

30 August 2010

BY COURIER

Emeritus Professor Vi McLean AM
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Dear Professor McLean

**The Corporation of the Roman Catholic Diocese of Toowoomba
Student Protection Policy and Procedure**

We act for the Corporation of the Roman Catholic Diocese of Toowoomba.

We enclose eleven bound copies of our client's Student Protection Policy and Procedure (**the policy**).

With respect to the Non State Schools Accreditation Board's (**the Board**) letter of 12 July 2010 we advise (adopting the Board's numbering):

5. reference has been included in the policy to the *Education (Accreditation of Non-State Schools) Regulation 2001* and the *Education (General Provisions) Regulation 2006*;
6. the policy has been amended so that sexual abuse by volunteers is now encompassed under mandatory reporting of harm or suspected harm (other than sexual abuse by an employee) – a Category 1 Section 10 Mandatory Report;
7. the policy has been amended at section 3.4 so that the primary reporting responsibility for sexual abuse or suspected sexual abuse of a student by an employee falls on the director of the school's governing body rather than the director of the Toowoomba Catholic Education Office;
8. there are now separate reporting forms for a section 366 report and a section 10 report which clarifies the distinction to which the Board refers at paragraph 8 of its letter of 12 July;
9. the flow charts at section 5 of the policy have been amended to clarify the different legislative reporting responsibilities;
10. the form at section 7.3 of the policy has been amended to delete reference to inappropriate behaviour of a sexual nature by an employee;

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11. the policy has been significantly amended generally to make a clear distinction between section 366 harm and section 10 harm. In particular allegations of harm to a student (other than sexual abuse by an employee) have been consolidated so that there is no longer a distinction for reporting purposes between harm caused by an employee (other than sexual abuse by an employee) and harm cause by another person. This consolidation appears to better reflect the legislative intention of section 10 of the *Education (Accreditation of Non-State Schools) Regulation 2006* and streamlines the policy.

Our client considers that the policy now fully complies with the legislative requirements and the matters of non-compliance identified by the Board.

If there are any further matters which you require our client to address, please advise.

Yours faithfully

Thynne & Macartney