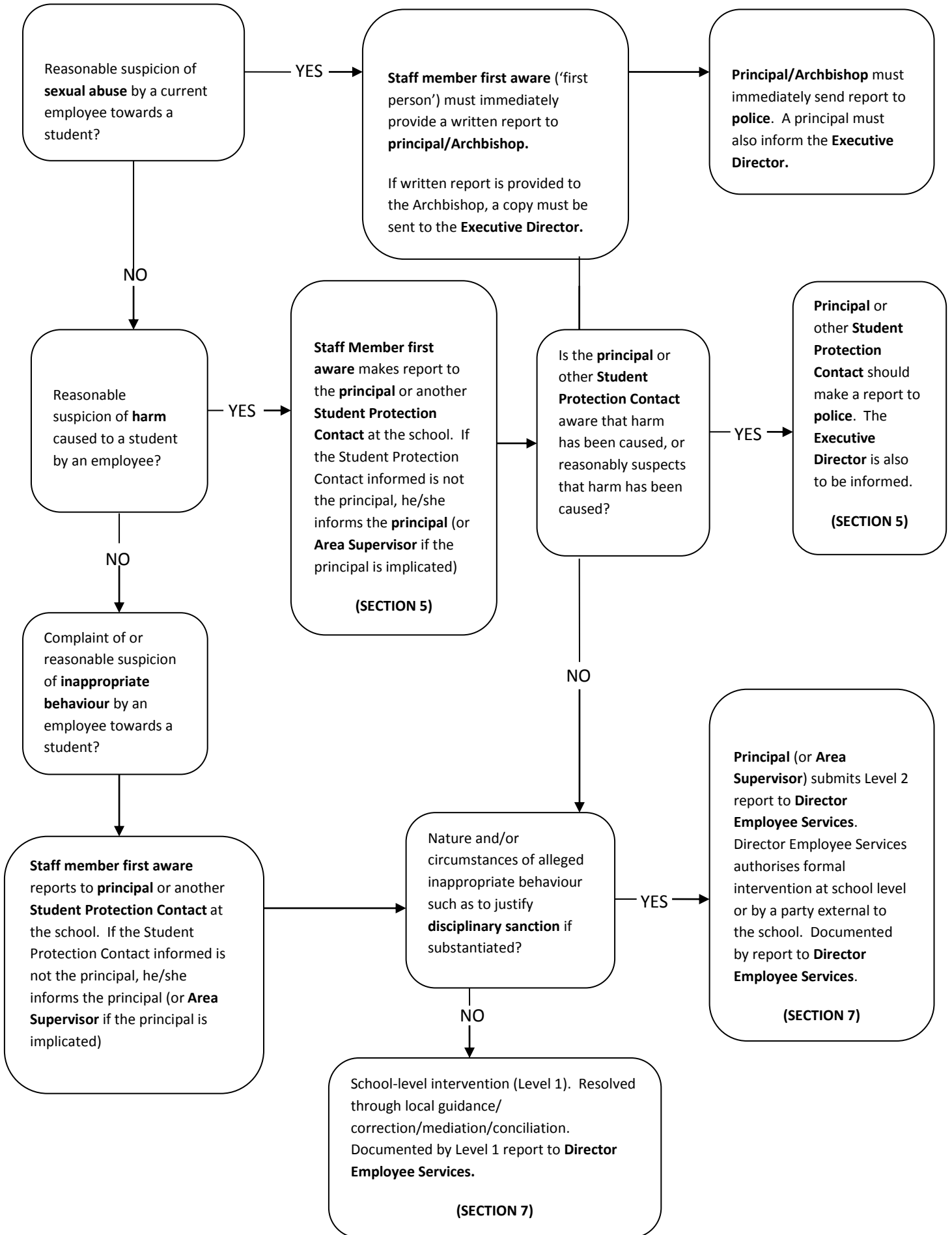
ii. Harm

If a staff member becomes aware of, or reasonably suspects, that **harm** has been caused to a student as a result of the behaviour of an employee (not being sexual abuse by a current employee of a student) the staff member is **compulsorily** required by Brisbane Catholic Education to report this to the **principal** or another **Student Protection Contact** at the school. Specific details of the reporting processes for allegations of suspected harm are contained within **Section 6**.

iii. Inappropriate behaviour

If a staff member becomes aware of, or reasonably suspects, that an employee has **behaved inappropriately** towards a student (not being sexual abuse by a current employee against a student and not where harm has been caused or is suspected of having been caused), the staff member is **compulsorily** required by Brisbane Catholic Education to report this to the **principal** or another **Student Protection Contact** at the school. Specific details of the reporting processes for allegations of inappropriate behaviour are contained within **Section 7**.

Student Protection Processes – Part 1 – Employee conduct



5.0 SUSPECTED SEXUAL ABUSE OF A STUDENT BY AN EMPLOYEE

5.1 Mandatory reporting

Mandatory reporting is a requirement of the law and a staff member is liable to prosecution should he/she fail to act.

The *Education (General Provisions) Act 2006* requires that if a staff member (*the first person*) becomes aware, or reasonably suspects, that a student under 18 years attending the school has been sexually abused by someone else who is an employee, the first person **must immediately** report the matter to the Principal or the Archbishop of Brisbane who **must immediately** provide a copy of the report to the police.

5.2 Types of behaviours/actions that constitute sexual abuse

While the *Education (General Provisions) Act 2006* does not define the types of behaviours/actions that constitute sexual abuse, the following is offered as a guide to assist staff members.

Sexual abuse of a student by an employee occurs when the employee involves the student in sexual activity or exploits the student sexually. Sexual abuse can be physical, verbal or emotional. It may involve physical contact with another person, but not necessarily so. Physical force may sometimes be involved.

Sexual abuse involving physical contact between the employee and the student could include:

- kissing or holding a student in a sexual manner
- touching or fondling a student's genital areas
- touching or fondling a student's body in a sexual manner
- 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 by the finger or any other object
- engaging or attempting to engage in oral sex with a student
- engaging or attempting to engage in masturbation with a student

Sexual abuse involving forcing the student to engage in sexual acts could include:

- forcing a student to touch or fondle another person's genital areas
- forcing a student to touch or fondle another person's body in a sexual manner
- forcing a student to engage in or attempt vaginal or anal intercourse with another person
- forcing a student to penetrate or attempt to penetrate another person's vagina or anus by the finger or any other object
- forcing a student to engage or attempt to engage in oral sex with another person
- forcing a student to masturbate or to attempt to masturbate

Sexual abuse by an employee not necessarily involving physical contact could include:

- exposing a sexual body part to a student
- making obscene remarks to a student, orally or by phone calls or other means of communication (including digital transmission)
- sending obscene material to a student (including digital transmission)
- blatant or persistent intrusion into a student's physical privacy
- voyeurism
- exposing a student to pornographic films, photographs, magazines or other material
- having a student pose or perform in a sexual manner

- exposing a student to a sexual act
- forcing a student to witness a sexual act
- communicating with a student in a sexually intrusive way

5.3 Mandatory reporting responsibilities:

5.3.1 Staff members

A staff member (*the first person*) who becomes aware of, or who reasonably suspects that an employee has sexually abused a student, must immediately make a written mandatory report (see **Form 2**) to the principal or the Archbishop of Brisbane and keep appropriate records. If the first person sends a copy of the report to the Archbishop, he/she must also send a copy to the Executive Director without delay.

If the 'first person' becomes aware of, or reasonably suspects, sexual abuse of a student by the school principal, the first person **must** immediately provide the mandatory written report (see **Form 2**) to the Archbishop of Brisbane. The first person must also send a copy of the report to the Executive Director without delay.

5.3.2 Principal and Archbishop of Brisbane

Following the receipt of a mandatory report, the principal or Archbishop of Brisbane must **not** conduct an investigation into the alleged sexual abuse. Upon receiving the written report from the 'first person' (see **Form 2**), the principal or Archbishop of Brisbane **must** immediately forward to the police (**Fax 3364 4245**) the written report with a mandatory reporting cover sheet (see **Form 6**) providing relevant details.

If the principal is the 'first person' then he/she **must** immediately provide a written report to the Archbishop of Brisbane (see **Forms 2 & 6**) who will then immediately make the mandatory report to police. The principal should also send a copy of the report to the police as soon as practicable.

After having provided a mandatory report to the police, the principal or Archbishop of Brisbane should also forward a copy of the mandatory reporting cover sheet (see **Form 6**) and the mandatory report (see **Form 2**) to the Executive Director of Brisbane Catholic Education (or delegate) without delay.

5.3.3 Brisbane Catholic Education Office personnel

Following the submission of a mandatory report to police, an investigation into the alleged sexual abuse must **not** be conducted by or on behalf of Brisbane Catholic Education pending the result of police inquiries. However, the Director Employee Services (or delegate) will take immediate steps to ensure that a risk assessment is undertaken to determine whether the employee subject to the allegations should continue to be allowed to work in the school. As a result of the risk assessment, the employee may be stood down from his/her duties, or have his/her duties restricted. If the employee is not an employee of Brisbane Catholic Education, the appropriate steps will be taken in association with that person's employer in this regard.

The parent(s) or carer of the student against whom the sexual abuse is alleged to have occurred will be informed by the Executive Director (or delegate) as soon as practicable that a mandatory report has been provided to police.

On receiving a copy of a mandatory report in which the allegation of sexual abuse is against a registered teacher, the Executive Director (or delegate) will without delay make a written notification of this to the Queensland College of Teachers.

The Director Employee Services will keep a copy of the mandatory report and the mandatory reporting cover sheet in a separate confidential file.

The Director Employee Services (or delegate) will establish liaison with the Queensland Police Service to assist in the management of the issue.

If the mandatory report concerns the behaviour of a current employee who is a cleric or religious, the Director Employee Services will inform the Director of Professional Standards as soon as possible.

5.4 Notifying the employee

The Director Employee Services (or delegate) will seek advice from the police as to if and when the employee should be informed of the allegation. As soon as it is deemed appropriate to inform the employee, a meeting will be held between the employee and the Director of Employee Services (or delegate). The employee will be advised that he/she can have a support person at this meeting. At the meeting, the employee will be informed that an allegation of sexual abuse has been made against him/her and that this information has been handed to the police. The employee will be reminded that he/she may access the confidential counselling services available to all employees through the Employee Assistance Program. He/she will also be given the details of a nominated person to contact who will be available to provide support regarding the processes being undertaken and to facilitate the accessing of other support. The information communicated verbally at the meeting will also be provided in writing. If the employee is not an employee of Brisbane Catholic Education, the appropriate steps will be taken in association with that person's employer in this regard.

5.5 Standing down from duties

If as the result of a risk assessment it is decided that the employee should be stood down from his/her duties, or have them restricted, the police should be contacted to ensure that the timing and circumstances of this does not unnecessarily interfere with their inquiries.

The employee concerned will be informed of the decision to stand him/her down or restrict his/her duties. The basis for this decision will be provided to the employee in writing following the meeting at which this information has been communicated verbally. The employee will be reminded that they may access the confidential counselling services available to all employees through the Employee Assistance Program. He/she will also be given the details of a nominated person to contact who will be available to provide support regarding the processes being undertaken and to facilitate the accessing of other support.

The employee will normally continue on full pay during the stand down period unless disqualified or prevented from performing his/her duties by an external body. The Director Employee Services (or

delegate) will discuss with the person what statement, if any, will be made to staff concerning his/her absence from school. The contents of any such statement may be limited by legislation.

If the employee is not an employee of Brisbane Catholic Education, the appropriate steps will be taken in association with that person's employer in this regard.

5.6 Pastoral care and support

Pastoral care and support will be provided to the complainant, to the employee against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount.

6.0 SUSPECTED HARM OF A STUDENT BY AN EMPLOYEE (OTHER THAN SUSPECTED SEXUAL ABUSE OF A STUDENT BY A CURRENT EMPLOYEE)

6.1 Compulsory reporting

Compulsory reporting is a requirement of Brisbane Catholic Education consistent with the reporting requirements that relate to other sources of harm to students. These requirements are in accordance with Brisbane Catholic Education's responsibilities under the provisions of the *Education (Accreditation of Non-State Schools) Act 2001* and *Regulation 2001*. A staff member is subject to disciplinary sanction as an employee should he/she fail to act.

A staff member who becomes aware of, or reasonably suspects, that harm has been caused to a student as a result of the behaviour of an employee or volunteer is compulsorily required to report this matter to the principal or other Student Protection Contact.

6.2 Situations involving harm

Harm is considered to have been caused in situations that result in any detrimental effect of a significant nature on a student's physical, psychological or emotional wellbeing. It does not matter how the harm is caused.

To be aware of or reasonably suspect **physical harm**, there will generally be evidence of a student having suffered a physical injury.

To be aware of or reasonably suspect that **psychological or emotional harm** has been caused, there must be evidence of a detrimental effect of a significant nature having occurred to the student.

Any allegation or suspicion of **sexual abuse** by a current employee towards a student must give rise to a mandatory report (see **Section 5**). Any allegation or reasonable suspicion of sexual abuse of a student by a former employee should give rise to a compulsory report as outlined in this section.

6.3 Compulsory reporting responsibilities

6.3.1 Staff members

A staff member who becomes aware, or who reasonably suspects that harm has been caused to a student as a result of the behaviour of an employee must make a written report (see **Form 1**) to the principal, or another Student Protection Contact at the school, and keep appropriate records.

6.3.2 Principal or other Student Protection Contact

Following the receipt of a compulsory report (see **Form 1**), the principal or Student Protection Contact must **not** conduct an investigation into the allegation.

If a compulsory report is received by a Student Protection Contact other than the principal, the Student Protection Contact must provide a copy of the report to the principal as soon as practicable and keep appropriate records, unless the allegation is made against the principal, in

which case the Student Protection Contact must provide a copy of the report to the Area Supervisor.

If the principal or other Student Protection Contact, upon receiving a compulsory report (see **Form 1**) believes that the behaviour alleged to have occurred gives rise to a reasonable suspicion that harm has been caused, he/she must complete the compulsory report form (see **Form 5**) and forward it without delay to the police (**Fax 3364 4245**). He/she should also forward a copy of the report to the Executive Director (or delegate) without delay.

If the principal or other Student Protection Contact, upon receiving a compulsory report (see **Form 1**) believes that the behaviour alleged to have occurred **does not** give rise to a reasonable suspicion that harm has been caused, he/she must document the reasons for this and inform the staff member who has provided the compulsory report, which must be retained in school records. If the report is about a current employee, the matter must then be dealt with as suspected inappropriate behaviour by an employee towards a student (see **Section 7**).

6.3.3 Brisbane Catholic Education Office personnel

Following submission to the police of a compulsory report alleging that harm has been caused or suspected to have been caused to a student as a result of the behaviour of an employee, an investigation into the allegation must **not** be conducted by or on behalf of Brisbane Catholic Education pending the result of police inquiries. However, the Executive Director (or delegate) will take immediate steps to ensure that a risk assessment is carried out to determine if the employee subject to the allegations should continue to be allowed to work in the school. As a result of the risk assessment, the employee may be stood down from his/her duties, or have his/her duties restricted. If the employee is not an employee of Brisbane Catholic Education, the appropriate steps will be taken in association with that person's employer in this regard.

The parent(s) or carer of the student to whom harm has been caused, or is suspected to have been caused, will be informed by the Executive Director (or delegate) as soon as practicable that a report has been provided to police.

On receiving a copy of a compulsory report in which the allegation of harm being caused arises from the behaviour of a Registered Teacher, the Executive Director (or delegate) will without delay make a written notification of this to the Queensland College of Teachers.

The Director Employee Services will keep a copy of the compulsory report in a separate confidential file.

The Director Employee Services (or delegate) will establish contact with the Queensland Police Service to assist in the management of the issue.

If the compulsory report alleging that harm has been caused or suspected to have been caused to a student as a result of the behaviour of an employee is about the behaviour of a current employee who is a cleric or religious, or who was a cleric or religious at the time of the alleged behaviour, the Director Employee Services will inform the Director of Professional Standards as soon as possible.

6.4 Notifying the employee

The Director Employee Services (or delegate) will seek advice from the police as to if and when the employee should be informed of the allegation. As soon as it is deemed appropriate to inform the employee, a meeting will be held between the employee and the Director of Employee Services (or delegate). The employee will be advised that he/she can have a support person at this meeting. At the meeting, the employee will be informed that an allegation of behaviour causing harm or suspected of causing harm has been made against him/her and that this information has been handed to the police. The employee will be reminded that he/she may access the confidential counselling services available to all employees through the Employee Assistance Program. He/she will also be given the details of a nominated person to contact who will be available to provide support regarding the processes being undertaken and to facilitate the accessing of other support. The information communicated verbally at the meeting will also be provided in writing. If the employee is not an employee of Brisbane Catholic Education, the appropriate steps will be taken in association with that person's employer in this regard.

6.5 Standing down from duties

If as the result of a risk assessment it is decided that the employee should be stood down from his/her duties, or have them restricted, the police should be contacted to ensure that the timing and circumstances of this does not unnecessarily interfere with their inquiries.

The employee concerned will be informed of the decision to stand him/her down or restrict his/her duties. The basis for this decision will be provided to the employee in writing following the meeting at which this information has been communicated verbally. The employee will be reminded that he/she may access the confidential counselling services available to all employees through the Employee Assistance Program. He/she will also be given the details of a nominated person to contact who will be available to provide support regarding the processes being undertaken and to facilitate the accessing of other support.

The employee will normally continue on full pay during the stand down period unless disqualified or prevented from performing his/her duties by an external body. The Director Employee Services (or delegate) will discuss with the person what statement, if any, will be made to staff concerning his/her absence from school.

If the employee is not an employee of Brisbane Catholic Education, the appropriate steps will be taken in association with that person's employer in this regard.

6.6 Pastoral care and support

Pastoral care and support will be provided to the complainant, to the employee against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount.

7.0 SUSPECTED INAPPROPRIATE BEHAVIOUR BY AN EMPLOYEE TOWARDS A STUDENT

7.1 Reporting of inappropriate behaviour

The reporting of inappropriate behaviour is a requirement of Brisbane Catholic Education. This requirement is in accordance with Brisbane Catholic Education's responsibilities under the provisions of the *Education (Accreditation of Non-State Schools) Act and Regulation 2001*. A staff member is subject to disciplinary sanction as an employee should he/she fail to act.

A staff member who becomes aware of, or reasonably suspects, inappropriate behaviour by an employee towards a student is required to report this matter to the principal or other Student Protection Contact.

7.2 Situations involving inappropriate behaviour

Inappropriate behaviour includes but is not limited to any behaviour, including words, towards a student that is contrary to what is required of staff members under Brisbane Catholic Education's *Code of Conduct*.

If a student, parent or other person makes an allegation in relation to an employee's behaviour towards a student that the student considers to be inappropriate, this must be responded to in accordance with the processes detailed within this document.

Such an allegation might constitute inappropriate behaviour of a physical, sexual, emotional or psychological nature.

7.3 Inappropriate behaviour - Reporting responsibilities

7.3.1 Staff members

A staff member who is aware of, or reasonably suspects inappropriate behaviour by an employee towards a student, which does NOT constitute sexual abuse or harm, must make a written report (see **Form 1**) to the school principal or another Student Protection Contact at the school and keep appropriate records.

7.3.2 Student Protection Contact

If reported to a Student Protection Contact other than the principal, the Student Protection Contact must provide a copy of the report to the principal as soon as practicable and keep appropriate records, unless the allegation of inappropriate behaviour is made against the principal, in which case the Student Protection Contact must provide a copy of the report to the Area Supervisor.

7.3.3 Principal/Area Supervisor

There are two intervention levels used by Brisbane Catholic Education for responding to allegations of inappropriate behaviour by an employee towards a student:

- a) Level 1 – Allegations of minor inappropriate behaviour

b) Level 2 – Allegations of more complex or serious inappropriate behaviour

Upon receiving an allegation of inappropriate behaviour by an employee towards a student, which does NOT constitute sexual abuse or harm, the principal (or Area Supervisor where the allegation is against the Principal) will determine as quickly as possible the level of response required (Level 1 or Level 2 as below) and the appropriate procedures to be followed (see **Section 8**).

7.4 Situations that constitute minor inappropriate behaviour – Level 1 Intervention

Level 1 interventions relate to allegations of minor inappropriate behaviour by an employee towards a student. A typical incident covered by a Level 1 intervention could include a one-off allegation of inappropriate behaviour by an employee, where no physical injury results and there is no suggestion of sexual misconduct or criminal behaviour. A Level 1 intervention must **not** be undertaken if there is an allegation or reasonable suspicion of sexual abuse of a student or an allegation or reasonable suspicion that harm has been caused to a student. The appropriate interventions for such situations are covered in **Sections 5 & 6**.

While Level 1 incidents relate to allegations that, if substantiated, may constitute a breach of the Code of Conduct and possibly deemed professional misconduct, they are not so serious as to make it likely that the employee would face a formal disciplinary sanction.

Examples of minor inappropriate behaviour requiring Level 1 interventions include:

- using unprofessional language or otherwise inappropriate comments to or in the presence of a student
- making disrespectful personal comments about a student and/or a student's family to or in the presence of a student
- unfairly shaming, humiliating or embarrassing a student
- pushing or grabbing a student (no injury) *
- exposing a student to inappropriate material
- disclosing inappropriate personal information to a student
- inappropriate questioning of a student about personal and private matters
- unreasonable, unfair and/or unjust disciplinary measures
- unfairly failing to follow a school's behaviour support policy and procedures
- the imposition of manifestly unreasonable expectations
- unfairly exerting power over a student through the use of fear, threats, or unwarranted moral pressure

* *Even minor assaults can be criminal offences. The management of these matters will depend on factors like the seriousness and circumstances of the allegation, the wishes of the parties involved, whether the police have become involved, and whether the employee has a previous history of similar conduct. If it is reasonably suspected that harm has been caused the principal must report such a matter to the police as a Compulsory Report (see **Section 6**).*

7.5 Situations that constitute more complex or serious inappropriate behaviour – Level 2 Intervention

Level 2 interventions relate to allegations of repeated, more complex or serious inappropriate behaviour by an employee towards a student. Such behaviour, if substantiated, would constitute professional misconduct and would justify formal disciplinary sanction against the employee. A Level 2 intervention must **not** be undertaken if there is an allegation or reasonable suspicion of sexual

abuse of a student or an allegation or reasonable suspicion that harm has been caused to a student. The appropriate interventions for such situations are covered in **Sections 5 & 6**.

Examples of more complex or serious inappropriate behaviour requiring Level 2 interventions include:

- repeated behaviour of a kind that that has previously been dealt with by a Level 1 intervention
- multiple instances of behaviour, reported at or about the same time, of a type that would normally be dealt with by a Level 1 intervention
- inappropriate physical contact causing minor injury *
- harsh verbal (including digitally transmitted) abuse or belittling of students including derogatory language and demeaning names
- significant or repeated victimisation
- exposing or subjecting a student to significant threats and/or intimidation
- exposing a student to material that is significantly offensive or inappropriate to his/her age/maturity
- verbal (including digitally transmitted) or non-verbal communication that significantly breaches professional boundaries

* *Even minor assaults can be criminal offences. The management and investigation of these matters will depend on factors like the seriousness of any injury, the wishes of the parties involved, whether the police have become involved, and whether the employee has a previous history of similar conduct. If it is reasonably suspected that harm has been caused the principal must report such a matter to the police as a Compulsory Report (see **Section 6**).*

7.6 Situations involving employees who are not employed by Brisbane Catholic Education

If the employee against whom an allegation of inappropriate behaviour has been made is not an employee of Brisbane Catholic Education, the principal will take appropriate steps, with the relevant employer as necessary, to deal with the matter in a manner that is consistent with the procedures outlined in this document as they apply to an employee of Brisbane Catholic Education.

8.0 INAPPROPRIATE BEHAVIOUR INTERVENTION PROCESSES

8.1 LEVEL 1 INTERVENTION – ALLEGATIONS OF MINOR INAPPROPRIATE BEHAVIOUR

A Level 1 intervention is carried out with the authority of the Principal (or Area Supervisor if the allegation is against the Principal). The matter is formally reported to the Director Employee Services at the end of the intervention process.

Allegations giving rise to a Level 1 intervention are generally resolved through informal resolution processes that are managed locally by the principal and may include such responses as supervisory guidance and correction and in some cases mediation and/or conciliation. If the allegation involves the principal, the response is co-ordinated by the Area Supervisor.

8.1.1 Intervention responsibilities

(a) Principal (or Area Supervisor)

The response to a Level 1 allegation against an employee will be co-ordinated locally by the school principal (or Area Supervisor where the allegation is against the Principal). The principal (or Area Supervisor) will determine how to best address the allegation with the employee and how to initiate any disciplinary consequences that may be determined to be appropriate. This might involve consultation with relevant personnel in the Brisbane Catholic Education Office (e.g. Area Supervisor, Manager Professional Standards, Legal Counsel, Employee Relations personnel).

Where an allegation of minor inappropriate behaviour is made against the principal, the matter may be carried forward by the Manager Professional Standards or another member of Employee Services staff by arrangement with the Area Supervisor.

The resolution of all minor incidents remains the responsibility of the principal (or Area Supervisor where the allegation is against the principal). The principal or Area Supervisor will assess the matter so as to formulate a plan to address it with the employee. Management guidance will be provided and appropriate support will be extended to all concerned. Strict confidentiality shall be maintained regarding the matter.

Should an employee deny or contest the allegation of inappropriate behaviour towards a student, the principal (or, if the matter involves the principal, the Area Supervisor) must decide whether or not further data-gathering at the school level is required or whether management guidance will suffice. The decision regarding whether and how to gather further data will depend on factors such as the seriousness of the allegation, the attitude of the complainant(s), any record of past allegations of inappropriate behaviour on the part of the respondent and the likelihood of an allegation being able to be substantiated given the circumstances.

If, in the opinion of the principal/Area Supervisor, a formal investigation is warranted, the matter must be escalated to a Level 2 intervention and a Level 2 report should be provided to the Director Employee Services (see below) in order to obtain authorisation for an investigation.

An employee may admit inappropriate behaviour. The inappropriate behaviour will then be addressed through documented management guidance and/or correction. Conciliation/mediation may be provided if desired by the complainant.

At the completion of the intervention, the employee will be formally advised of the outcome. The parent/caregiver of the student/s concerned is to be advised in writing of the outcome unless there are extraordinary reasons why this should not occur, in which case the reasons should be documented. Any other complainants (including students) are also advised of the outcome.

A Level 1 report (see **Form 3**) should be completed by the Principal (or Area Supervisor), with any relevant details attached. The report should include, as a minimum, the details and circumstances of the allegation, the action taken by the principal (or Area Supervisor) to assess and investigate the allegations, and the outcome. The outcome should state whether or not the behaviour alleged has been admitted to by the employee and should contain clear details of the advice/guidance that has been provided to the employee. The outcome should also indicate if the behaviour alleged is judged to be not contrary to the Code of Conduct.

The original of the Level 1 report should be kept on a confidential file at school level (or by the Area Supervisor if the allegation concerns the principal). A copy of the Level 1 report is forwarded to the Director Employee Services for placing in a confidential file and another copy must be provided to the employee.

(b) Brisbane Catholic Education Office personnel

The Director Employee Services (or delegate) is responsible for ensuring that Level 1 reports are checked for completeness, accuracy, and relevance, and whether any previous reports have been received concerning the employee.

Where previous reports have been received concerning the employee, the Director Employee Services will determine what further action, if any, needs to be taken.

The Director Employee Services will receive and keep the Level 1 report in a separate confidential file and send a copy of the report to the relevant Area Supervisor.

8.1.1.1 Pastoral care and support

Pastoral care and support will be provided to the complainant, to the employee against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount.

8. 2 LEVEL 2 INTERVENTION – ALLEGATIONS OF MORE COMPLEX OR SERIOUS INAPPROPRIATE BEHAVIOUR

A Level 2 intervention is carried out under the authority of the Executive Director or delegate. The matter is formally reported to the Director Employee Services at the commencement and end of the intervention process.

A Level 2 intervention is initiated by the principal (or the Area Supervisor in the case of an allegation against a Principal) formally notifying the allegation to the Director Employee Services. The

subsequent steps are taken with the authority of the Director Employee Services or other delegate of the Executive Director, following which a report is provided to the Director Employee Services.

8.2.1 Intervention responsibilities

(a) Principal (or Area Supervisor)

As soon as the principal (or Area Supervisor) is aware that the allegation is of such a nature as to require a Level 2 intervention, a Level 2 Report (see **Form 4**) must be completed and forwarded to the Director Employee Services without delay.

(b) Brisbane Catholic Education Office personnel

On receipt of a Level 2 allegation of inappropriate behaviour against an employee, the Director Employee Services (or delegate) will assess the matter and determine how it is to be progressed. The Director Employee Services (or delegate) will consider the details of the allegation and as necessary will clarify it and any issues related to it by consulting with relevant persons such as the principal, Area Supervisor, Manager Employee Relations, Legal Counsel, and/or Manager Professional Standards. The Director Employee Services (or delegate) will also consider any previous reports on file of allegations of inappropriate behaviour made against the employee.

The Director Employee Services (or delegate) will take immediate steps to ensure that a risk assessment is carried out to determine if the employee subject to the allegations should continue to be allowed to work in the school. As a result of the risk assessment, the employee may be stood down from his/her duties, or have his/her duties restricted.

If the Director Employee Services forms the view that the matter involves an allegation or reasonable suspicion of sexual abuse of a student or an allegation or reasonable suspicion that harm has been caused to a student, the Director Employee Services must immediately make a Mandatory or Compulsory Report (see **Sections 5 & 6**).

If the Director Employee Services forms the view that the matter should be handled as a Level 1 intervention, the matter is referred back to the principal (see Section 8.1 **above**).

If the Director Employee Services believes that a Level 2 intervention is appropriate, a decision is made as to who should most appropriately conduct an investigation into the allegation. The Director Employee Services may authorise the principal, a Brisbane Catholic Education Office staff member (e.g. Area Supervisor, Manager Professional Standards, Employee Relations staff member), or an external party to conduct the investigation.

The Director Employee Services (or delegate) will inform the parent or carer of the student/s towards whom the inappropriate behaviour is alleged to have occurred in writing that an investigation into the matter has been authorised.

8.2.1.1 Notifying the employee

As soon as the Director Employee Services (or delegate) deems it to be appropriate to inform the employee, a meeting will be held between the employee and the Director of Employee Services (or delegate). The employee will be advised that he/she can have a support person at this meeting. At the meeting, the employee will be informed that an allegation of inappropriate behaviour has been made against him/her, will be provided with an outline of the allegation(s) and advised that an investigation into the matter has been authorised. The employee will be

reminded that he/she may access the confidential counselling services available to all employees through the Employee Assistance Program. He/she will also be given the details of a nominated person to contact who will be available to provide support regarding the processes being undertaken and to facilitate the accessing of other support. The information communicated verbally at the meeting will also be provided in writing.

8.2.1.2 Standing down from duties

As the result of a risk assessment it may be decided that the employee should be stood down from his/her duties, or have them restricted. In this case, the employee concerned will be informed of the decision to stand him/her down or restrict his/her duties. The basis for this decision will be provided to the employee in writing following the meeting at which this information has been communicated verbally. The employee will be reminded that they may access the confidential counselling services available to all employees through the Employee Assistance Program. He/she will also be given the details of a nominated person to contact who will be available to provide support regarding the processes being undertaken and to facilitate the accessing of other support.

The employee will normally continue on full pay during the stand down period unless disqualified or prevented from performing his/her duties by an external body. The Director Employee Services (or delegate) will discuss with the person what statement, if any, will be made to staff concerning his/her absence from school. Any such statement will be subject to restrictions contained in legislation.

8.2.1.3 Pastoral care and support

Pastoral care and support will be provided to the complainant, to the employee against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount.

8.2.2 Investigation process

The investigator shall as soon as possible arrange for a meeting to be held to inform the employee of the specific nature of the allegation(s). Prior to the meeting, the employee will be advised that he/she can have a support person at this meeting. A written record of the meeting and outcomes will be provided to the employee, and he/she will be reminded of the free confidential counselling services available to all employees through the Employee Assistance Program. In the written record of the meeting the employee the allegation(s) will be listed and the employee will be asked to reply to the allegation(s) within a reasonable time (normally no more than seven days).

The investigator will contact the parent(s) or carer of the student/s against whom the inappropriate behaviour is alleged to have occurred and the following issues will be discussed:

- that an allegation has been made and is being investigated
- the investigation process
- the provision of parental/carer permission for student/s to be interviewed
- parent/carer views, concerns and support needs
- communication process for the parent/carer to be updated re the investigation and other related issues
- the need for confidentiality

If the investigator determines that it is desirable for other students (e.g. students named as witnesses) to be interviewed, the above guidelines relating to parents/carers will be followed in relation to them also.

Pastoral care and support will be provided to the complainant, to the employee against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount.

In conducting the investigation the investigator shall ensure that appropriate confidentiality is maintained.

Should the investigator during the course of the investigation form the view that that the matter involves an allegation or reasonable suspicion of sexual abuse of a student or an allegation or reasonable suspicion that harm has been caused to a student:

- If the investigator is an employee of Brisbane Catholic Education, he/she must immediately make a Mandatory or Compulsory report (see **Sections 5 & 6**).
- If the investigator is not an employee of Brisbane Catholic Education he/she must immediately make a written report to the Director Employee Services (or delegate) who will then immediately make a Mandatory or Compulsory report (see **Sections 5 & 6**).

At the conclusion of the investigation, a written report, outlining the process of investigation, the evidence gathered, and the conclusions reached will be provided to the Director Employee Services by the investigator. The report will indicate whether, in the investigator's opinion, the allegation(s) are substantiated on the balance of probabilities and whether the Brisbane Catholic Education Code of Conduct has been breached.

The Director Employee Services will receive and keep the investigation report in a confidential file and send a copy of the report to the Executive Director.

The Director Employee Services (or delegate) is responsible for informing the principal and relevant Area Supervisor of the outcome of the investigation. The Director Employee Services (or delegate) advises the parent/caregiver of the student concerned of the outcome unless there are extraordinary reasons why this should not occur, in which case the reasons should be documented. Any other complainants (including students) are also advised of the outcome.

8.2.3 Determination of professional misconduct

If, following the presentation of the investigation report, the Executive Director (or delegate) has determined that allegations of inappropriate behaviour are substantiated and that they constitute professional misconduct, the Executive Director (or delegate) will communicate this in writing to the employee and advise the principal accordingly.

If the Executive Director is not considering terminating the employee's employment, the employee will receive a letter stating the seriousness of the misconduct and containing a warning that further substantiated misconduct may lead to termination of the employee's services.

If on the evidence the Executive Director is considering the termination of the employee's services then the Executive Director will provide the employee with a timeframe within which the employee is given the opportunity to show cause as to why his/her employment should not be terminated. The Executive Director will consider any submission that the

employee chooses to make in response within the timeframe given. Following receipt of the submission from the employee, the Executive Director will make a decision in relation to the employee's employment status and will communicate this in writing to the employee.

If an employee whose employment is terminated by the Executive Director is a teacher, and the circumstances of the dismissal, in the opinion of the Executive Director, call into question the teacher's competency to be employed as a teacher, the Executive Director must give notice of the dismissal to the Queensland College of Teachers within a period of 14 days of the dismissal (*Education [Queensland College of Teachers] Act 2005 s.78*).

8.2.4 No determination of professional misconduct

If, following the presentation of the investigation report, the Executive Director (or delegate) has determined that the allegations of inappropriate behaviour are not substantiated and therefore no professional misconduct substantiated, the Executive Director (or delegate) will communicate this in writing to the employee and advise the principal accordingly.

8.2.5 Finalisation

The Director Employee Services (or delegate) will advise the parent/caregiver of the student concerned of the outcome unless there are extraordinary reasons why this should not occur, in which case the reasons should be documented. Any other complainants (including students) are also advised of the outcome.

Pastoral care and support will be provided to the complainant, to the employee against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount.

If the employee continues to work at the school, the principal will support the pastoral care of the employee, and the employee will be reminded of the confidential counselling services available to all employees through the Employee Assistance Program. Reasonable steps will be taken by the principal to manage risks and to provide appropriate ongoing supervision of and support for the employee.

If the employee has been stood down during the investigation and returns to work at the school, all reasonable steps will be taken by the principal to assist the employee to reintegrate into the school community.

9.0 FOLLOWING MANDATORY OR COMPULSORY REPORTING TO POLICE

Following a matter being reported to police there can be one of two outcomes. These can be summarised as follows:

- i. Conviction of a criminal offence in a court of law
- ii. No conviction. Police may decide not to investigate, to discontinue an investigation or not to lay a charge following an investigation, a prosecution may not go ahead following a charge having been laid, or a matter may go to court but not result in a conviction.

In addition to the scenarios set out above, Brisbane Catholic Education may become aware that an employee has been under investigation or has been prosecuted for an offence against a student in circumstances where a mandatory or compulsory report has not been made through Brisbane Catholic Education.

The procedure below will be followed in all the scenarios set out above. Where the employee concerned is a cleric or religious, or was a cleric or religious at the time of the alleged behaviour, the Director of Professional Standards will be informed as soon as possible.

Where the employee concerned is not an employee of Brisbane Catholic Education, action will be taken, with the relevant employer as necessary, to deal with the matter in a manner that is consistent with the procedures outlined in this document as they apply to an employee of Brisbane Catholic Education.

i. Conviction

If a current employee is convicted in a court of law for an offence against a student that is deemed to be an act of serious professional misconduct, then the Executive Director will proceed to dismiss the employee.

The Executive Director (or delegate) will document the outcome of the court proceedings in the formal communication regarding the termination of the employee's employment.

If the employee who is convicted is a teacher, the Executive Director or delegate will inform, in writing, the Queensland College of Teachers.

If the conviction is for a charge that is deemed to be less than serious professional misconduct but is contrary to the Brisbane Catholic Education Code of Conduct, then the Executive Director will proceed to take disciplinary action against the employee.

The pastoral care of student/s and staff involved will be monitored and support provided.

ii. No conviction

The failure of a court to record a conviction against the employee against whom a charge has been made, or the failure of the police to prosecute, does not necessarily mean that the allegation was unwarranted and that the employee has no case to answer as an employee within a Catholic school. The fact that an employee has been found '*not guilty*' of an offence does not automatically mean that a matter has been closed.

The standard of proof required for disciplinary action within the employer-employee relationship is '*on the balance of probabilities*', rather than the criminal standard of '*beyond reasonable doubt*'. In addition, a serious breach of the Brisbane Catholic Education Code of Conduct may not be a criminal offence. For this reason, the matter concerned must still be appropriately dealt with by Brisbane Catholic Education as a disciplinary matter.

When Brisbane Catholic Education becomes aware that a police investigation or prosecution will not proceed, or that a conviction has not occurred, the matter will proceed as a Level 2 intervention. Documents on the public record as a result of court proceedings, and/or materials made available as a result of police investigations may be considered as part of any investigation conducted by or on behalf of Brisbane Catholic Education.

SOURCES/REFERENCES

This document specifying the processes required of Catholic schools administered by Brisbane Catholic Education complements the processes developed by the National Committee for Professional Standards entitled *Towards Healing – Principles and Processes in Responding to Complaints of Abuse Against Personnel of the Catholic Church in Australia* (2010). The National Committee for Professional Standards was established by the Australian Catholic Bishops' Conference and the Australian Conference of Leaders of Religious Institutes. The document is also in harmony with the principles and behavioural standards contained in the National Committee for Professional Standards draft resource document *Integrity in the Service of the Church* (2009).

The current document also incorporates key requirements of Queensland legislation in relation to the protection of students:

- The *Education (Accreditation of Non-State Schools) Act 2001* and *Regulation 2001*
- The *Education (General Provisions) Act 2006* and *Regulation 2006*
- The *Education (Queensland College of Teachers) Act 2005*
- The *Commission for Children and Young People and Child Guardian Act 2000*

The current document updates Brisbane Catholic Education's previously entitled documents:

- *Response Processes to Complaints of Sexual Abuse Against Current or Past Personnel (June 2000)* and
- *Student Protection – Reporting and Investigative Processes for Allegations of Inappropriate Behaviour and Harm to Child/Student by Employees (October 2004 & August 2009)*.

Further, there are a number of other documents/resources that outline how Brisbane Catholic Education will respond to various types of issues in relation to student protection which arise in schools it operates. These include:

- *Catholic Education Council Student Protection Policy Statement (May 2005) (Currently under review)*
- *Code of Conduct (2008)*
- *Student Protection – Reporting Processes for Allegation of Child/Student Harm by a person who is not an employee (i.e. family member, friend or other), other Students or Student Self Harm (2011)*
- *Acting Against Student Bullying (2004) (Currently under review)*
- *Student Behaviour Support - Policy (August 2008)*
- *Student Behaviour Support - Regulations and Guidelines (September 2008)*
- *Student Protection Mandatory In-service Employee Guide (2010)*
- *Student Protection Mandatory In-service Employee Workbook (2010)*
- *Student Protection Mandatory In-service Facilitator's Guide (2010)*
- *Student Protection Mandatory In-service DVD (2010)*
- *Student Protection Risk Management Strategy Guidelines (2007)*

FORMS

FORM 1 - Staff Reporting Form

(for employee use)

Inappropriate Behaviour or Behaviour causing Harm or suspected of causing Harm 1-33

FORM 2 - Staff Reporting Form - Mandatory Report

(for employee use)

Sexual Abuse of a Student by a current Employee 1-34

FORM 3 – Level 1 Reporting Form

(for Principal or Area Supervisor use)

Employee inappropriate behaviour towards a student 1-35

FORM 4 - Level 2 Reporting Form

(for Principal or Area Supervisor use)

Employee inappropriate behaviour towards a student 1-36

FORM 5 – Compulsory Reporting Form

(for Principal or other Student Protection Contact use)

Employee behaviour causing harm, or suspected of causing harm, to a student 1-37

FORM 6 - Cover sheet to accompany Mandatory Reporting Form

(for Principal or Archbishop use)

Sexual Abuse of a Student by a current Employee 1-38



Staff Reporting Form Inappropriate Behaviour or Behaviour causing Harm or suspected of causing Harm

**For an allegation or reasonable suspicion of employee inappropriate behaviour towards a student,
including behaviour causing harm or suspected of causing harm
(OTHER THAN SEXUAL ABUSE OF A STUDENT BY A CURRENT EMPLOYEEE)**

To be completed **by the staff member** who first becomes aware of or reasonably suspects the
behaviour

Please complete the details below and hand to a Student Protection Contact (principal or other) at
the school

School Name:	
Principal/Acting Principal Name:	
Staff member making this report:	Name: Role: Phone contact:
Employee against whom the behaviour to a student is alleged or suspected:	Name: Role:
Student(s) concerned	Name: Year level:
Summary of incident/allegation	Time: Date: Details:
If harm has been caused or is reasonably suspected of having been caused, please provide details	
Any other relevant information including the name of anyone else who may have information about this allegation / reasonable suspicion:	
Signature of staff member making this report:	Signature: Date: Time:



Staff Reporting Form Mandatory Report

Allegation or reasonable suspicion of Sexual Abuse of a Student by a current Employee

Written under Section 366(3) of the Education (General Provisions) Act 2006
Pursuant to Section 68 of the Education (General Provisions) Regulation 2006

The report must be completed immediately by the staff member (*the first person*) who first becomes aware or reasonably suspects the sexual abuse of a student by a current employee.

The ‘first person’ must pass the report immediately to the school principal or the Archbishop (Fax Number 3358 1357).

When a report is passed to the Archbishop a copy must also be sent immediately to the Executive Director (Fax Number 3033 7632).

The person receiving this report from the ‘first person’ must immediately fax it to the police (Fax Number: 3364 4245) with the relevant cover sheet (FORM 6). A principal must also fax copies immediately to the Executive Director (Fax Number: 3033 7632).

School Name:	
Principal/Acting Principal Name:	
Report made by (“first person”):	Name: Address: Contact Number: Date: Time: Position at school:
Details of Student/s concerned:	Name: Date of Birth: Year level: <input type="checkbox"/> Male <input type="checkbox"/> Female
Details of the current employee alleged to have sexually abused or suspected to have sexually abused the student:	School: Name: Role:
Details of the abuse or suspected abuse:	
Details of the basis for the “first person” becoming aware or reasonably suspecting the sexual abuse of the student by the employee:	
Name/s of anyone else who may have information about the abuse/suspected abuse:	Name: Contact details:
Other relevant Information:	
Signature of the “first person” making report:	Signature: Date: Time:



FORM 3 - CONFIDENTIAL

Level 1 Reporting Form

For an allegation or reasonable suspicion of INAPPROPRIATE BEHAVIOUR by an employee towards a student

A copy to be submitted **by the Principal** after a Level 1 matter is dealt with by the school

Please complete the details below and fax to the attention of
Director – Employee Services **Fax number: 3033 7632**

School Name:	
Principal/Acting Principal Name:	
Allegation made by:	Name: Address: Contact Number: Date: Time: Relationship to Student:
Employee against whom inappropriate behaviour to a student is alleged or suspected:	Name: Role:
Student(s) concerned	Name: Date of Birth: Year level:
Summary of incident/allegation	Time: Date: Details:
How this allegation or reasonable suspicion became known to the principal:	
Action taken by principal:	
Outcome:	
Action checklist:	<input type="checkbox"/> Parent/caregiver advised in writing of outcome <input type="checkbox"/> Employee informed on date <input type="checkbox"/> Original of this form placed on school file <input type="checkbox"/> Employee given a copy of this form <input type="checkbox"/> Copy of this form forwarded to the Director – Employee Services
Signature of Principal:	Signature: Date: Time:



Level 2 Reporting Form

For an allegation or reasonable suspicion of INAPPROPRIATE BEHAVIOUR by an employee towards a student that if substantiated could justify disciplinary action being taken and therefore may require a formal investigation to be conducted

To be submitted **by the Principal** immediately the school is aware of a Level 2 matter

Please complete the details below and fax to the attention of
Director – Employee Services **Fax number: 3033 7632**

School Name:	
Telephone and Fax Number:	
Principal/Acting Principal Name:	
Allegation made by:	Name: Address: Contact Number: Date: Time: Relationship to Student:
Student(s) concerned:	Name: Date of Birth: Year level:
Employee against whom inappropriate behaviour to a student is alleged or suspected:	Name: School: Role:
Summary of allegation/incident:	Time: Date: Details:
How this allegation or reasonable suspicion became known to the principal:	
Other relevant Information:	
Action checklist:	<input type="checkbox"/> Original of this form placed on school file <input type="checkbox"/> Copy of this form forwarded to the Director – Employee Services
Signature of Principal:	Signature: Date: Time:



Compulsory Reporting Form

For use when the Principal or other Student Protection contact is aware, or reasonably suspects, that HARM has been caused to a student by an employee

(NOT FOR USE IN A CASE OF SUSPECTED SEXUAL ABUSE OF A STUDENT BY A CURRENT EMPLOYEE)

To be completed by the **Principal or Student Protection Contact**

After completion forward immediately to the police (**Fax Number: 3364 4245**) and then fax a copy immediately to the **Executive Director (Fax Number: 3033 7632)**

School Name:	
School address:	
Telephone and Fax Number:	
Principal/Acting Principal Name:	
Details of Student(s) concerned:	Name: Date of Birth: Year level: <input type="checkbox"/> Male <input type="checkbox"/> Female
Allegation against (employee):	Name: School: Role:
Summary of allegation/incident:	Time: Date: Details:
Details of the harm caused or reasonably suspected to have occurred:	
Details of the basis on which the person reporting has become aware, or reasonably suspects, that harm has been caused to the student(s) by the employee:	
Details of anyone else who may have information about the alleged/suspected harm:	Name: Contact:
Other relevant Information:	
Signature of Principal/Student Protection Contact	Name: Signature: Role: Phone contact: Date:



Cover sheet to accompany Mandatory Reporting Form

To be completed by the Principal or the Archbishop

This form should accompany a Mandatory Report (FORM 2) provided by the staff member (*'first person'*) who first became aware or reasonably suspected the sexual abuse of a student by a current employee

The person receiving a Mandatory Report from the 'first person' must immediately fax it to the police (Fax Number: 3364 4245) and then fax a copy immediately to the Executive Director (Fax Number: 3033 7632). The Mandatory Report should be accompanied by this Reporting cover sheet.

School Name:	
School address:	
Telephone and Fax Number:	
Principal/Acting Principal Name:	
Name of the staff member who has made the report (<i>the 'first person'</i>)	Name: Position at school:
Details of Student/s concerned:	Name: Date of Birth: Year level: <input type="checkbox"/> Male <input type="checkbox"/> Female
Allegation Against: (Current Employee)	Name: School: Position:
Name of anyone else who may have information about the abuse / suspected abuse:	Name: Contact details:
Other relevant Information:	
Signature of Principal/Archbishop:	Name: Signature: Phone contact: Date:

PART 2



STUDENT PROTECTION

REPORTING PROCESSES FOR ALLEGATIONS OF CHILD/STUDENT HARM BY:

- A PERSON WHO IS NOT AN EMPLOYEE (i.e. FAMILY MEMBER, FRIEND OR OTHER)
- ANOTHER STUDENT
- STUDENT SELF-HARM

**Catholic Education
Archdiocese of Brisbane
Revised July 2011**

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1. OVERVIEW

1.1 Introduction

The Archdiocese of Brisbane Catholic Education Council Student Protection Policy states:

Jesus insisted on the primacy of love: love of God and love of each other. No one was excluded from his love. In fact, by word and deed He showed a special preference for the poor, the powerless and the vulnerable, those often relegated to the margins of society. He especially loved children 'for such are the Kingdom of heaven.'
(Mt 19:14)

The updating and implementation of these reporting processes for the protection of students against harm arises from the Catholic education school community's concern about this reality in our midst. This concern flows from our Christian belief in the dignity of all persons. We see children as entrusted to us by the love of God, and are committed to the protection of their rights.

This document is in accordance with the legal requirements of the *Education (Accreditation of Non-State Schools) Act and Regulations 2001*, the *Commission for Children and Young People and Child Guardian Risk Management Strategy* and the *Child Protection Act 1999*. It provides the rationale and principles and the subsequent processes to be followed when responding to suspected cases of student harm from sources other than employees. It also provides a framework for the various elements of pastoral provisions for students' personal safety and welfare.

It is hoped that our continued efforts in the implementation of student protection reporting processes help to reduce the number of incidents of student harm and bring healing and peace to the students who have been harmed in our communities.

It is important to note that this document does not outline responses to allegations against current employees within Brisbane Catholic Education schools of inappropriate behaviour, harm and sexual abuse to students. Within Brisbane Catholic Education these matters are addressed in the following document:

**STUDENT PROTECTION REPORTING AND INTERVENTION PROCESSES
SUSPECTED SEXUAL ABUSE, HARM AND INAPPROPRIATE BEHAVIOUR BY AN EMPLOYEE TOWARDS
A STUDENT
July 2011**

1.2 Guiding principles

Within Brisbane Catholic Education schools the student protection strategies and processes to be followed are based on the following principles:

- Every child/student has a right to protection from harm.
- The welfare and best interest of the child/student are paramount.
- All adults have a responsibility to care for students and to protect them from all forms of harm as well as to positively promote their welfare.

- Brisbane Catholic Education is committed to the importance and implementation of student protection strategies and processes.
- Brisbane Catholic Education endeavours to respond promptly and appropriately to a report of suspected or actual harm or risk of harm to a child/student.
- Brisbane Catholic Education endeavours to co-operate and work in partnership with the relevant State authorities that are involved in child/student protection.
- Brisbane Catholic Education will seek to ensure that a person who honestly reports a matter in good faith to an authority in accordance with these processes will not be disadvantaged for doing so.
- In every preventative and/or protective action related to student harm the total well being of the student is the primary concern, while trying at the same time endeavouring to balance the rights and welfare of others involved.
- The value of the family unit is to be respected but not to the detriment of the well being of the student.
- It is important to recognise, acknowledge and respect the cultural diversity of the students and families in our schools (particularly indigenous students and their families) and to be sensitive to how this may impact on the management of student protection issues.
- It is also important to recognise, acknowledge and respect the special needs and vulnerabilities of students with disabilities and their rights to an educational and family environment free from harm, discrimination, harassment or victimisation in relation to those disabilities.
- All persons involved in situations where student harm is suspected or disclosed are to be treated with sensitivity, dignity and respect and the school principal is to endeavour to ensure that a school's pastoral care structure addresses the issue of student harm by making appropriate provisions for the support of students, families and staff.
- School personnel who have access to information regarding suspected or disclosed student harm have a clear obligation to observe appropriate confidentiality in relation to the matter, and an obligation to ensure that relevant information is kept in a secure place.

1.3 Compliance requirements

All Brisbane Catholic Education employees have legislative and policy responsibilities according to the reporting processes outlined in this document.

If further information in relation to any of the processes mentioned in this document and/or other student protection compliance requirements please refer to the Principal, the schools' Student Protection Contact, a BCEO Student Protection Officer, or a BCEO Legal Counsel, Employee Relations.

1.4 Definitions and explanatory notes

- **A child** is a person under 18 years of age (*Child Protection Act 1999*).
- **An employee** is any person who is engaged to carry out work at the school for financial reward, whether an employee of Brisbane Catholic Education or not.
- **A staff member** is any person who is employed by Brisbane Catholic Education on a casual, fixed term or continuing basis.
- **A student** is any person under the age of 18 enrolled in a school, who is in attendance at a Brisbane Catholic Education school or college.

- **Student Protection Contact** A Student Protection Contact is one of at least two persons who are so designated in each school in compliance with *the Education (Accreditation of Non-State Schools) Regulations* (Provision 10, (4)). The role of a Student Protection Contact is to receive reports of suspected harm and alleged inappropriate behaviour by employees towards students and to take subsequent action as set down in the processes within this document. The names of the Student Protection Contacts are to be made known to the members of the school community and prominently displayed around the school. In Brisbane Catholic Education schools the school principal is to be one of the Student Protection Contacts. Information relating to the selection and support of Student Protection Contacts is to be found in **Appendix A** in the document titled ***Reporting and Intervention Processes (Sexual Abuse, Harm and Inappropriate Behaviour by an Employee towards a Student) November 2010***

- **Student Protection Officer** is a person(s) appointed by Brisbane Catholic Education to assist school personnel in relation to these processes in the assessing of harm and/or risk of harm to students. They also offer support and guidance to schools during and after intervention, and assist with the facilitation of compliance with student protection policies and procedures including developing and facilitating mandatory student protection in-service for staff.

1.5 Legal Issues

The following are guidelines only. Should other issues arise in relation to specific cases it is recommended further legal advice be sought. Legal Counsel - Employee Relations may be of assistance.

- In reporting cases of suspected harm to students, school personnel reporting to a relevant State authority are not required to prove the case, they need only report of their concern and the reasons for it.

- School personnel should be very careful, however, to report only to those authorities that need to know.

- The matter must remain highly confidential and should never become a topic of gossip and should never be spoken freely about with others.

- If you communicate the restricted and confidential report to others, an action for damages for defamation could be taken by the person suspected or a complaint may be made to the Office of the Privacy Commissioner in relation to a breach of the child's privacy.

Reports should be made to:

- The school principal (or acting principal)
 - Another Student Protection Contact (SPC) at the school
 - Department of Communities (Child Safety Services)
 - Queensland Police Service (QPS)
-
- The identity of individuals who report to Child Safety Services and QPS of their concerns about a child is confidential and they are protected from civil liability. That is, the person is protected from legal action being taken against him/her. (Section 22 *Child Protection Act 1999*).

- However, school personnel may be subpoenaed to attend court as a witness. In this instance the identity of the notifier cannot be kept confidential. Legal Counsel - Employee Relations can be of assistance to personnel who are subpoenaed to attend court.
- In the unlikely event of civil action being brought against school personnel as a consequence of reporting, Brisbane Catholic Education through the terms and conditions of its' insurers' policy will indemnify (i.e. accept responsibility to defend or settle claims) those school personnel who have acted conscientiously within the scope of their professional duties.

2. AWARENESS

2.1 Harm

Harm has been defined in law as

any detrimental effect of a significant nature on the child's/student's physical, psychological or emotional well being.

It is immaterial how the harm is caused.

Harm can be caused by –

- a) physical, psychological or emotional abuse or neglect; or*
- b) sexual abuse or exploitation.*

Child Protection Act 1999
Education (Accreditation of Non-State Schools) Act and Regulations 2001

2.2 Causes of harm

Harm can be caused by physical abuse, emotional abuse, sexual abuse or neglect by a parent, caregiver or other adults. Children and young people being exposed to domestic violence situations can also be harmed or at risk of harm as a result. Harm can also be caused by other children or young people via the use of electronic/cyber mediums, physical assault and problem sexual behaviour. Students can also self-harm at times.

- **Sexual abuse** takes place between a child or young person and a person who is older, or has power, authority or control over the child or young person. This authority allows the older person to use force, trickery, emotional bribery or blackmail or other emotional pressures. It could also involve secrecy, misuse of power and distortion of adult-child relationships. **It is important to note that peer sexual activity may also be abusive, especially if coercive.**

Sexual Abuse occurs when a person involves a child in sexual activity. Sexual abuse involves a range of activity including exposing child/student to pornographic images, exhibitionism, sexual touching and fondling, oral sex and intercourse.

Note: Children/students 16 years of age and under cannot legally consent to sexual acts with others and such activity is a criminal offence even if the child has, or appears to have, consented. Young people over sixteen can be subjected to sexual abuse through the use of power and improper use of authority even if the young person has, or appears to have, consented.

- **Physical Abuse** refers to non-accidental injury to a child by another person. These injuries are caused by violence including assaults, excessive discipline, severe beatings or shakings,

and any other actions causing injuries such as bruising, lacerations or welts, burns, fractures or dislocations, female genital mutilation, attempted suffocation, strangulation and death.

- **Emotional Abuse** is behaviour by another person that damages the confidence of a child resulting in significant emotional deprivation or trauma. It involves a negative impact on a child's social, emotional, cognitive, intellectual development and/or disturbance of a child's behaviour. Examples of emotional abuse include constant criticism, public humiliation, belittling or teasing and scapegoating.
- **Neglect** is the failure by the parent or caregiver responsible for a child to provide the child with adequate nutritious food, clothing, shelter, supervision and protection needed for the child's optimal growth and development. Failure to provide access to medical and dental care and educational opportunities may also be deemed as neglect. Child neglect occurs where a child is harmed by the failure to provide the basic physical and emotional necessities of life. Neglect is characterised as a continuum of omissions in parental care taking.
- **Domestic violence** is violence, abuse and intimidation perpetrated by one person against another in a personal, intimate relationship, causing fear, physical, sexual and/or psychological harm.

2.3 Sources of Harm

- (a) Harm to student by a person who is not an employee or agent of the school (Source 2)
- (b) Harm to a student by another student (Source 3)
- (c) Student self harm (Source 4)

Source 2

(a) Harm to students by a person who is not an employee or agent of the school

- over 85% of children/young people who are harmed are harmed by someone they know and trust - a parent, caregiver, sibling, and other relative, family friend or care giver.
- the younger the child, the more vulnerable they are and the more serious the consequences are likely to be.
- employees should be aware of signs and patterns of harm :
 - physical
 - emotional
 - behavioural

See appendix (*Seeing the Signs of harm*) for more information about general and specific signs of harm.

- these signs may indicate that a student is at risk of harm or may actually be suffering harm. These indicators are more significant if they are severe, occur in combination, and/or continue over a period of time
- it is important to keep an open mind when encountering signs of harm to a child as the presence of these signs does not necessarily mean that harm has occurred. All indicators need to be considered taking into account the child's circumstances and family context. They may suggest a student could be at risk and that further assessment, monitoring and an appropriate response is required.

Source 3

(b) Harm to students by another student

Harm can be cause to a student by another student. The use of the word bullying in this section includes all types of harassment and intimidation and can include sexual and physical harm. Besides sexual and physical harm the following type of incidents between students require an appropriate response.

(i) Cyber bullying

Cyber bullying is bullying using electronic communication media.

- Mobile phones and computers can be used to bully
- some cyber bullying or other misuse of electronic mediums can be a criminal offence and can also cause long-term harm to students
- these offences should be reported to police and managed appropriately at the school level.

(ii) Students with a disability

- it is important to recognise, acknowledge and respect the special needs and vulnerabilities of students with disabilities and their rights to an educational and family environment free from harm, discrimination, harassment or victimisation in relation to those disabilities.
- thus the welfare of students with disabilities with the school community needs to be monitored carefully.

(iii) Students with sexual behaviours

Sexual behaviours of various kinds may be evident in children, particularly in the early years. Some forms of this behaviour may be considered developmentally appropriate, while in some cases other behaviours may indicate that the child may have been exposed to inappropriate material or experiences. For example, reports of very young children knowing about and even experimenting with oral sex and other developmentally inappropriate and problem sexual behaviours have been reported in some schools.

- Schools need to respond appropriately to **any** sexual behaviours among students that come to their attention
- it is important that **ALL** cases of alleged developmentally inappropriate and/or **problem** sexual behaviour be taken seriously, and responded to in a timely manner. Principals should do all they can reasonably do in the particular circumstances to respond to the reported situation while acting with caution in their response.
- if assistance is required in assessing the appropriateness and/or seriousness of the sexual behaviour a BCEO student protection officer should be contacted.
- if problem sexual behaviour is identified steps should be taken to ensure the safety of the child or children who are involved or who could be exposed and to report according to student protection reporting process in relation to harm and risk of harm.

Source 4

(c) Student self-harm

During the course of their schooling, some students may be at risk of harming themselves.

- this may be by direct means such as cutting, burning etc. but could also be by engaging in serious risk taking behaviours such as alcohol/substance abuse, recklessly dangerous physical activities and/or unsafe promiscuity.
- each of these situations presents the possibility of a complex range of precipitating circumstances and possible interventions.
- if student self-harm is identified steps should be taken to ensure the initial safety of the student
- staff are to report it according to student protection reporting process in relation to harm and risk of harm.

2.4 Assessing harm

When attempting to assess whether *harm* (as defined) has taken place or whether there is risk of *harm* the following questions may be useful.

- has *harm* or risk of *harm* been identified? (i.e. *a detrimental effect of a significant nature*).
- what are the *signs of harm*? (See appendix 7.6)
- what are the **reasonable grounds to suspect* this? (See below)
- what are the important pieces of information that provide background?
- what information is not evident that we might need to find?

3. RESPONDING

3.1 Reasonable grounds to suspect harm has been caused or there is risk of harm

***“Reasonable grounds to suspect” means:**

- a student reports or discloses information to a staff member that would lead the employee to suspect that the student has been harmed or is at risk of harm
- a student reports or discloses information to a staff member that would lead the employee to suspect that the student knows a student/child who has been harmed or is at risk of harm
- someone else gives a staff member information that would lead the employee to suspect that a student/child has been harmed or is at risk of harm. (This information may come from a relative, friend, acquaintance of the student, or sometimes could be anonymous).
- a staff member’s own observation of a particular student’s behaviour or physical appearance, or knowledge of children generally, leads the staff to suspect that the student has been harmed or is at risk of harm

Please Note:

At times information may come to a staff member’s attention indirectly (perhaps third hand). In these cases the following issues should be considered.

- in some cases, clarification of this information may be appropriate.
- however, it is not the school’s role to investigate or confirm the validity of the information.
- if the information received gives a staff member information that would lead the employee to suspect that a student/child has been harmed or is at risk of harm a report should be made to a relevant State Authority

- details about how the information came to the school's attention should be included in the school's report to the State Authority.

3.2 Pastoral guidelines for dealing with a disclosure

School personnel are often the first people students may tell when they are feeling unsafe. Be aware of how children/young people disclose. If a student tells you about being harmed:

Do:

- listen attentively, actively and be non-judgemental
- react calmly to the information the student provides.
- only question the student if absolutely necessary and restrict yourself to questions such as *'Tell me what happened...and/or Tell me more about that...'*
- reassure the student that *they have done the right thing to tell* e.g. *'I am pleased you have told me these things'*.
- reassure them they are not to blame
- provide pastoral support to the student and be aware of the privacy issues involved.
- be honest about your responsibility to take action.

Do not:

- react emotionally or accuse
- seek any more information than is absolutely necessary
- ask leading or probing questions or put words in the student's mouth
- make promises that you cannot keep – particularly about not telling others about the information such as the principal or other Student Protection Contact
- leave the child alone immediately after a disclosure.
- discuss the situation with parents, caregivers or others (other than those designated e.g. principal or other Student Protection Contact).

General information about handling disclosures

- remember it is not a school staff member's role to investigate
- only ask enough questions to help you decide whether you have **reasonable grounds to suspect* harm or risk of harm
- excessive questioning could cause distress and confusion and could interfere with any subsequent investigation undertaken by relevant State authorities
- as soon as possible after the disclosure take detailed **relevant** notes about any signs, disclosures, injuries, and behaviours that cause you to be concerned for the student's safety or wellbeing

3.3 Taking photographs of injuries

- staff must not take photos of injuries to students. If required, this is facilitated by the Queensland Police Service.

3.4 Contact with parents/carers

- when the concerns of harm to a student are in relation to someone in the student's family and/or someone who resides in the student's home, the parents/guardians must not be informed of the concerns by the school before or after the report is made.

4. REPORTING

4.1 Reporting by students

- Should a student wish to report harm or suspected harm to himself/herself or to any other student, he/she may report this to the principal or other Student Protection Contact at the school.
- A student may make the report orally, in writing, or through any other means of communication.
- A student's parent or carer may make the report to the principal or other Student Protection Contact on behalf of the student.

4.2 Staff member reporting responsibilities (including responsibilities of Student Protection Contacts)

- school personnel who have **reasonable grounds to suspect* that harm has been caused to a student, or that a student is at risk of harm, must report this to the principal or another Student Protection Contact and keep appropriate records.
- if reported to the Student Protection Contact and the Student Protection Contact has **reasonable grounds to suspect* that harm has been caused to a student then the Student Protection Contact must report this to the relevant State Authority/Authorities as soon as possible and keep appropriate records.
- it is important that wherever possible the Student Protection Contact should notify the principal (or acting principal) of the report **before** making the **oral** report and the principal (or acting principal) should sign the **written** report before it is sent to the relevant State Authority
- if the Student Protection Contact is not sure about whether the allegation/concern/observation constitutes harm or risk of harm the Student Protection Contact will consult with the principal who will then assist the Student Protection Contact in assessing the situation and deciding on appropriate action.

4.3 Principals' reporting responsibilities

- If the principal has **reasonable grounds to suspect* harm that has been caused to a student or the student is at risk of harm they must report this to the relevant State Authority.
- If the principal is *unsure whether the allegation/concern/observation constitutes harm or risk of harm* the principal, or nominee, can contact a BCEO Student Protection Officer who will then assist the principal or other Student Protection Contact in assessing the situation and deciding on appropriate action.
- If the decision is made not to report to a State Authority, the principal and Student Protection Contact should make a record of their decisions, the rationale for those decisions, and store the records in a confidential file.

- Principals and teachers, including school counsellors, must not undertake an investigation of cases of suspected harm beyond satisfying themselves that they **have reasonable grounds to suspect* harm has occurred or is at risk of occurring. It is the role of qualified Officers of Child Safety Services and/or Queensland Police to investigate and collect evidence in cases of harm to children and young people.
- The identity of the person reporting to the principal whether a member of the school staff or of the public, is not to be revealed to any person or Officer of any Department, without that person's knowledge and consent.
- The *Child Protection Act 1999* (Section 22) provides for both protection of citizens who make voluntary reports, and the confidentiality of information supplied by the person making the report. Where a staff member attends court, anonymity cannot be preserved. (see 1.5 above).

4.3 Making a report to a relevant *State Authority

*A relevant State Authority could be either the Department of Communities (Child Safety Services) and/or specialist Police e.g. CPIU (Child Protection Investigation Unit) - QPS

It is important for school personnel to be aware of contact details for the Child Safety Regional Intake Services and Officer in Charge of the QPS Child Protection Investigation Unit (CPIU) in their local area.

For Reports to Child Safety Services:

During normal business hours - contact the appropriate [Regional Intake Service](#) –See Appendix 7.7 for contact details.

For after hours and on weekends - contact the Child Safety After Hours Service on **1800 177 135** or 3235 9999. The service operates 24 hours a day, seven days a week.

If you believe a child is in immediate danger or in a life-threatening situation, contact the Queensland Police Service immediately by dialling 000.

For reports to police: Queensland Police Service has a number of child protection and investigation units across Queensland. To contact the Queensland Police Service, contact the [Police District Communication Centre](#) nearest you - see Appendix 7.8.

In making a report the following process should be followed:

Before ringing it is important to have ready relevant information and it is helpful to give this information in the order below.

- name and position of notifier
- name of student/s
- date of birth of student/s
- names of other family members if available e.g. mother, father, guardian, siblings and/or other people living in the house
- address of the family
- relevant concerns e.g. disclosures, physical and/or behavioural signs, dates etc. and other relevant information such as any court orders in place (e.g. Family Court

Orders or Domestic Violence Orders) and any other information that may assist the authority to assess risk to student.

- after deciding which Child Safety Services Regional Intake Service and/or CPIU is closest to the child's home address, ring and provide the prepared information.
- at the time of making the report a request can be made to that agency to indicate their response to the report so the case can be managed appropriately within the school. This request can also be indicated on the reporting form.
- after deciding which office is closest to the child's home address, ring and request to speak to an **"intake officer"** and provide the prepared information. A request can be made to that agency to indicate their response to the report so the case can be managed appropriately within the school if required.
- if difficulties occur with the telephone reporting process, such as not being able to access a Child Safety Services Regional Intake Service or CPIU (police) personnel or being unable to obtain an appropriate response from the State Authority notified, a BCEO Student Protection Officer could be able to assist in liaising with the State Authority involved.
- after making the report by phone the principal or Student Protection Contact will complete the reporting form for this purpose (see appendix 7.4) ensuring that the principal (or delegate) signs the form
- the principal or Student Protection Contact then will fax a copy to the relevant state authority and then email a copy to BCEO Professional Standards and Student Protection to the email address at the top of the form.
- the form is then filed confidentially at school level for accountability and compliance requirements as demonstration that the student protection reporting processes have been followed.

5. RECORDING

5.1 Making student protection records

The notes/records/reports staff make about student protection concerns are important documents containing important information. School personnel could be interviewed as part of an investigation, or required to attend court. They may need to refer to their notes later or these notes could be subpoenaed. In making any record of concerns about any student protection issue staff are encouraged to keep in mind the following:

Do

- be as objective as you can and record factual information as soon as possible
- write down exactly what has been observed or heard, noting the date and time
- always sign the record. It should be clear whether the record was made on the same day as the incident, or after.

Do Not

- express an opinion about what was observed or heard
- record judgements
- interpret what was observed or heard
- use emotive terms

5.2 Reporting forms

- completed BCE student protection reporting forms are demonstration that the school is following BCE student protection reporting processes, a component of compliance under the Education (Accreditation of Non-State Schools) Regulations 2001. For an example of this form see appendix 7.4 An electronic version of this form can be accessed under '*Student Protection Reporting Form*' on the K-Web.

5.3 Storing student protection records

- schools are advised to keep student protection information in a central confidential file apart from individual student files to ensure accountability and to assist in the continuity of information from year to year. These records may be the subject of a subpoena in court processes.

6. SUPPORTING

6.1 Ongoing support of students

- employ techniques which help build a student's self-esteem and sense of security.
- caringly guide the student's towards normal healthy relations with others.
- do not tolerate negative behaviour, state your expectations clearly and be consistent.
- let the student know that there are people who can talk with them if required. However, do not dwell on the issue or allow it to become a means of getting attention.
- prepare the student for any transitions and changes if possible

6.2 Ongoing support of principal and staff

- taking action in student protection matters can be stressful for all staff.
- staff need to be aware of their own reactions. They may need support and assistance for their own feelings of anger, fear and helplessness.
- it is suggested that the principal should ensure that any staff member involved in any student protection incident is provided with opportunities for support and debriefing.
- Brisbane Catholic Education Employee Assistance Program can be contacted by ringing 1300 699 344.

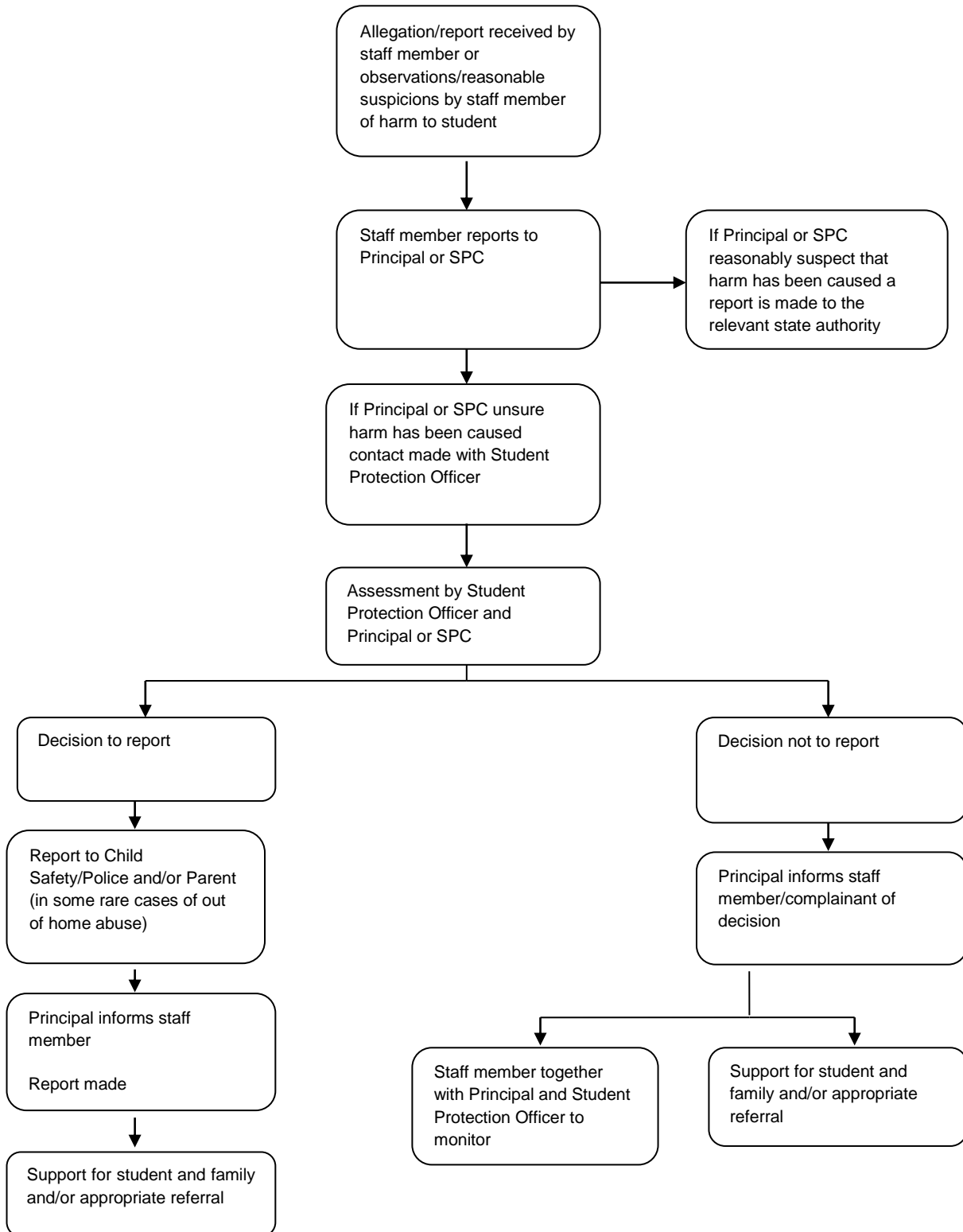
6.3 Role of Brisbane Catholic Education Office

- Brisbane Catholic Education Student Protection Officers can assist the principal or Student Protection Contact in assessing situations of student harm, and deciding on appropriate action.
- if appropriate the BCEO Student Protection Officer will be available to advise and assist in linking students and families with appropriate support networks if required.
- where necessary the BCEO Student Protection Officer will be available to assist the principal in liaising with the relevant state authorities and community agencies.
- BCEO Student Protection Officers will also be available to support staff involved in student protection incidents and to assist in the linking of those involved with supportive networks if required.

- in the event of any legal issues the BCEO Legal Counsel within Employee Relations will be available to advise staff on relevant issues that may arise.

7.1: REPORTING FLOW CHART

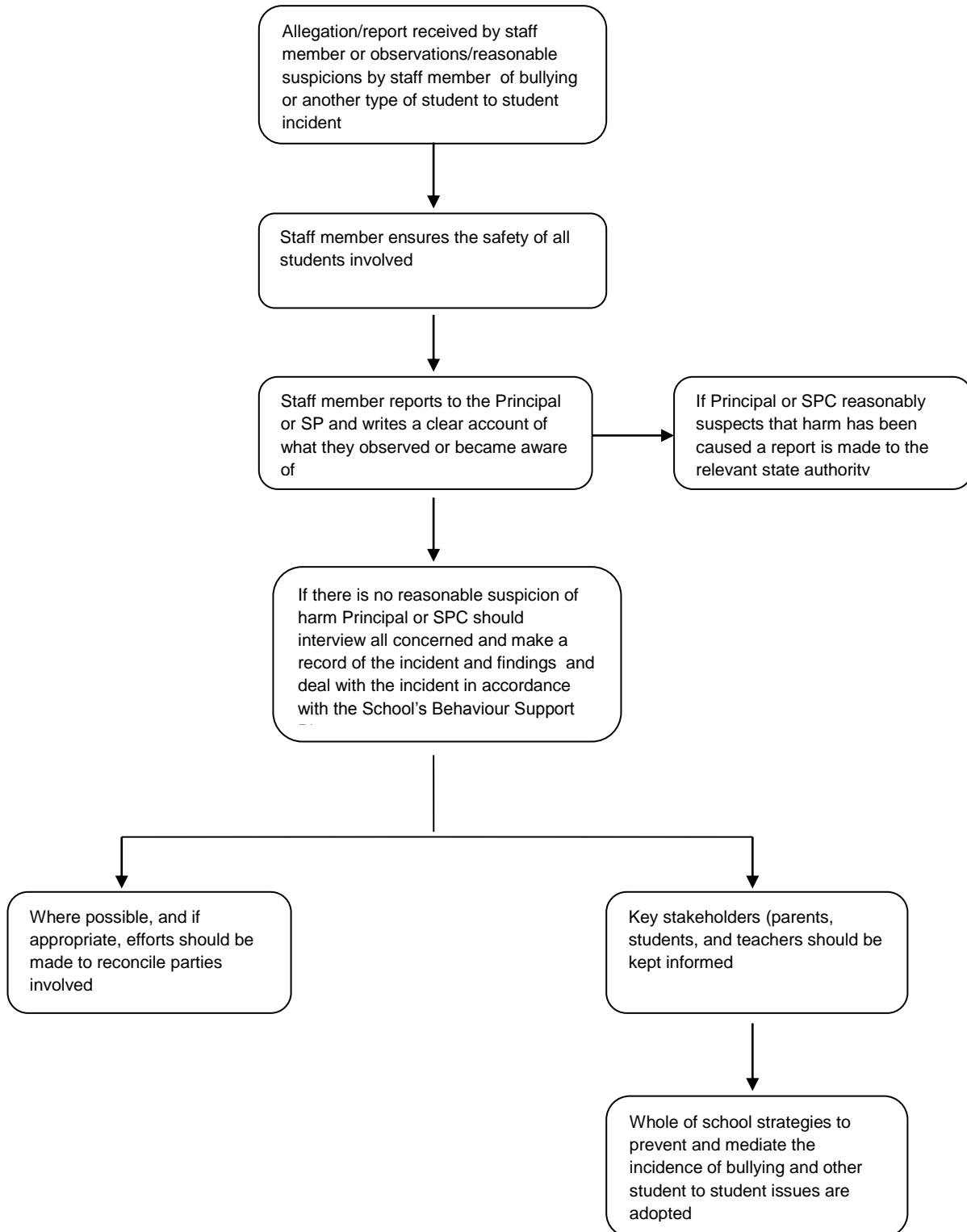
RESPONDING TO ALLEGATIONS OF STUDENT HARM
By a person who is not an employee (i.e. by a family member, friend or other)



SEE APPENDIX 1 FOR FORM FOR REPORTING HARM OR RISK OF HARM TO STATE AUTHORITIES

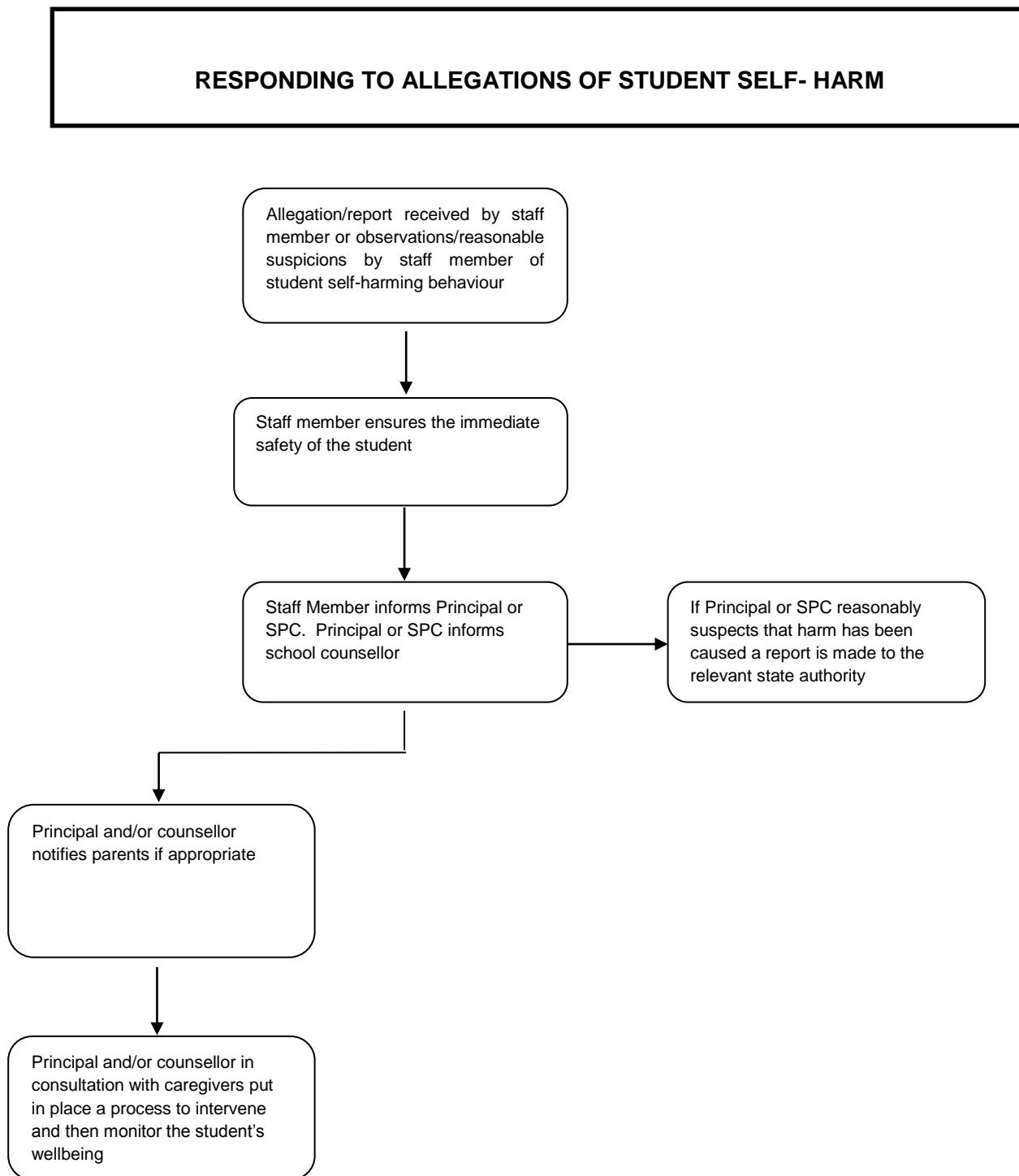
7.2: REPORTING FLOW CHART

RESPONDING TO ALLEGATIONS OF STUDENT HARM by another student



SEE APPENDIX 1 FOR FORM FOR REPORTING HARM OR RISK OF HARM TO STATE AUTHORITIES

7.3: REPORTING FLOW CHART



SEE APPENDIX 1 FOR FORM FOR REPORTING HARM OR RISK OF HARM TO STATE AUTHORITIES



7.4 – Reporting Form

Private and Confidential

Report of suspected harm or risk of harm to students (NOT by employees)

After making a report by telephone to the relevant State authority this completed form is to be faxed to that relevant state authority (or authorities)


A copy is then to be emailed to BCEO at spreports@bne.catholic.edu.au

REPORT PROVIDED TO		Location		Name of Authorised Officer report made to		Fax No.	
<input type="checkbox"/> Child Safety Services Centre							
<input type="checkbox"/> Queensland Police Service - Station							
<input type="checkbox"/> BCEO - Professional Standards and Student Protection				email: spreports@bne.catholic.edu.au			
SCHOOL DETAILS							
School				Principal			
Address				Suburb			
P/code		Phone		Fax			
STUDENT DETAILS (Student/Child Harmed or at Risk of Harm) If more than two names, please attach details separately.							
Name 1 <i>(incl. aliases)</i>							
D.O.B		/ /		<input type="checkbox"/> Male <input type="checkbox"/> Female		Year Level	
Does the student have a disability?		<input type="checkbox"/> Yes <input type="checkbox"/> Verified <input type="checkbox"/> No		Type and severity:			
☛ Please specify if this disability impacts on a potential interview process:							
Name 2 <i>(incl. aliases)</i>							
D.O.B		/ /		<input type="checkbox"/> Male <input type="checkbox"/> Female		Year Level	
Does the student have a disability?		<input type="checkbox"/> Yes <input type="checkbox"/> Verified <input type="checkbox"/> No		Type and severity:			
☛ Please specify if this disability impacts on a potential interview process:							
Residential Address (If different residence for each child please attach separately)							
Suburb		State		Postcode			
Cultural Background		<input type="checkbox"/> Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Other – please specify:					
Does the student speak English?		<input type="checkbox"/> Yes <input type="checkbox"/> No		If no, please specify language:			
Is an interpreter required?		<input type="checkbox"/> Yes <input type="checkbox"/> No					
FAMILY DETAILS							
Parent/caregiver (name)				Relationship to Student			
Phone: (Home)		(Work)		(Mobile)			
Parent / caregiver (name)				Relationship to Student			
Address: (if different from student's)							
Phone: (Home)		(Work)		(Mobile)			
All Household Members at that Address (siblings, extended family and others)							
Name		Age	Sex M/F		Relationship to Student		
			<input type="checkbox"/> M <input type="checkbox"/> F				
			<input type="checkbox"/> M <input type="checkbox"/> F				
			<input type="checkbox"/> M <input type="checkbox"/> F				
If more household members, please attach details							
COURT ORDERS IN PLACE (e.g. Child Protection, Domestic Violence, Family Court)							
Family Court Order		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown		Please specify Details:			
Domestic Violence Order		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown		Please specify Details:			
Child Protection Order		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown		Please specify Details:			

Student Protection Processes – Part 2 – Harm (non-Employee conduct)

STUDENT'S NAME		DOB		SCHOOL	
TYPE OF SUSPECTED HARM / RISK OF HARM (more than one can be ticked)					
<input type="checkbox"/> ☞ Harm by someone not immediately associated with the school (e.g. family member)					
☞ <input type="checkbox"/> Physical <input type="checkbox"/> Sexual <input type="checkbox"/> Emotional <input type="checkbox"/> Neglect <input type="checkbox"/> Domestic Violence					
<input type="checkbox"/> ☞ Student to Student Harm					
☞ <input type="checkbox"/> Physical <input type="checkbox"/> Sexual <input type="checkbox"/> Emotional <input type="checkbox"/> Cyber					
<input type="checkbox"/> ☞ Student Self-Harm					
☞ Parental Response to Self-Harm: Please specify details					
PERSON/S ALLEGEDLY RESPONSIBLE FOR HARM / RISK OF HARM					
Name 1 (including aliases):				D.O.B. / approx age:	
Relationship to child:					
Name 2 (including aliases):				D.O.B. / approx age:	
Relationship to child:					
Residential Address:					
Telephone no:					
DETAILS OF SUSPECTED HARM OR RISK OF HARM					
Harm / Risk of Harm – e.g. How the information was reported; description of any injuries; details of any disclosures; pattern/history of harm; emotional/behaviour indicators; evidence of domestic violence.					
Other Relevant Information – e.g. Family circumstances/relationships; mental health issues; substance use; disabilities; family stresses; mobility (frequent school/family relocations).					
Are you aware of any prior relevant contact this family has had with: If yes please provide any details you might have of this contact					
<input type="checkbox"/> Child Safety Services <input type="checkbox"/> Queensland Police Service <input type="checkbox"/> Queensland Health/ CYMHS <input type="checkbox"/> SCAN Request					
Protective Factors – e.g. Presence of a protective caregiver; a child's ability to seek external help; positive family relationships.					
Details:					
Other Actions Taken by School or Others to Date:					
Details:					
Name of staff member making report to the Statutory Agency if not the principal:		Signature:		Date: / /	
Position:					
Principal:		Signature:		Date: / /	
Principal's email address					
Response requested by school		<input type="checkbox"/> Yes <input type="checkbox"/> No			
WHERE TO FORWARD THIS FORM					
If the source of the abuse is:					
<ul style="list-style-type: none"> • Within family – report to Child Safety Services • Within family & possible criminal conduct – report to Child Safety Services and QPS • Outside family – report to QPS and Child Safety Services if unsure whether parent/carer is willing and able to protect • Unknown – report to Child Safety Services and QPS • Email copy to Student Protection Services BCEO 					
REPORT PROVIDED TO (CHECKLIST)					
<input type="checkbox"/> Child Safety Services					
<input type="checkbox"/> Queensland Police Service - Station					
<input type="checkbox"/> BCEO - Professional Standards and Student Protection email: spreports@bne.catholic.edu.au					

7.5 – Record of Interview

 Brisbane Catholic Education			
Record of an interview with a student for whom there are student protection concerns conducted by Department of Communities (Child Safety Services) and/or the Queensland Police Service on a Brisbane Catholic Education school site without parental consent			
This form is to be completed by the Principal (or delegate) and retained confidentially at school level. File the form in a secure location with other school student protection documentation.			
PREPARATION			
School:			
Student to be interviewed:			D.O.B.
Date of request:			
Time period within which contact is required <input type="checkbox"/> Immediate / today <input type="checkbox"/> < 5 days <input type="checkbox"/> 5 days - 14 days+			
Agency/agencies intending to interview student	<input type="checkbox"/> Child Safety Services		
	<input type="checkbox"/> Queensland Police Service		
Officers who will interview the student	Name	Position	Agency
Relevant Section of the <i>Child Protection Act 1999</i> for request	<input type="checkbox"/> S 17 (1) (b) (i) - It is in the child's best interests that the officer has contact with the child before the child's parents are told about the investigation		
	<input type="checkbox"/> S 17 (1) (b) (ii) - the child's parents knowing in advance about the proposed contact with the child is likely to adversely affect or otherwise prevent the proper conduct of the investigation		
Parental consent	Interviews conducted under S 17 (1) (b) (i) and/or (ii) As per Section 17 (4) of the <i>Child Protection Act 1999</i> an officer of the: <input type="checkbox"/> Child Safety Services <input type="checkbox"/> Queensland Police Service will, as soon as practicable after the officer has had contact with the student, tell at least one (1) of the student's parents that the officer has had contact with the student and the reasons for the contact.		
	Interviews that DO NOT fall under S 17 (1) (b) (i) and/or (ii) Has the student's parent been contacted by Child Safety Services or the Queensland Police Service in relation to the planned interview? <input type="checkbox"/> Yes <input type="checkbox"/> No (Interview may proceed once parent has been informed and has given consent. Where parents do not consent, the interview may not proceed).		
	Can Catholic Education provide the student with a support person during the interview?		
Brisbane Catholic Education support person	<input type="checkbox"/> Yes		
	Outline any conditions of the support person's involvement in the planned interview: • • • •		

PREPARATION (continued)			
Brisbane Catholic Education support person (continued)	<input type="checkbox"/> No. A support person may not attend the interview.		
	Reason/s for not allowing a support person to be present during the interview:		
	•		
	•		
	•		
RECORD OF INTERVIEW			
Date and time interview conducted			
Officers from external agencies present during interview	Name	Position	Agency
Brisbane Catholic Education person present during interview	Name		Position
Name of Principal (or delegate)			
Signature of Principal (or delegate)			Date:

7.6– SEEING THE SIGNS OF HARM

There are many signs that might lead staff to have concerns about a student. Keep an open mind when encountering these signs, as their presence does not necessarily mean that harm has occurred. They may indicate a student could be at risk of harm and that further assessment and monitoring is the appropriate response.

It is important to remember:

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

In general terms, something may be wrong if you see student behaviour such as:

- Nervous/withdrawn
- Passivity/excessive compliance
- Poor peer relationships
- Trouble concentrating at school/unexpected drop in school academic performance
- Frequent absences from school without acceptable explanations
- Being aggressive, stealing or running away
- Out of character behaviour
- Behaviour that is different to peers
- In younger students: separation anxiety, changed eating patterns
- In older students: drug/alcohol use, sexual promiscuity, self harm or reckless and risk-taking behaviour.

For the specific causes of harm you may see:

<p>PHYSICAL</p> <ul style="list-style-type: none"> ➤ Facial, head, neck bruises or lacerations ➤ Burns / scalds ➤ Multiple injuries or bruises, especially over time ➤ Fractures, dislocations, twisting injuries ➤ Explanation offered by child not consistent with the injury ➤ Repeated injuries with the same explanation e.g. “I fell off my bike. 	<p>NEGLECT</p> <ul style="list-style-type: none"> ➤ Delay in achieving developmental milestones ➤ Untreated physical problems ➤ Poor personal hygiene leading to social isolation ➤ Scavenging for / stealing food; lack of adequate school lunches ➤ Self-comforting behaviour ➤ Extreme seeking of adult affection ➤ Flat and superficial way of relating 	<p>DOMESTIC VIOLENCE</p> <ul style="list-style-type: none"> ➤ Difficulties in eating and sleeping ➤ Regressive behaviour ➤ Developmental delays ➤ Child is over-protective of the mother ➤ Abuse of siblings / parent
<p>EMOTIONAL/PSYCHOLOGICAL</p> <ul style="list-style-type: none"> ➤ Inability to value self and others ➤ Lack of trust in people ➤ Statements from the child e.g. “I’m bad” “I was born bad” ➤ Extreme attention seeking behaviours 	<p>SEXUAL</p> <ul style="list-style-type: none"> ➤ Direct or indirect disclosures of abuse ➤ Age-inappropriate sexual behaviour and 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 little girls ➤ Physical trauma to buttocks, breasts, genitals, lower abdomen, thighs ➤ Unexplained accumulation of money/gifts 	

7.7 Contact Details for Department of Communities - Child Safety Services Regional Intake Services

Regional Intake Services	Phone number	Fax number
South East	1300 679 849	3884 8802
South West	1300 683 390	4616 1796
Far North Queensland	1300 684 062	4039 8320
North Queensland	1300 706 147	4799 7273
North Coast	1300 703 921	5420 9049
Brisbane	1300 682 254	3259 8771
Central Queensland	1300 703 762	4938 4697

7.8 Contact Details for Queensland Police Service 24 hour District Communication Centres

Beenleigh	3807 7770
Broadbeach	5581 2900
Caboolture	5409 0000
Charleville	4654 1200
Gympie	5482 2111
Ipswich	3817 1585
Mackay	4968 3444
Maroochydore	5409 0000
Mount Isa	4744 1111
Rockhampton	4932 3500
Toowoomba	4631 6333

Brisbane	3364 6464
Bundaberg	4153 9111
Cairns	4030 7000
Gladstone	4971 3222
Innisfail	4061 5777
Longreach	4652 7200
Mareeba	4030 3300
Maryborough	4123 8111
Redcliffe	5409 0000
Roma	4622 9333
Townsville	4759 9777

PART 3



STUDENT PROTECTION

**PROCESSES FOR ENSURING THAT
THE STUDENT PROTECTION PROCESSES
ARE MADE KNOWN TO STUDENTS AND TO STAFF
AND ARE BEING IMPLEMENTED IN SCHOOLS**

**Catholic Education
Archdiocese of Brisbane
July 2011**

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ENSURING THAT THE STUDENT PROTECTION PROCESSES THAT APPLY IN THE SCHOOL ARE KNOWN BY STUDENTS AND STAFF

Principals are responsible for:

1.1 Ensuring that the Student Protection processes that apply in the school are made known to students and staff members.

Each principal is responsible for ensuring that:

- (i) the documents stipulating the Student Protection processes are freely available to employees and students.
- (ii) employees and students are aware of the Student Protection processes including the names of the school's Student Protection Contacts.
- (iii) she/he can demonstrate to Brisbane Catholic Education Office how the Student Protection processes are being implemented within the school.

1.2 Ensuring that the documents stipulating Student Protection processes are freely available to employees and students

- The principal will ensure that a hard copy of the documents will be placed in the school library and will be freely available for inspection by employees, students and parents during school hours.
- The principal will ensure that school makes an electronic copy of the documents readily available to students and parents through the school's internet site/intranet.
- Brisbane Catholic Education Office will publish an electronic copy of the documents on the BCE intranet so that they are freely available to staff members.

1.3 Ensuring that employees and students are aware of the Student Protection processes

1.3.1 Employees

Principals are responsible for ensuring that:

- All new staff members are made aware of the requirements of the Code of Conduct and the documents that stipulate BCE Student Protection processes as part of their induction.
- The names of the school's Student Protection Contacts are made known to employees and displayed in the staffroom, and in the staff handbook and/or the school's intranet site.
- All new staff members undertake Mandatory Student Protection training during their initial period of employment.
- All staff members receive reminders about their Student Protection responsibilities on at least an annual basis.
- Other employees understand their Student Protection responsibilities as appropriate
- All volunteers complete Student Protection training and receive a copy of the Volunteer Code of Conduct.
- He/she appoints at least one other suitable staff member to fulfil the role of Student Protection Contact for the school.

Brisbane Catholic Education Office is responsible for ensuring that:

- As part of induction all new principals receive Student Protection training that is appropriate to their roles and responsibilities.
- Suitable Student Protection programs and training materials are made available and delivered to staff.
- Student Protection brochures are made available to schools for distribution.
- Specialised Student Protection training is made available and delivered to principals, other Student Protection Contacts and Guidance Counsellors.

- Specialised Student Protection expertise is available to staff members through the work of Student Protection Officers and other staff within Brisbane Catholic Education Office.

1.3.2 Students

Principals are responsible for ensuring that:

- 'Feeling safe' 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, assemblies, handbooks, the school newsletter, the school's internet site/intranet and 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, assemblies, handbooks, the school newsletter, the school's internet site/intranet and parent information sessions.
- Students and parents are made aware that a hard copy of the documents stipulating Student Protection processes are in the school library and freely available for inspection during school hours.
- Students and parents are made aware that electronic copies of the documents stipulating Student Protection processes are available through the school's internet site/intranet.
- Student Protection brochures are made available to parents.

Brisbane Catholic Education Office is responsible for ensuring that:

- Suitable Student Protection brochures are made available in hard copy and electronic formats for distribution by schools

2.0 ENSURING THAT THE PRINCIPAL CAN DEMONSTRATE TO BRISBANE CATHOLIC EDUCATION OFFICE HOW THE STUDENT PROTECTION PROCESSES ARE BEING IMPLEMENTED WITHIN THE SCHOOL

The principal must:

- Keep and make available on request records and other evidence that demonstrate that the Student Protection processes are being implemented within the school, and how they are being implemented.
- Keep updated the names of the school's Student Protection contacts in the Appendix of the school's copies of this document.
- Inform Brisbane Catholic Education Office of the names of the school's Student Protection Contacts for placing on a centralised register, and of any changes that occur from time to time.
- Demonstrate the school's compliance with Student Protection requirements as part of School Cyclical Review – Priority 8.2: Accountability.

APPENDIX A - School proforma – Student Protection Contacts and School Authority details



PROFORMA – STUDENT PROTECTION CONTACTS AND SCHOOL AUTHORITY DETAILS

A current completed copy of this proforma must be kept at the school and be freely available to staff, students and parents. A current completed copy must also be given to each Student Protection Contact.

NAME OF SCHOOL/COLLEGE
<p>Concerns about inappropriate behaviour of employees at this school may be reported to the Student Protection Contacts whose names appear below: (There must be at least two staff members at the school who are appointed as Student Protection Contacts by the Principal. One must be the Principal.)</p>
(Name and position)
(Name and position)
(Name and position)
(Name and position)
(Name and position)
<p>THE STUDENT PROTECTION OFFICERS WITHIN THE BRISBANE CATHOLIC EDUCATION OFFICE MAY BE CONTACTED ON 3033 7409.</p>
<p>The Catholic School authority for this school is known as: Catholic Education, Archdiocese of Brisbane</p> <p>For which the Governing Body is: The Corporation of the Trustees of the Roman Catholic Archdiocese of Brisbane</p> <p>The sole Director of the School’s Governing Body is: The Catholic Archbishop of Brisbane</p>
<p>IMPORTANT INFORMATION Although employees are required to follow the Student Protection procedures laid down by Brisbane Catholic Education, this does not limit the freedom of any person to take immediate action to notify police of any complaint or concern about the safety of a student, particularly if he/she believes that it is essential to ensure a student’s safety.</p>

APPENDIX B - Student Protection Contacts

The Education (Accreditation of Non-State Schools) Regulation 2001 (s.10) requires Non-State schools in Queensland to nominate at least two stated staff members to whom a student can report behaviour of another staff member that the student considers inappropriate.

In Brisbane Catholic Education schools, the Principal is to be nominated as one Student Protection Contact. It is the responsibility of the principal to ensure that there is **at least** one other staff member nominated as Student Protection Contact.

The names and identities of the Student Protection Contacts must be made known to staff, students and parents, and must be prominently displayed in areas frequented by staff and by students. Students must also be made aware of the process for the reporting of inappropriate behaviour by an employee to a Student Protection Contact. The principal is responsible for ensuring that this information is made available in a variety of ways including through the display of 'Feeling Unsafe?' posters provided by Brisbane Catholic Education Office.

Selection of Student Protection Contacts

Principals are advised to give serious consideration as to who is selected as a Student Protection Contact in the school. While there is a requirement to have at least two Student Protection Contacts it may be appropriate to nominate more than two in larger schools such as P – 12 Colleges, taking into account the age and diversity of students. In the general selection of a staff member for this role some other considerations should be:

1. **The employee's personal attitudes, experiences and beliefs**
 - someone who is non-judgemental 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
2. **The employee's role within the school**
 - 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
3. **The employee's personal profile within the school * for example**
 - approachable
 - someone whom students trust
 - someone whom staff trust
 - someone willing and able to respond personally and sensitively

- * It is important to note that unfortunately many of the positive characteristics mentioned here 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 this one aspect of suitability.

- 4. The employee's willingness and capacity to work in a proactive partnership with the principal and any other Student Protection Contact at the school**
- 5. Gender balance issues**
- 6. A willingness and ability to make effective and objective student protection records and reports**
- 7. A willingness and ability to attend student protection professional learning opportunities when offered**

Responsibilities of Student Protection Contacts

- To fully understand and embrace their obligations in the role
- To receive a report of behaviour of a staff member towards a student that a student considers is inappropriate and to inform the principal of the report (or the Area Supervisor if the allegation/complaint involves the principal).
- To receive a report of harm or suspicion of harm to a student and to inform the principal of the report (or the Area Supervisor if the allegation/complaint involves the principal).
- To report harm or a suspicion of harm done to a student to a relevant State authority if appropriate.
- If informed by a staff member of sexual abuse or suspected sexual abuse done to a student by an employee, to immediately advise that staff member to make a mandatory report to the principal or the Archbishop as required by law.
- If informed by anyone else of sexual abuse or suspected sexual abuse done to a student by an employee, to immediately make a mandatory report to the principal or the Archbishop as required by law.
- To make appropriate Student Protection records.
- To assist the principal in the management of student protection incidents if requested.
- To assist the principal in the support of students and staff when appropriate.
- To seek advice and support from BCEO Student Protection Officers as appropriate.

APPENDIX C – ‘Feeling Unsafe’ Student Posters

Feeling Unsafe?

Go

and

Tell

Every student has the right to feel safe.

Sometimes you may feel unsafe around adults or other students at school or away from school.

If you do not feel safe there are things you can do.

Tell an adult you trust

Remember: Nothing is so awful that you can't talk about it with someone.





Some of the people you might choose could include:

- The Principal**
- The Student Protection Contact**
- A Teacher**
- A Counsellor**
- A Parent**

Remember every student has the right to feel safe all the time!

If you don't get the help you need at first, don't give up, keep reporting your concerns until something is done and you feel safe again.

Feeling Unsafe?



Trust your feelings

Talk to someone about it

Take control to feel safe again

Every student has the right to feel safe.

Sometimes you may feel unsafe around adults or other students at school or away from school.

If you do not feel safe there are things you can do.

Tell an adult you trust

Remember: Nothing is so awful that you can't talk about it with someone.

Some of the people you might choose could include:

- The Principal**
- The Student Protection Contact**
- A Teacher**
- A Counsellor**
- A Parent**

Remember every student has the right to feel safe all the time!

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