

# Student Protection Processes

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**\*\*\*THIS DOCUMENT IS CURRENTLY BEING REVIEWED**

## Contents

1.	Our responsibilities .....	5
2.	Reporting Processes.....	5
2.1	Conferral with colleagues and accessing support.....	6
2.2	Requirement to report sexual abuse or likely sexual abuse to the Queensland Police Service.....	6
2.3	Reporting significant harm or risk of significant harm to a student where there may not be a parent able and willing to protect the student from harm.....	7
2.4	Requirement to respond to harm or allegations of harm to students .....	9
	2.4.1 Harm or risk of harm to a student caused by self-harm.....	9
	2.4.2 Harm or risk of harm to a student caused by another student.....	9
	2.4.3 Responding to student sexual behaviour .....	10
	2.4.4 Harm or risk of harm to a student caused by a person not associated with the school or family.....	11
2.5	Responding to concerns that do not meet the threshold for reporting.....	11
2.6	Responding to allegations against staff members, including the Principal, and volunteers.....	11
	2.6.1 Allegations of sexual abuse or likely sexual abuse against a staff member or volunteer.	12
	2.6.2 Allegations of sexual abuse or likely sexual abuse against a Principal .....	14
	2.6.3 Allegations of harm against a staff member or volunteer .....	15
	2.6.4 Allegations of harm against a Principal .....	17
	2.6.5 Allegations of inappropriate behaviour against a staff member or volunteer .....	18
	2.6.6 Allegations of inappropriate behaviour against a Principal .....	19
3.	After the report is made .....	28
4.	Advising parents.....	28

## Preface

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

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

## Effective Date

These processes are effective from 11/10/2016

## Review Schedule

These processes shall be reviewed every 2 years, or when necessary as required by changes to legislation, policy or procedure.

## The Governing Body

The Governing Body is Townsville Catholic Education Office.

The Executive Director of Townsville Catholic Education Office is Dr Cathy Day.

## Delegation

Pursuant to s 366B of the *Education (General Provisions) Act 2006*, Dr Cathy Day, Executive Director of Townsville Catholic Education Office has delegated to the person performing the duties of Senior Social Worker Student Protection and Principal, obligations under s366 and 366A of the *Education (General Provisions) Act 2006* and more particularly the obligations of the Director/s of a non-State school's governing body of receiving a report and giving a copy of the report to a police officer.

## Safe Persons

Under the *Education (Accreditation of Non-State Schools) Regulation 2001* (Regulation 10(4)), schools administered by the Townsville Catholic Education Office have at least two nominated staff members to whom a student can report behaviour of another staff member that the student considers inappropriate. The names of these Safe Persons are made known to staff, students and parents and their names are maintained on a central register, updated regularly and published on the schools' website.

## Complaints Procedure

Under the *Education (Accreditation of Non-State Schools) Regulation 2001* (Regulation 10(7)), schools administered by the Townsville Catholic Education Office have a written complaints procedure to address allegations of non-compliance with student protection processes. Information about the complaints procedure is available from schools and the Townsville Catholic Education Office.

## Awareness and Implementation

If staff members, parents or students require further information in relation to any of the processes described in this document and/or other student protection compliance requirements, advice should be obtained from the Principal, the school's Safe Persons or Senior Social Worker Student Protection Townsville Catholic Education Office.

Townsville Catholic Education Office is responsible for ensuring that:

- this document is freely available to staff members, students and parents;
- staff members, students and parents are made aware of the student protection processes;
- staff are trained in implementing the processes; and
- the processes are being implemented within the school.

This document should be read in conjunction with the [Student Protection Guidelines for Queensland Catholic Schools](#).

## Message from the Executive Director

Insert a message by Cathy Day

## 1. Our responsibilities

Townsville Catholic Education Office is committed to creating and maintaining safe environments for students. A critical area of importance is how to respond to, and report abuse, harm and the behaviour of a staff member that a student considers is inappropriate. This document sets out the responsibilities for staff members in schools where they have a concern for the protection of a student, including addressing processes required by law:

- processes for how Townsville Catholic Education Office and schools will respond to harm, or allegations of harm, to students;
- a process for the reporting by a student to a stated staff member of behaviour of another staff member that the student considers is inappropriate;
- a process for how the information reported to the stated staff member must be dealt with by the stated staff member;
- a process for reporting sexual abuse or suspected sexual abuse in compliance with the *Education (General Provisions) Act 2006*, section 366; and a suspicion of likely sexual abuse in compliance with the *Education (General Provisions) Act 2006*, section 366A; and
- a process for reporting a reportable suspicion under the *Child Protection Act 1999*, section 13E.

These processes apply to all staff members employed by Townsville Catholic Education Office.

## 2. Reporting Processes

This section of the processes sets out a summary of the actions that must be taken if a staff member has concerns or suspicions, or makes allegations about [abuse](#) of, or [harm](#) to, a student or if there is a report of behaviour by a staff member that a student considers is [inappropriate](#). Further detail around these key child protection concepts are contained within the Student Protection Guidelines.

In general terms the process for responding to and reporting student protection concerns is as follows:

Identify	Identify student protection concerns through recognising the <a href="#">signs of abuse</a> and harm, and through <a href="#">disclosures</a> or receipt of information;
Confer	Seek guidance and support - <a href="#">confer</a> with the Principal or appropriate colleagues, or use resources such as the <a href="#">Child Protection Guide</a> to establish whether a ' <a href="#">reasonable suspicion</a> ' has been formed;
Report	Where a <a href="#">reasonable suspicion</a> of <a href="#">abuse</a> , <a href="#">harm</a> or <a href="#">inappropriate behaviour</a> is formed – report the concerns according to the specific processes outlined in this document;
Support	Remain focussed on the <a href="#">support</a> needs of the student and liaise with the Principal around any planning or actions that are required.

## 2.1 Conferral with colleagues and accessing support

Engaging in appropriate consultation processes is an important element of responding to concerns around the safety and well-being of students, in order that any decision making process is fully informed.

Staff members may confer with colleagues, for example the Principal, Senior Catholic Education Social Worker Student Protection Townsville Catholic Education Office or Safe Persons Contacts, in order to establish whether the information to hand may constitute a reasonable suspicion of abuse, harm or inappropriate behaviour. This process is encouraged as a means of ensuring the best possible response to a student concern.

Confidentiality is an important element of conferral processes, where information sharing should be limited to appropriate persons and to the extent necessary to respond to the safety and well-being of a student and to give effect to the processes outlined in this document. The Student Protection Guidelines contain further detail around [confidentiality and information sharing](#).

Again, the purpose of the conferral process is to assist a staff member in determining whether there is a reasonable suspicion of abuse, harm or inappropriate behaviour. A Principal, for example, may have additional information about a student or their family, not known by the staff member that:

- Provides greater context to the concerns identified by the staff member
- Changes the seriousness of the concerns, particularly as to whether harm to a student is “significant”
- Provides greater clarity around whether there is a parent able and willing to protect the student.

In addition to conferring with colleagues, a number of practical tools and resources exist to support staff members in their decision making, including the [Queensland Child Protection Guide](#) – an online decision support guide that has been developed to assist professionals to appropriately report or refer families to Department of Communities, Child Safety and Disability Services (Child Safety) or other service providers in a timely manner.

The Queensland College of Teachers offers a range of professional standards resources that may assist in understanding and responding to inappropriate behaviour by a staff member.

Staff members can also access the Townsville Catholic Education Office website or the Townsville Catholic Education Office intranet site.

## 2.2 Requirement to report sexual abuse or likely sexual abuse to the Queensland Police Service

In accordance with sections 366 and 366A of the *Education (General Provisions) Act 2006*, if a [staff member](#) becomes aware or reasonably suspects in the course of the staff member’s employment at the school that a student has been [sexually abused](#) or is [likely to be sexually abused](#) by another person, the staff member must immediately provide a written report using the “Mandatory Report – Sexual Abuse or Likely Sexual Abuse June 2016” to the Principal or the Senior Social Worker Student Protection of Townsville Catholic Education Office. The Principal or Senior Social Worker Student Protection of Townsville Catholic Education Office is required by law to immediately forward a copy of the “Mandatory Report – Sexual Abuse or Likely Sexual Abuse June 2016” to the Queensland Police Service. See [Flowchart 1](#).

Where the first person is the Principal of the School, the Principal must immediately make a written report of the concerns directly to the Queensland Police Service and to the Senior Social Worker Student Protection

of Townsville Catholic Education Office using the “Mandatory Report – Sexual Abuse or Likely Sexual Abuse June 2016”. See [Flowchart 2](#).

Where the reasonable suspicion of [sexual abuse](#) or [likely sexual abuse](#) is against the **Principal**, the “Mandatory Report – Sexual Abuse or Likely Sexual Abuse June 2016” must be submitted by the first person to Senior Social Worker Student Protection of Townsville Catholic Education Office, who must immediately forward a copy of the “Mandatory Report – Sexual Abuse or Likely Sexual Abuse June 2016” to the Queensland Police Service.

The Principal or Senior Social Worker Student Protection of Townsville Catholic Education Office must, as a matter of urgency, advise the first person that the report has been forwarded to Police. This advice should be in writing where possible.

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

Whilst the legislation relating to the mandatory reporting of sexual abuse and likely sexual abuse as outlined above relates only to students under 18 years of age, these processes extend the meaning to include students who are 18 years of age or above.

In addition, whilst the legislation limits the mandatory reporting of sexual abuse or likely sexual abuse of a student to reasonable suspicions formed in the course of the staff member's employment at the school, it is the policy of Townsville Catholic Education Office that all reasonable suspicions of sexual abuse or likely sexual abuse to students, regardless of when they are formed, are reported to Queensland Police in accordance with these processes.

harm.

## 2.3 Reporting significant harm or risk of significant harm to a student where there may not be a parent able and willing to protect the student from harm

### Mandatory reporting responsibilities for approved teachers

Approved teachers have a **mandatory reporting** obligation under section 13E of the *Child Protection Act 1999* to make a report to the Department of Communities, Child Safety and Disability Services when a teacher forms a ‘reportable suspicion’ about

A reportable suspicion is a [reasonable suspicion](#):

- that a child has suffered, is suffering, or is at an [unacceptable risk](#) of suffering, [significant harm](#) caused by [physical abuse](#) or [sexual abuse](#); and
- there may not be a [parent able and willing to protect](#) the child from the harm.

A teacher fulfils this mandatory reporting obligation by:

- Making a written report using the “[SPR4 – Reporting to Agencies Form of Harm or Likely Harm June 2016](#)” to their Principal of the reportable suspicion (or to Senior Social Worker Student Protection of Townsville Catholic Education Office if the allegation is against the Principal) and receiving written

confirmation from the Principal or Senior Social Worker Student Protection of Townsville Catholic Education Office of the date and time that the report was submitted to the Department of Communities, Child Safety and Disability Services; or

- Making a report directly to the Department of Communities, Child Safety and Disability Services via the [online reporting form](#).

Where the Principal or Senior Social Worker Student Protection of Townsville Catholic Education Office receives a report that is a 'reportable suspicion' they **must** as a matter of urgency, forward the report to the Department of Communities, Child Safety and Disability Services. Where a Principal forms a 'reportable' suspicion, they must make a report directly to the Department of Communities, Child Safety and Disability Services.

Teachers are encouraged to make mandatory reports to the Department of Communities Child Safety and Disability Services through their Principal (as described above). However, if a teacher forms a 'reportable suspicion' about a student, the teacher **must** satisfy themselves, as a matter of urgency, that the Principal has provided a report to the Department of Communities Child Safety and Disability Services.

If the teacher does not reasonably suppose that the Principal has provided the report to the Department of Communities Child Safety and Disability Services, the teacher **must, as a matter of urgency**, make the report directly to the Department of Communities Child Safety and Disability Services. Teachers are encouraged to confer with School Safe Persons or Senior Social Worker Student Protection of Townsville Catholic Education Office for support in making the mandatory report themselves.

Again, the *Child Protection Act 1999* limits the mandatory reporting of reportable suspicions to those formed in the course of the teacher's engagement at the school. However, it is the policy of Townsville Catholic Education Office that all reasonable suspicions that a student has suffered, is suffering or is at unacceptable risk of suffering significant harm and may not have a parent able and willing to protect them from the harm, regardless of when they are formed, are reported to the Department of Communities, Child Safety and Disability Services in accordance with these processes.

Where a [staff member](#) reasonably suspects a student has suffered, is suffering or is at [unacceptable risk](#) of suffering [significant harm](#), due to [sexual](#), [physical](#), [emotional/psychological abuse](#) or [neglect](#) and may not have a [parent able and willing](#) to protect the student from the harm, then the staff member must make a written report of the concerns to the Principal using the "SPR4 – Reporting to Agencies Form of Harm or Likely Harm June 2016", who in turn must immediately forward the "SPR4 – Reporting to Agencies Form of Harm or Likely Harm June 2016" to the Department of Communities, Child Safety and Disability Services - Regional Intake Service. See [Flowchart 3](#).

Where the allegation (of a reportable suspicion) is against the **Principal**, the staff member must submit the "SPR4 – Reporting to Agencies Form of Harm or Likely Harm June 2016" to the Senior Social Worker Student Protection of Townsville Catholic Education Office, who in turn must immediately forward to the Department of Communities, Child Safety and Disability Services - Regional Intake Service.

**The Principal or Senior Social Worker Student Protection of Townsville Catholic Education Office must, as a matter of urgency, advise the staff member that the report has been forwarded to the Department of Communities, Child Safety and Disability Services. This advice should be in writing where possible.**



## 2.4 Requirement to respond to harm or allegations of harm to students

In accordance with section 10 (2) of the *Education (Accreditation of Non State Schools) Regulation 2001*, a school must have written processes to respond to harm or allegations of harm to a student. Therefore, in addition to the requirements outlined in sections 2.2 and 2.3 above, staff members must respond to any reasonable suspicion in accordance with the required processes that a child has suffered, is suffering or is at unacceptable risk of suffering, significant harm caused by emotional abuse, neglect, self-harm, or harm caused by others - for example, by other students or by other persons in the community.

### 2.4.1 Harm or risk of harm to a student caused by self-harm

Where a staff member forms a reasonable suspicion that a student has self-harmed or is at risk of self-harm, the first priority is the immediate safety of the student, and determining whether the self-injury or risk of self-injury is significant, for example an injury requiring medical attention. The priority in cases of significant self-harm is therefore meeting the immediate medical and psychological needs of the student, which may require the administration of first aid and/or immediate contact with emergency services or mental health services.

The staff member then raises the concern of self-harm with the Principal, and contact should be made with the student's parent/care-provider, unless doing so places the student at further risk of harm.

Where the staff member forms a reasonable suspicion that a student has suffered, is suffering or is at unacceptable risk of significant harm, as a result of self-harming behaviour AND may not have a parent able and willing to protect the student from harm, (for example refusing to support the student in accessing medical or psychological care), then a written report must be made in accordance with the reporting processes detailed in [section 2.3](#) as a concern of neglect.

Staff are encouraged to refer to the TCEO School Response to Student self-harm flow chart. **\*\*Hyper link**

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

Where a staff member forms a reasonable suspicion that a student has been harmed or is at risk of being harmed by another student, the first priority is the immediate safety of the student, which will include determining whether the effect on the student is significant, for example, an injury requiring medical attention.

Where there is a significant injury or immediate risk of significant injury to a student, the priority is meeting the medical and safety needs of the student, which may require the administration of first aid, immediate contact with emergency services and contacting the student's parent(s) or care-provider(s).

Behaviour between students is managed in accordance with the Townsville Catholic Education Office **written processes for the conduct of students, or relevant behaviour support guidelines** **\*\*\*HYPERLINK**. In cases where criminal offences have been alleged, for example the serious assault of a student by another student over the age of 10 years, parents and care-providers should be made aware of the option to pursue action through the Queensland Police Service. Townsville Catholic Education Office will cooperate with any resulting investigation.

Allegations of bullying behaviours, including online behaviours, are managed in accordance with Townsville Catholic Education **Office bullying procedures** **\*\*HYPERLINK**.

Where a staff member forms a reasonable suspicion that a student has suffered, is suffering or is at unacceptable risk of significant harm, as a result of student to student behaviours AND may not have a parent able and willing to protect the student from harm, (for example an inability to provide supervision for

the student), then a written report must be made in accordance with the reporting processes detailed in [section 2.3](#).

#### 2.4.3 Responding to student sexual behaviour

Sexual behaviours of various kinds may be evident in children, particularly in the early years. Some forms of sexual behaviour may be considered developmentally appropriate for the child's age and stage of development. Other behaviours may indicate that the child could have been exposed to inappropriate material or experiences (for example, reports of very young children knowing about and experimenting with oral sex). [Resources](#) such as those published by the Department of Communities, Child Safety and Disability Services can assist in identifying age inappropriate sexual behaviour.

Suspicion that a student has been sexually abused may also be formed in some circumstances where a student exhibits concerning sexual behaviour. In these circumstances, a report to the Queensland Police Service is required as outlined in [section 2.2](#) and an assessment of the requirement to report made under [section 2.3](#) is also required.

#### **Unlawful sexual relationships between children under 16 years of age**

There are laws governing sexual activity with and between young people. In Queensland, engaging in sexual conduct with a young person under the age of 16 years, is a criminal offence irrespective of whether this contact is consensual or the persons involved are both under the age of 16. (*Criminal Code Act 1899* Section 208(1) and 215 (1)).

If a staff member becomes aware or reasonably suspects, there has been sexual conduct between young people under the age of 16 years the staff member is required to report this to the Principal.

#### *Speaking with parents*

Where the sexual activity is apparently consensual and involves two young people under the age of 16, the Principal should seek the consent of the student/s concerned to discuss the matter with their parents.

#### *When a student does not give consent*

If the Principals is reasonably satisfied the young person is unable to give consent (by reason of immaturity, disability or other circumstances) the Principal may contact the student/s parents. Such actions should be documented.

Prior to making contact with parents about unlawful sexual relationships between children under 16 years of age, Principals should ensure that contact is appropriate. For example, the Principals may need to consider whether the student is an independent student or if they are potentially at risk of harm following the provision of advice to parents.

The principals should discuss the matter with both students' parents and advise them of their right to make a report directly to QPS in instances where the conduct constitutes a criminal offence. NOTE: The Principal must only provide information to a parent about their child. They must not provide any information about the identity of any other student involved.

#### *Reporting to QPS*

The Principal should immediately refer the matter to QPS where the sexual activity:

- Is apparently non-consensual and involved two young people under the age of 16 years or
- Involves a person under the age of 16 and the other person involved is above the age of 16 years.

### *Supporting students*

In all situations the Principal is required to take action to support the best interests of the student/s, which may include involving the school counsellor or other support personnel, as required.

2.4.4 Harm or risk of harm to a student caused by a person not associated with the school or family  
There may be some circumstances where a staff member becomes aware of a concern that a student has been harmed, or is at risk of harm, by a person not associated with the school or family. As with the broader responses to harm, consideration must first be given to whether the harm or risk of harm is significant and whether there is a parent able and willing to protect the student from harm.

In circumstances where there is a parent able and willing to protect the student from harm, then the parents must be notified of the concerns as soon as possible. Where there is not a parent able and willing to protect the student and there is a reasonable suspicion of significant harm or risk of harm, then the reporting process detailed in [section 2.3](#) must be followed.

Where the risk is immediate, for example the abduction of a student walking to school, then the Queensland Police Service must be contacted immediately.

## **2.5 Responding to concerns that do not meet the threshold for reporting**

A staff member may identify concerns regarding a student that ultimately do not form a reasonable suspicion of sexual abuse, likely sexual abuse or significant harm, however, indicate that without support or intervention a student and/or their family are at risk of entering the child protection system.

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

The Student Protection Guidelines provide detail around the options that are available to [support students and families](#).

It is critical that staff adhere to appropriate record keeping practices. In many instances, the recording of small incidents or observations can result in identifying a pattern of harm, escalation of harm or issues that persist. This information can be very helpful for Child Safety and/or Police if a matter is ultimately reported.

Staff are encouraged to utilise the **TCEO Record of Concern form** \*\*\*\*HYPERLINK to record concerns about students.

Staff are also encouraged to discuss matters with the TCEO Senior Catholic Education Social Worker who can offer suggestions and advice regarding other support services and how the school may respond pastorally.

## **2.6 Responding to allegations against staff members, including the Principal, and volunteers**

In accordance with s.10 (3) of the *Education (Accreditation of Non State Schools) Regulation 2001*, a school must have a process for the reporting of staff behaviour that a student considers to be [inappropriate](#).

This also includes the reporting of staff behaviour that any person, including a parent, considers to be inappropriate.

Additionally, a school must have a process to respond to the reported staff inappropriate behaviour.

Therefore, if a staff member becomes aware of staff behaviour that a student considers to be inappropriate, the staff member must report this behaviour in accordance with the designated process without delay.

#### 2.6.1 Allegations of sexual abuse or likely sexual abuse against a staff member or volunteer

A staff member may form a reasonable suspicion that a student has been sexually abused or is likely to be sexually abused by a staff member or volunteer.

In these circumstances, the reporting processes detailed in [section 2.2](#) must be followed.

When allegations of sexual abuse are about a staff member or volunteer, overall case management will be provided by an Education Consultant, working in association with the principal. It is important for the case manager (school or Townsville Catholic Education Office) to establish communication with the investigating officer within Queensland Police Service (CPIU) so that information may be shared as appropriate. Education Consultants within Townsville Catholic Education Office are also available to provide assistance and support to staff in managing what can be complex issues.

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

After discussions with police and upon their advice, the Executive Director of Catholic Education or delegate will inform the parent(s) or carer(s) of the student involved, stressing the confidentiality of the matter, that a report has been made in relation to sexual abuse of the student by a staff member or volunteer.

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

If the mandatory report concerns the behaviour of a staff member or volunteer who is a cleric or religious, or who was a cleric or religious at the time of the alleged behaviour, the Executive Director Catholic Education will inform the Director of Professional Standards (*Towards Healing*) as soon as possible.

The Executive Director of Catholic Education (or delegate) will seek advice from the police as to when the staff member, other employee or volunteer should be informed of the allegation. As soon as it is deemed appropriate to inform the staff member, other employee or volunteer, a meeting will be held between the staff member, other employee or volunteer and the Executive Director of Catholic Education (or delegate). The staff member, other employee or volunteer will be advised that he/she can have a support person at this meeting. At the meeting, the staff member, other employee or volunteer will be informed that a suspicion of sexual abuse has been reported about him/her and that this information has been handed to the police. He/she will also be given the details of a nominated person (normally the Education Consultant) to contact who will be available to provide information 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 a staff member of Townsville Catholic Education, the appropriate steps in this regard will be taken in association with that person's employer.

In the case of a staff member being the subject of the report, he/she will be reminded that he/she may access the confidential counselling services available through the Employee Assistance Program.

If as the result of a risk assessment it is decided by the Executive Director of Catholic Education that the staff member, other employee or volunteer should be stood down from his/her duties, or have them restricted, the police should be consulted to ensure that the timing and circumstances of this does not unnecessarily interfere with their inquiries.

The staff member, employee or volunteer 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 staff member, other employee or volunteer in writing following the meeting at which this information has been communicated verbally. He/she will also be given the details of a nominated person (normally the Education Consultant) to contact who will be available to provide information regarding the processes being undertaken and to facilitate the accessing of other support.

Pastoral care and support will be offered to the student and his/her family, to the staff member, employee or volunteer against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount and advice will be sought from Townsville Catholic Education Office Senior Catholic Education Social Worker about appropriate support for the student and his/her family.

### **Teachers**

On receiving a copy of a **Statutory authority report** which relates to the behaviour of a registered teacher, the Employing Authority has obligations under the *Education (College of Teachers) Act* to notify the QLD College of Teachers of the following:

- When an investigation of harm to a child commences (Section 76)
- When an investigation of harm to a child ends for any reason (Section 77)
- Certain other dismissals in circumstances that, in the opinion of the employing authority, call in to question a teacher's competency to be employed as a teacher (Section 78)

If an employing authority gives notice as required it is not liable, civilly, criminally or under an administrative process, for disclosing information contained in the notice to the *QLD College of Teachers (Section 81 – Education (Qld College of Teachers) Act 2005)*.

### **Non-teaching staff member**

On receiving a **Statutory Authority Report** which relates to the behaviour of a non-teaching staff member, an assessment as to whether the matter affects the staff members' ability to hold a positive working with children notice (Blue card) (i.e. charge of a disqualifying offence or conviction of a serious offence) needs to be carried out as a part of the overall risk management process, as well as normal misconduct processes.

### **Religious or Cleric**

If the **statutory authority report** relates to the behaviour of a cleric or religious, or who was a cleric or religious at the time of the alleged behaviour, the Executive Director will inform the Queensland Director of Professional Standards.

### **An employee Not a staff member of Catholic Education**

If the employee is not a staff member of Catholic Education (i.e contractor, work experience supervisor), the appropriate steps in this regards will be taken by the Executive Director in association with that person's employer.

The Executive Director (or Delegate) will only inform the parent(s) or carer(s) of the student if on the advice of the Police and/or Child Safety s/he believes that this will not jeopardise an official investigation.

In the case of a staff member of Catholic Education, the appropriate steps will be taken in association with that person's employer in this regard.

### **Volunteer**

If the person is a volunteer at Catholic Education (i.e. parent, uniform or tuckshop volunteer), the appropriate steps in this regard will be taken by the Executive Director.

The Executive Director (or Delegate) will only inform the parent(s) or carer(s) of the student if on the advice of the Police and/or Child Safety s/he believes that this will not jeopardise an official investigation.

### **2.6.2 Allegations of sexual abuse or likely sexual abuse against a Principal**

A staff member may form a reasonable suspicion that a student has been sexually abused or is likely to be sexually abused by the school Principal.

In these circumstances, the reporting processes detailed in [section 2.2](#) must be followed and the report from the staff member must be made to Senior Social Worker Student Protection of Townsville Catholic Education Office, not the Principal.

In these situations, the Senior Social Worker Student Protection of Townsville Catholic Education Office will work closely with Queensland Police Service.

While any investigation process occurs, the Executive Director of Townsville Catholic Education Office will make a determination to stand down the Principal from their duties during this time.

The Principal will be offered support by way of Employee Assistance Service which offers counselling and support.

When allegations of sexual abuse are about a Principal, overall case management will be provided by an Education Consultant, working in association with the principal. It is important for the case manager (school or Townsville Catholic Education Office) to establish communication with the investigating officer within Queensland Police Service (CPIU) so that information may be shared as appropriate. Education Consultants within Townsville Catholic Education Office are also available to provide assistance and support to staff in managing what can be complex issues.

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

After discussions with police and upon their advice, the Executive Director of Catholic Education or delegate will inform the parent(s) or carer(s) of the student involved, stressing the confidentiality of the matter, that a report has been made in relation to sexual abuse of the student by a Principal.

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

If the mandatory report concerns the behaviour of a staff member, other employee or volunteer who is a cleric or religious, or who was a cleric or religious at the time of the alleged behaviour, the Executive Director Catholic Education will inform the Director of Professional Standards (*Towards Healing*) as soon as possible.

The Executive Director of Catholic Education (or delegate) will seek advice from the police as to when the Principal should be informed of the allegation. As soon as it is deemed appropriate to inform the staff member, other employee or volunteer, a meeting will be held between the Principal and the Executive Director of Catholic Education (or delegate). The Principal will be advised that he/she can have a support person at this meeting. At the meeting, the Principal will be informed that a suspicion of sexual abuse has been reported about him/her and that this information has been handed to the police. He/she will also be given the details of a nominated person (normally the Education Consultant) to contact who will be available to provide information 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.

In the case of a staff member being the subject of the report, he/she will be reminded that he/she may access the confidential counselling services available through the Employee Assistance Program.

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

The Principal 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 staff member, other employee or volunteer in writing following the meeting at which this information has been communicated verbally. He/she will also be given the details of a nominated person (normally the Education Consultant) to contact who will be available to provide information regarding the processes being undertaken and to facilitate the accessing of other support.

Pastoral care and support will be offered to the student and his/her family, to the Principal against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount and advice will be sought from Townsville Catholic Education Office Senior Catholic Education Social Worker about appropriate support for the student and his/her family.

**IMPORTANT NOTE: Sexual Activity between staff members and students**

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

### 2.6.3 Allegations of harm against a staff member or volunteer

A staff member may form a reasonable suspicion that a staff member or volunteer has harmed a student. In these circumstances, follow processes in Section 2.4.

If the person against whom an allegation of harm (that is any harm or likely harm other than sexual abuse) of a student has been made is a volunteer or an employee who is not a staff member of Townsville Catholic Education, the principal will take appropriate steps, with the relevant employer if 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 Townsville Catholic Education.

**All staff members are encouraged to report any concerns of harm by any person to the principal.** Compulsory reporting is a requirement of Townsville Catholic Education and is consistent with Townsville Catholic Education's responsibilities under the provisions of the *Education (Accreditation of Non-State Schools) Act 2001* and *Regulation 2001*. A staff member maybe subject to disciplinary sanction from the employer if he/she fails to act.

A staff member who, in the course of his/her duties, reasonably suspects that harm has been caused or is likely to be caused to a student from any source is compulsorily required to report this matter to the principal or other Safe Person.

#### Reporting of harm of a student by a staff member or volunteer

Staff would complete a Student Protection SPR4 Reporting form and email this to Queensland Police Service (CPIU).

This form would be provided to the Senior Catholic Education Social Worker at Townsville Catholic Education Office who would ensure that the Executive Director and the relevant Education Consultant was informed of the matter.

Townsville Catholic Education staff will not conduct an investigation but will liaise closely with CPIU staff regarding their inquiries and intended actions.

A risk assessment will be conducted by the Executive Director (or delegate) to determine if the staff member, other employee or volunteer subject to the allegations should continue to be allowed to work in the school. As a result of the risk assessment, the staff member, other employee or volunteer may be stood down from his/her duties, or have his/her duties restricted. If the employee is not a staff member of Townsville Catholic Education, the appropriate steps in this regard will be taken by the Executive Director in association with that person's employer.

The parent(s) or carer of the student about whom a report has been made in relation to suspected or likely harm by a staff member, other employee or volunteer (unless the suspected or likely harm relates to the behaviour of a family member) will be informed by the Executive Director of Catholic Education (or delegate) as soon as practicable, but not without seeking advice from CPIU, that a report has been provided to police, stressing the confidentiality of the matter.

On receiving a copy of a report in which the suspected or likely harm arises from the behaviour of a registered teacher, the Executive Director of Catholic Education (or delegate) will without delay make a written notification of this to the Queensland College of Teachers.

If the compulsory report concerns the behaviour of a staff member, other employee or volunteer who is a cleric or religious, or who was a cleric or religious at the time of the alleged behaviour, the Executive Director of Catholic Education will inform the Director of Professional Standards (*Towards Healing*) as soon as possible.

The Executive Director of Catholic Education (or delegate) will seek advice from the police as to when the staff member, other employee or volunteer should be informed of the allegation. As soon as it is deemed appropriate to inform the staff member, other employee or volunteer, a meeting will be held between the staff member, other employee or volunteer and the Executive Director of Catholic Education (or delegate). The staff member, other employee or volunteer will be advised that he/she can have a support person at



this meeting. At the meeting, the staff member, other employee or volunteer will be informed that a report of suspected harm or likely harm has been made about him/her and that this information has been handed to the police. He/she will also be given the details of a nominated person (normally the Education Consultant) to contact who will be available to provide information 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 a staff member of Townsville Catholic Education, the appropriate steps will be taken in association with that person's employer in this regard.

In the case of a staff member being the subject of the report, he/she will be reminded that he/she may access the confidential counselling services available through the Employee Assistance Program.

If as the result of a risk assessment it is decided by the Executive Director of Catholic Education that the staff member, other employee or volunteer should be stood down from his/her duties, or have them restricted, the police should be consulted to ensure that the timing and circumstances of this does not unnecessarily interfere with their inquiries.

The staff member, other employee or volunteer 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 staff member, other employee or volunteer in writing following the meeting at which this information has been communicated verbally. He/she will also be given the details of a nominated person (normally the Education Consultant) to contact who will be available to provide information regarding the processes being undertaken and to facilitate the accessing of other support.

Pastoral care and support will be offered to the student and his/her family, staff member, other employee or volunteer against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount and advice will be sought from Townsville Catholic Education Office Senior Catholic Education Social Worker about appropriate support for the student and his/her family.

#### 2.6.4 Allegations of harm against a Principal

A staff member may form a reasonable suspicion that a Principal has harmed a student. In these circumstances, follow process detailed in Section 2.4.

This is when there is a concern that harm, or likely harm of a student *other than sexual abuse*.

*Important to note:* While this is not enshrined in legislation, it is a organisational expectation and direction that staff adhere to these procedures.

### Reporting of harm of a student by a Principal

In these circumstances, staff would follow the processes in section 2.4.

They would need to complete a Student Protection SPR4 Reporting form and email this to Queensland Police Service (CPIU).

This form would be provided to the Senior Catholic Education Social Worker at Townsville Catholic Education Office who would ensure that the Executive Director and the relevant Education Consultant was informed of the matter.

Townsville Catholic Education staff will not conduct an investigation but will liaise closely with CPIU staff regarding their inquiries and intended actions.

A risk assessment will be conducted by the Executive Director (or delegate) to determine if the Principal subject to the allegations should continue to be allowed to work in the school. As a result of the risk assessment, the Principal may be stood down from his/her duties, or have his/her duties restricted.

The parent(s) or carer of the student about whom a report has been made in relation to suspected or likely harm by a Principal (unless the suspected or likely harm relates to the behaviour of a family member) will be informed by the Executive Director of Catholic Education (or delegate) as soon as practicable, but not without seeking advice from CPIU, that a report has been provided to police, stressing the confidentiality of the matter.

On receiving a copy of a report in which the suspected or likely harm arises from the behaviour of a registered teacher, the Executive Director of Catholic Education (or delegate) will without delay make a written notification of this to the Queensland College of Teachers.

The Executive Director of Catholic Education (or delegate) will seek advice from the police as to when the Principal should be informed of the allegation. As soon as it is deemed appropriate to inform the Principal, a meeting will be held between the Principal and the Executive Director of Catholic Education (or delegate). The Principal will be advised that he/she can have a support person at this meeting. At the meeting, the Principal will be informed that a report of suspected harm or likely harm has been made about him/her and that this information has been handed to the police. He/she will also be given the details of a nominated person (normally the Education Consultant) to contact who will be available to provide information 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.

The Principal will be reminded that he/she may access the confidential counselling services available through the Employee Assistance Program.

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

The Principal 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 Principal in writing following the meeting at which this information has been communicated verbally.

Pastoral care and support will be offered to the student and his/her family, Principal against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount and advice will be sought from Townsville Catholic Education Office Senior Catholic Education Social Worker about appropriate support for the student and his/her family.

## INAPPROPRIATE BEHAVIOUR

### 2.6.5 Allegations of inappropriate behaviour against a staff member or volunteer

A staff member may form a reasonable suspicion that a staff member or volunteer has behaved inappropriately towards a student. In these circumstances, follow process detailed in Section 2.6.7.

If the person against whom an allegation of inappropriate behaviour has been made is a volunteer or an employee who is not a staff member of Townsville Catholic Education, the principal will take appropriate steps, with the relevant employer if 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 Townsville Catholic Education.

**All staff members are encouraged to report any concerns of inappropriate behaviour towards a student by any person to the principal.**

### 2.6.6 Allegations of inappropriate behaviour against a Principal

A staff member may form a reasonable suspicion that a Principal has behaved inappropriately towards a student. In these circumstances, follow process detailed in section 2.6.7.

### 2.6.7 Reporting of Inappropriate Behaviour by a staff member towards a student (other than sexual abuse or likely sexual abuse)

The reporting of inappropriate behaviour by a staff member towards a student is a requirement of Townsville Catholic Education. This requirement is in accordance with Townsville Catholic Education responsibilities under the provisions of the *Education (Accreditation of Non-State Schools) Act and Regulation 2001*. A staff member may be subject to disciplinary sanction from the employer should he/she fail to act.

A staff member who reasonably suspects inappropriate behaviour by another staff member towards a student is required to report this matter to the principal or other Safe Person. **(See INAPPROPRIATE STAFF BEHAVIOUR REPORTING FORM)**

If a staff member reasonably suspects inappropriate behaviour towards a student by a person other than another staff member, he/she is responsible for acting upon this in accordance with school and Townsville Catholic Education policies and guidelines.

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 Townsville Catholic Education's *Code of Conduct*.

If a student, parent or other person makes a complaint in relation to a staff member's behaviour towards a student that the student or parent 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.

A staff member who

- observes or reasonably suspects inappropriate behaviour by a staff member towards a student, which does NOT involve sexual abuse, harm / likely harm; or
- becomes aware of a complaint or allegation in relation to behaviour by a staff member towards a student that a student (or a student's parent) considers to be inappropriate, but which does NOT involve sexual abuse, harm / likely harm

must make a written report (**See INAPPROPRIATE STAFF BEHAVIOUR REPORTING FORM** ) to the school principal or another Safe Person at the school and keep appropriate records.

The fact that a complaint or allegation is not presented formally or in writing is not a valid reason to fail to follow the processes outlined below.

If reported to a Safe Person other than the principal, the Safe Person 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 Safe Person must provide a copy of the report to the Education Consultant.

If a principal/Education Consultant

- observes or reasonably suspects inappropriate behaviour by a staff member/principal towards a student, which does NOT involve sexual abuse, harm / likely harm; or
- becomes aware of a complaint or allegation in relation to an staff member's/principal's alleged behaviour towards a student that a student (or a student's parent) considers to be inappropriate but which does NOT involve sexual abuse, harm / likely harm

The principal/Education Consultant must take action in relation to the matter and document it in accordance with the following requirements for a Level 1 or Level 2 intervention.

The fact that a complaint or allegation is not presented formally (**See INAPPROPRIATE STAFF BEHAVIOUR REPORTING FORM** ) or provided in writing is not a valid reason to fail to follow the processes outlined below.

### **Intervention and reporting levels**

There are two intervention levels that may be used when responding to alleged inappropriate behaviour by a staff member towards a student:

- a) Level 1 – Allegations of minor inappropriate behaviour
- b) Level 2 – Allegations of more complex or serious inappropriate behaviour

The principal (or Education Consultant 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.

### **LEVEL 1 INTERVENTION - SITUATIONS THAT CONSTITUTE MINOR INAPPROPRIATE BEHAVIOUR**

Level 1 interventions relate to allegations of minor inappropriate behaviour by a staff member towards a student. A typical incident covered by a Level 1 intervention could include a one-off allegation of inappropriate behaviour by a staff member, where there is no physical injury 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 of harm / likely harm.

Level 1 incidents relate to allegations that, if substantiated, may constitute a minor breach of the Code of Conduct. When allegations relate to repeated or multiple possible minor breaches, they may need to be seen differently.

Examples of minor inappropriate behaviour requiring Level 1 interventions include but are not restricted to:

- 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
- shaming, humiliating or embarrassing a student
- pushing or grabbing a student (no injury) \*
- disclosing inappropriate personal information to a student
- inappropriate questioning of a student about personal and private matters
- unreasonable, unfair and/or unjust disciplinary measures
- failing to follow a school's behaviour support policy and procedures
- the imposition of manifestly unreasonable expectations
- exerting power over a student through the use of fear, threats, or unwarranted moral pressure
- repeated minor boundary violations where the staff member minimises risk to student/s safety
- behaviour that places student/s at risk in situations that are avoidable

\* *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.*

## **LEVEL 2 INTERVENTION - SITUATIONS THAT CONSTITUTE MORE COMPLEX OR SERIOUS INAPPROPRIATE BEHAVIOUR**

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 a 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 of harm / likely harm to a student.

Examples of more complex or serious inappropriate behaviour requiring Level 2 interventions include but are not restricted to:

- repeated behaviour of a kind that has previously been dealt with by a Level 1 intervention(s)
- 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, but which taken together could justify a formal disciplinary sanction
- 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 threats and/or intimidation
- exposing a student to material that is 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 / likely harm has been caused the principal must report such a matter to the police as a Compulsory Report (See Section 6).*

**All staff members are encouraged to report any concerns of inappropriate behaviour towards a student by any person to the principal.**

#### **LEVEL 1 INTERVENTION – ALLEGATIONS OF MINOR INAPPROPRIATE BEHAVIOUR**

A Level 1 intervention is carried out by the authority of the Principal (or Education Consultant if the allegation is against the Principal). A documented record of the process followed and of the outcomes is provided to the Executive Director of Catholic Education (or delegate) 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 Education Consultant.

#### **Intervention responsibilities**

##### **(a) Principal (or Education Consultant)**

The Level 1 response to an allegation against a staff member will be co-ordinated locally by the school principal (or Education Consultant where the allegation is against the Principal). The principal (or Education Consultant) will determine how to best address the allegation with the staff member and how to initiate any consequences that may be determined to be appropriate. This might involve consultation with relevant personnel in the Townsville Catholic Education Office (e.g. Senior Catholic Education Social Worker or Education Consultant).

Where an allegation of minor inappropriate behaviour is made against the principal, the Education Consultant may request the matter to be carried forward by the Executive Director (or delegate).

The resolution of all minor incidents remains the responsibility of the principal (or Education Consultant where the allegation is against the principal). The principal will normally seek advice from the Education Consultant and other relevant staff in Townsville Catholic Education Office to formulate a plan to address the issue with the staff member. Strict confidentiality shall be maintained regarding the matter.

Should a staff member deny or contest the allegation of inappropriate behaviour towards a student, the principal (or, if the matter involves the principal, the Education Consultant) must decide whether or not

further information-gathering at the school level is required or whether management guidance will suffice. The decision regarding whether and how to gather further information 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/Education Consultant, 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 Executive Director Catholic Education in order to obtain authorisation for an investigation. A formal investigation (as opposed to data gathering to allow an assessment of the case to be made) must not be undertaken at the school level without the authorisation of the Executive Director Catholic Education.

A staff member 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 staff member 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 form (**See Intervention Form Level 1**) should be completed by the Principal (or Education Consultant), 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 Education Consultant) to assess and investigate the allegations, and the outcome. The outcome should also document the staff member's account of the incident, state whether or not the behaviour alleged has been admitted to by the staff member and should contain clear details of the advice/guidance that has been provided to the staff member. The outcome should also indicate if the behaviour alleged is assessed to be 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 Education Consultant if the allegation concerns the principal). A copy of the Level 1 report is forwarded to the Executive Director Catholic Education for placing in a confidential file and another copy must be provided to the staff member.

#### **(b) Townsville Catholic Education Office Staff**

The Executive Director Catholic Education (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 staff member.

Where previous reports have been received concerning the staff member, the Executive Director Catholic Education will determine what further action, if any, needs to be taken.

The Executive Director Catholic Education (or delegate) will receive and keep the Level 1 report in a confidential file and send a copy of the report to the relevant Education Consultant.

#### **Pastoral care and support**

Pastoral care and support will be offered to the student concerned and their family, to the staff member against whom the allegation has been made, and any others involved. The welfare and best interests of any

students involved will be paramount and advice may be sought from Townsville Catholic Education Office-Senior Catholic Education Social Worker about appropriate support for the student and his/her family.

## **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 of Catholic Education or delegate. The matter is formally reported to the Executive Director Catholic Education at the commencement and end of the intervention process.

A Level 2 intervention is initiated by the principal (or the Education Consultant in the case of an allegation against a Principal) formally notifying of the allegation to the Executive Director Catholic Education. The subsequent steps are taken with the authority of the Executive Director Catholic Education (or delegate), following which a report is provided to the Executive Director Catholic Education.

### **Intervention responsibilities**

#### **(a) Principal (or Education Consultant)**

As soon as the principal (or Education Consultant) is aware that the allegation is of such a nature as to require a Level 2 intervention, a Level 2 Report (**See Intervention Form Level 2**) must be completed and forwarded to the Executive Director Catholic Education without delay.

#### **(b) Townsville Catholic Education Office personnel**

On receipt of a Level 2 allegation of inappropriate behaviour against a staff member, the Executive Director Catholic Education (or delegate) will assess the matter and determine how it is to be progressed. The Executive Director Catholic Education (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, Education Consultant and Diocesan solicitors. The Executive Director Catholic Education (or delegate) will also consider any previous reports on file of allegations of inappropriate behaviour made against the staff member.

The Executive Director Catholic Education (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 staff member may be stood down from his/her duties, or have his/her duties restricted.

If the Executive Director Catholic Education 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 Executive Director Catholic Education must immediately make a Mandatory or Compulsory Report.

If the Executive Director Catholic Education forms the view that the matter should be handled as a Level 1 intervention, the matter is referred back to the principal.

If the Executive Director Catholic Education 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 Executive Director Catholic Education may authorise the principal, a Townsville Catholic Education Office staff member (e.g. Senior Catholic Education Social Worker or Education Consultant), or an external party to conduct the investigation.



The Executive Director Catholic Education (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. The name of a contact person who can provide information about the process being followed will be provided.

### **Notifying the staff member**

As soon as the Executive Director Catholic Education (or delegate) deems it to be appropriate to inform the staff member, a meeting will be held between the staff member and the Executive Director Catholic Education (or delegate). The staff member will be advised that he/she can have a support person at this meeting. At the meeting, the staff member 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 staff member will be reminded that he/she may access the confidential counselling services available to all staff members 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.

### **Standing down from duties**

As the result of a risk assessment it may be decided that the staff member should be stood down from his/her duties, or have them restricted. In this case, the staff member 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 staff member in writing following the meeting at which this information has been communicated verbally. The staff member will be reminded that they may access the confidential counselling services available to all staff members 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 information regarding the processes being undertaken and to facilitate the accessing of other support.

The staff member 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 Executive Director Catholic Education (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.

### **Pastoral care and support**

Pastoral care and support will be offered to the student and their family, the staff member against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount and advice should be sought from Townsville Catholic Education Guidance Officers about appropriate support for the student and his/her family.

### **Investigation process**

The investigator shall as soon as possible arrange for a meeting to be held to inform the staff member of the specific nature of the allegation(s). Prior to the meeting, the staff member 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 staff member, and he/she will be reminded of the free confidential counselling services available to all staff members through the Employee Assistance Program. In the written record of the meeting with the staff member, the allegation(s) will be listed and the staff member 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 also be followed in relation to them.

Pastoral care and support will be offered to the student and their family, the staff member 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.

If during the course of the investigation the investigator 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 / likely harm has been caused to a student:

- If the investigator is a staff member of Townsville Catholic Education, he/she must immediately make a Mandatory or Compulsory report.
- If the investigator is not a staff member of Townsville Catholic Education he/she must immediately make a written report to the Executive Director Catholic Education (or delegate) who will then immediately make a Mandatory or Compulsory report.

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 Executive Director Catholic Education 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 Townsville Catholic Education Code of Conduct has been breached.

The Executive Director Catholic Education (or delegate) will receive and keep the investigation report in a confidential file.

The Executive Director Catholic Education (or delegate) is responsible for informing the principal and relevant Education Consultant of the outcome of the investigation. The Executive Director Catholic Education (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.

### **Determination of professional misconduct**

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

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

If on the evidence the Executive Director of Catholic Education is considering the termination of the staff member's services then the Executive Director will provide the staff member with a timeframe within which the staff member is given the opportunity to show cause as to why his/her employment should not be terminated. The Executive Director of Catholic Education will consider any submission that the staff member chooses to make in response within the timeframe given. Following receipt of the submission from the staff member, the Executive Director of Catholic Education will make a decision in relation to the staff member's employment status and will communicate this in writing to the staff member.

If a staff member whose employment is terminated by the Executive Director of Catholic Education is a teacher, and the circumstances of the dismissal, in the opinion of the Executive Director of Catholic Education, call into question the teacher's competency to be employed as a teacher, the Executive Director of Catholic Education 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*).

#### **No determination of professional misconduct**

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

#### **Finalisation**

The Executive Director Catholic Education (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.

Pastoral care and support will be offered to the student and their family, the staff member 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 staff member continues to work at the school, the principal will support the pastoral care of the staff member, and the staff member will be reminded of the confidential counselling services available to all staff members 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 staff members.

If the staff member 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 staff member to reintegrate into the school community.

### 3. After the report is made

Once a report is made under these processes, consideration must be given to any ongoing or resulting action that is required. This includes:

- Follow up by the Principal with Queensland Police Service and/or the Department of Communities, Child Safety and Disability Services to confirm both receipt of the report, and any action that these agencies may take;
- Implementing any risk management and pastoral [support processes](#) to address the safety and well-being of students, particularly in relation to allegations of sexual abuse between students, and maintain as far as possible, supportive relationships with parents, carers and families;
- Ensure that all parties involved respect the [confidentiality](#) and privacy of students and families involved; and
- Where relevant, make any preparation for the interview of a student by Queensland Police Service and/or the Department of Communities, Child Safety and Disability Services at school – see the [QCEC guideline](#) and [sample record of interview form](#).

### 4. Advising parents

When a student protection report to the Queensland Police Service and/or the Department of Communities, Child Safety and Disability Services is required, it is important that parents are not contacted before the student protection report is made.

If a student protection report submitted to Queensland Police Service and/or the Department of Communities, Child Safety and Disability Services relates to suspected abuse or neglect by a member of the student's family, the Principal will only inform the parent(s) or carer(s) of the student protection concern once confirmed as appropriate with the Queensland Police Service or the Department of Communities, Child Safety and Disability Services. This is to ensure that any potential child protection or criminal investigation is not compromised.

In order to assist at the school level in the management of any situation and to ensure the immediate safety of any students involved, the school should request from the Queensland Police Service and/or Department of Communities, Child Safety and Disability Services feedback on the possible timing of their intervention and obtain some guidance about when the school may discuss the matter with the student's parent(s) or carer(s). This is particularly significant in cases of student to student sexual behaviour where it is important for the student's well-being to enable the parent to support the student and take steps to protect them.

## Definitions

### Child

A child is a person under 18 years of age

### Colleague

As defined by section 13H of the *Child Protection Act 1999*, colleague, of a relevant person, means a person working in or for the same entity as the relevant person

### Director of the Governing Body

As defined by section 364 of the *Education (General Provisions) Act 2006*:

*director*, of a non-State school's governing body, means a director of the governing body within the meaning of the *Education (Accreditation of Non-State Schools) Act 2001*, section 7AA.

### First Person

The "first person" is a staff member who reasonably suspects, in the course of the staff member's employment at the school, that a student under 18 years attending the school has been sexually abused by another person or is likely to be sexually abused by another person

### Harm

As defined by section 9 of the *Child Protection Act 1999*:

(1) Harm, to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing.

(2) It is immaterial how the harm is caused.

(3) Harm can be caused by—

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

(4) Harm can be caused by—

- (a) a single act, omission or circumstance; or
- (b) a series or combination of acts, omissions or circumstances.

### 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 the Townsville Catholic *Code of Conduct*. Further, any report from a person, including a student, about a staff member's behaviour towards a student that the person making the report considers to be inappropriate is to be taken as an allegation of inappropriate behaviour and must be responded to in accordance with the processes contained within this document.

### Reasonable suspicion

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

### Reportable suspicion

As defined by section 13E of the *Child Protection Act 1999* means a reasonable suspicion that a child has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse; and may not have a parent able and willing to protect the child from the harm.

### Relevant person (*Child Protection Act 1999*)

A relevant person for the purposes of mandatory reporting under section 13E of the *Child Protection Act 1999* is any of the following —

- (a) a doctor;
- (b) a registered nurse;
- (c) a teacher;
- (d) a police officer who, under a direction given by the commissioner of the police service under the *Police Service Administration Act 1990*, is responsible for reporting under this section;
- (e) a person engaged to perform a child advocate function under the *Public Guardian Act 2014*.

### **Sexual abuse**

As defined by section 364 of the *Education (General Provisions) Act 2006*:

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

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

### **Staff Member**

A staff member is any person who is employed by Townsville Catholic Education Office on a casual, fixed term, or continuing basis, either pursuant to a contract of employment or appointed to a role at the school pursuant to an agreement with a religious order.

### **Student**

A student is any person enrolled as such at a School under the control of Townsville Catholic Education Office. This includes a “relevant person” for the purposes of mandatory reporting under sections 366 and 366A of the *Education (General Provisions) Act 2006*:

- (a) a student under 18 years attending the school;
- (b) a pre-preparatory age child registered in—
  - (i) a pre-preparatory learning program at the school; or
  - (ii) a distance education pre-preparatory learning program at the school;
- (c) a person with a disability who—
  - (i) under section 420(2), is being provided with special education at the school; and
  - (ii) is not enrolled in the preparatory year at the school.

### **Safe Person**

A Safe Person is one of at least two persons who are nominated in each school in compliance with *the Education (Accreditation of Non-State Schools) Regulations* (regulation 10, (4)) to whom a student can report behaviour by a staff member that the student considers inappropriate.

### **Teacher**

means an approved teacher under the *Education (Queensland College of Teachers) Act 2005* employed at a school.

## Legislative references

### Child Protection Act 1999

Reporting of a child in need of protection	<p>Section 13 A states</p> <p><i>“(1) Any person may inform the chief executive if the person reasonably suspects—</i></p> <p><i>(a) a child may be in need of protection; or</i></p> <p><i>(b) an unborn child may be in need of protection after he or she is born.</i></p> <p><i>(2) The information given may include anything the person considers relevant to the person’s suspicion.”</i></p>
Forming a reasonable suspicion of significant harm	<p>Section 13C of the <i>Child Protection Act 1999</i> offers some guidance around forming a reasonable suspicion that a student has suffered, is suffering or is at unacceptable risk of suffering significant harm:</p> <p><i>(2) (a) whether there are detrimental effects on the child’s body or the child’s psychological or emotional state—</i></p> <p><i>(i) that are evident to the person; or</i></p> <p><i>(ii) that the person considers are likely to become evident in the future; and</i></p> <p><i>(b) in relation to any detrimental effects mentioned in paragraph (a)—</i></p> <p><i>(i) their nature and severity; and</i></p> <p><i>(ii) the likelihood that they will continue; and</i></p> <p><i>(c) the child’s age.</i></p> <p><i>(3) The person’s consideration may be informed by an observation of the child, other knowledge about the child or any other relevant knowledge, training or experience that the person may have.</i></p>
Reportable Suspicions	<p>Section 13E of the <i>Child Protection Act 1999</i> includes the mandatory reporting requirement for teachers to report a reasonable suspicion to the Department of Communities, Child Safety and Disability Services, that a child has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse where there may not be a parent willing and able to protect the child from the harm (a “reportable suspicion”).</p> <p>Section 13G(5) states that a person does not commit an offence under the <i>Child Protection Act 1999</i> or any other act for failing to make a mandatory report under section 13E.</p>
Conferral with colleagues	<p>13H of the <i>Child Protection Act 1999</i> - Conferrals with colleague and related information sharing, states that:</p> <p><i>(1) A relevant person may give information to a colleague, and a colleague may give information to a relevant person, for any of the following purposes—</i></p> <p><i>(a) for the relevant person to form a suspicion about whether a child has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse;</i></p> <p><i>(b) in the case of a relevant person under section 13E—for the relevant person to form a suspicion about whether a child has a parent able and willing to protect the child from harm mentioned in paragraph (a);</i></p> <p><i>(c) for the relevant person to give a report under section 13G or keep a record about giving a report;</i></p> <p><i>(d) for the relevant person or colleague to take appropriate action to deal with suspected harm or risk of harm to a child.</i></p>

Interviews with Children at School	Section 17 of the <i>Child Protection Act 1999</i> provides Department of Communities, Child Safety and Disability Services and Queensland Police Service officers with the legislative authority to have contact with a child at a school prior to the parents being told of the contact with the child and the reasons for the contact, as part of an investigation and assessment.
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### **Education (Accreditation of Non-State Schools) Act 2001 and Education (Accreditation of Non-State Schools) Regulation 2001**

The *Education (Accreditation of Non-State Schools) Act 2001* establishes an accreditation regime for the accreditation of non-state schools. The Act also establishes the penalties for non-compliance with the accreditation criteria.

The *Education (Accreditation of Non-State Schools) Regulation 2001* prescribes the accreditation criteria relevant for a non-state school's accreditation as mentioned in section 9 of the Act.

Sections 10(2) to 10(8) of the Regulation deal with the accreditation requirements relating to the health, welfare and safety of students.

### **Education (General Provisions) Act 2006 and Education (General Provisions) Regulation 2006**

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

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

Staff making a report pursuant to the *Education (General Provisions) Act 2006* will be protected from civil or criminal liability e.g. from defamation or breach of confidence. However, staff making a knowingly false, malicious or vexatious report will not be protected by this immunity and may risk action for defamation, disciplinary action by their employer or disciplinary action by the Queensland College of Teachers.

### **Education (Queensland College of Teachers) Act 2005**

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

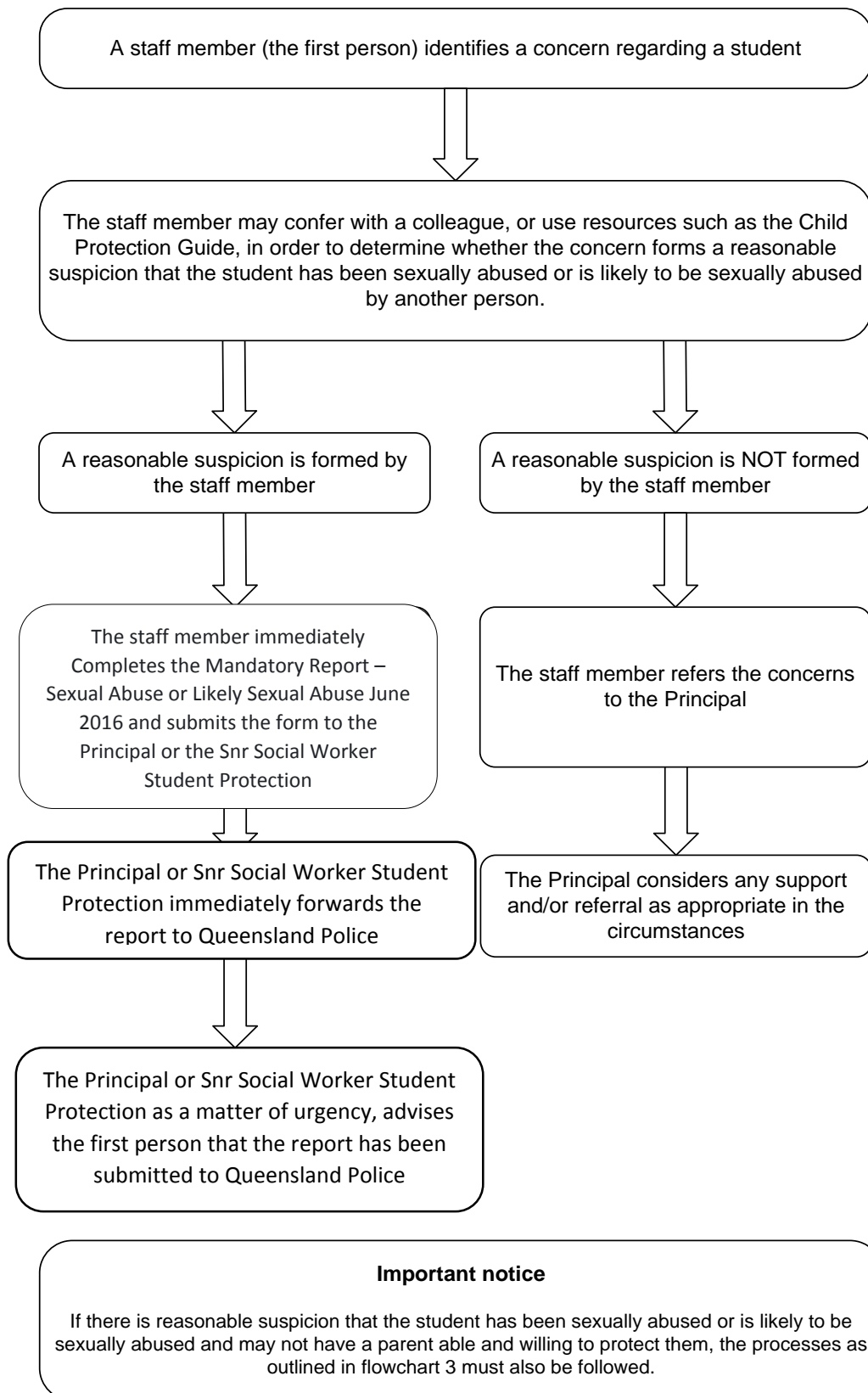
- investigations of harm caused or likely to be caused to a child because of the conduct of a teacher (section 76)
- the outcome of the investigation, including any findings and decisions made by the employing authority (section 77)
- certain dismissals that, in the opinion of the employing authority, call into question a teacher's competency to be employed as a teacher (section 78).



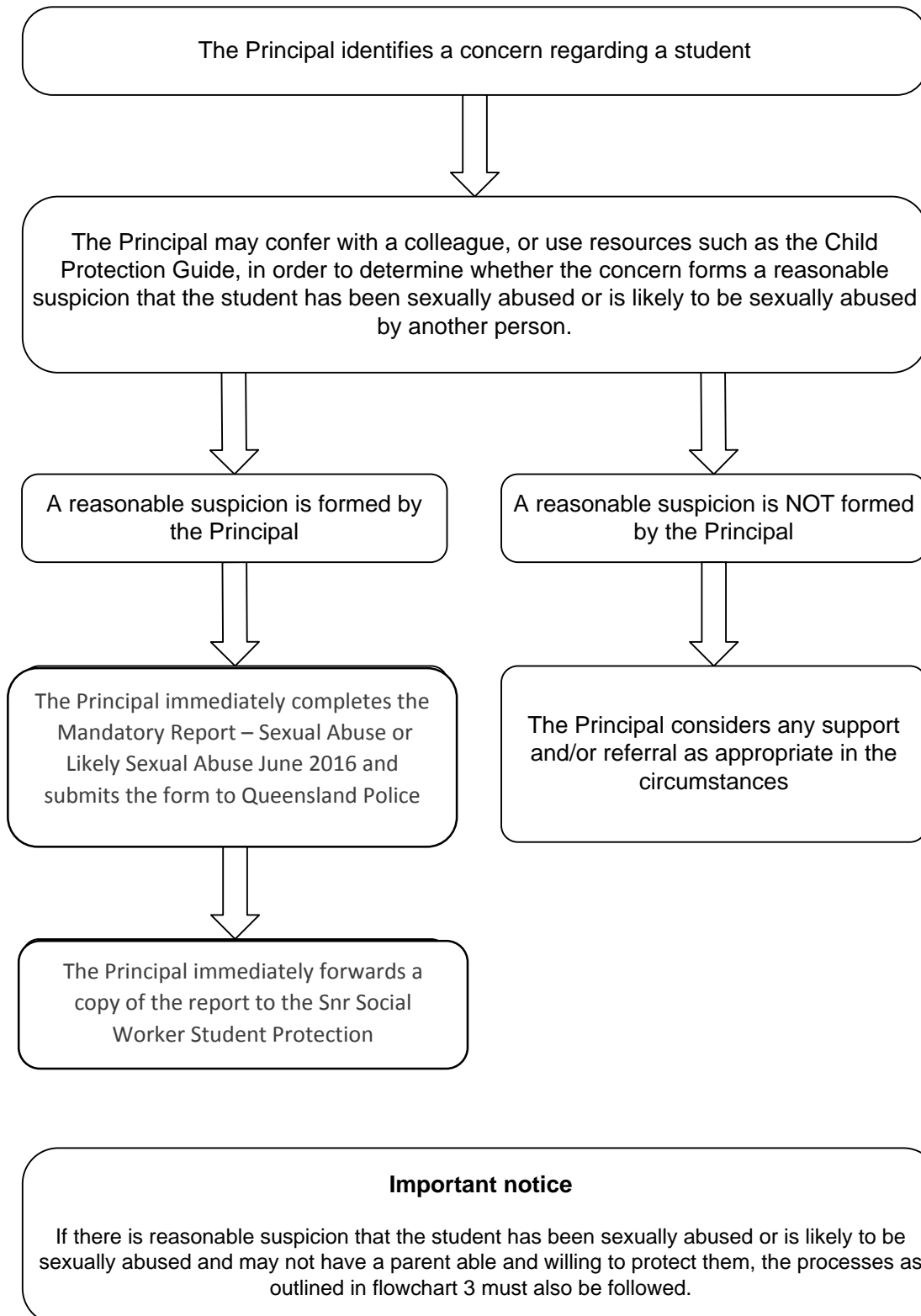
**Evidence Act 1977**

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

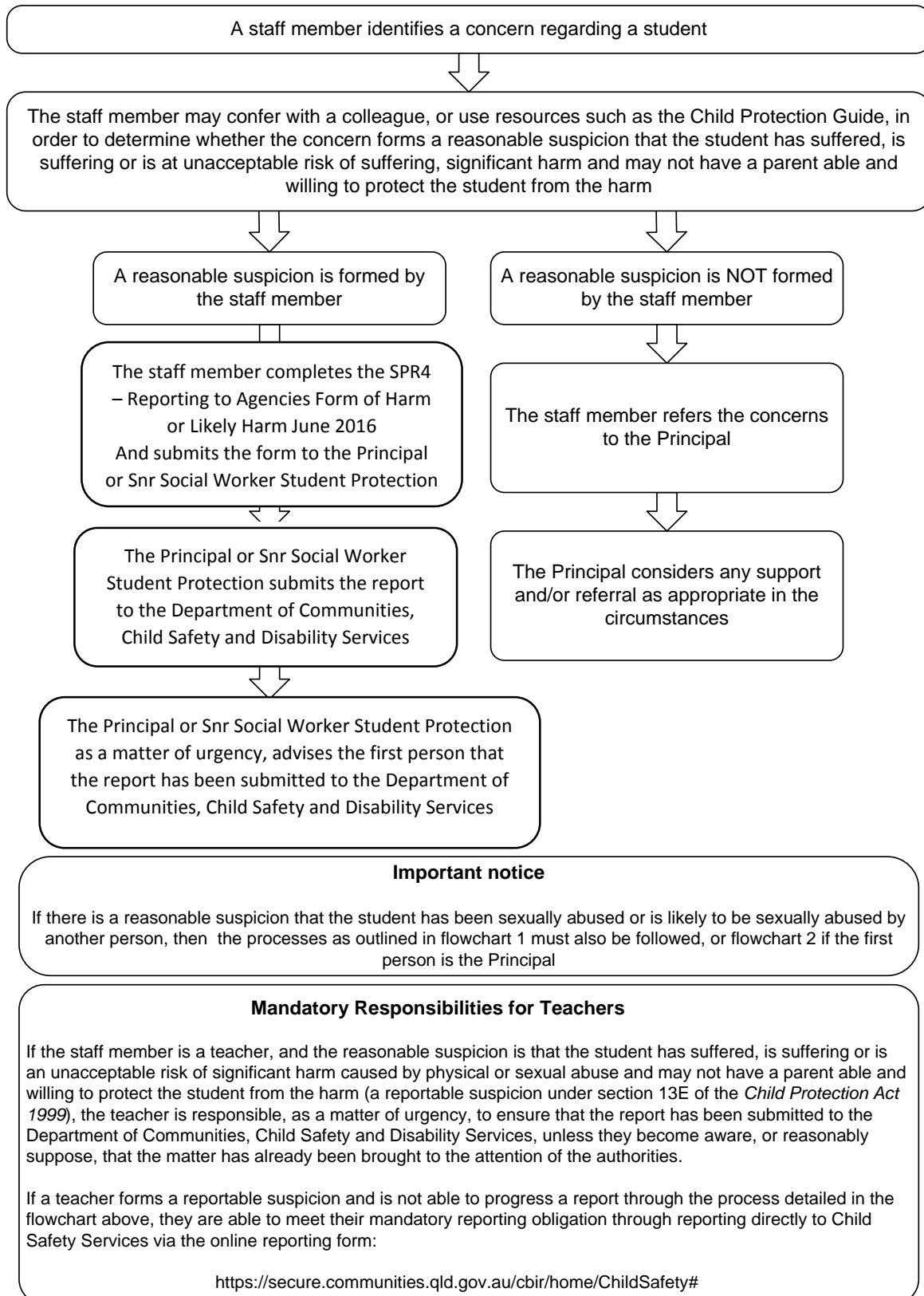
## Flowchart 1: Reporting Sexual Abuse & Likely Sexual Abuse



## Flowchart 2: Reporting Sexual Abuse & Likely Sexual Abuse where the first person is the Principal



## Flowchart 3: Reporting Significant Harm to Child Safety Services



Student Protection Guidelines  
for  
Queensland  
Catholic School Authorities

# Contents

1.	Understanding abuse and harm.....	1
	1.1. Sources of abuse and harm .....	1
2.	Types of Abuse.....	2
	2.1. Sexual Abuse and Likely Sexual Abuse .....	2
	2.2. Physical Abuse.....	5
	2.3 Emotional/Psychological Abuse .....	5
	2.4. Neglect .....	6
3.	Significant Harm.....	7
	3.1 What is "unacceptable risk" of harm?.....	7
	3.2 Relationship between abuse and harm.....	7
4.	Recognising Abuse and Harm.....	7
	4.1. Recognising the signs of abuse and harm.....	7
	4.2. Identifying the signs of Abuse and Harm.....	7
5.	Forming a reasonable suspicion.....	9
	5.1. Responding to a disclosure .....	10
6.	Considering whether there is a parent able and willing to protect a student.....	11
7.	Confidentiality, Record Keeping and Information Sharing.....	13
8.	Support and Referral Services.....	14
9.	Understanding behaviour by a staff member a student considers to be inappropriate.....	15
10.	Historical Allegations.....	16

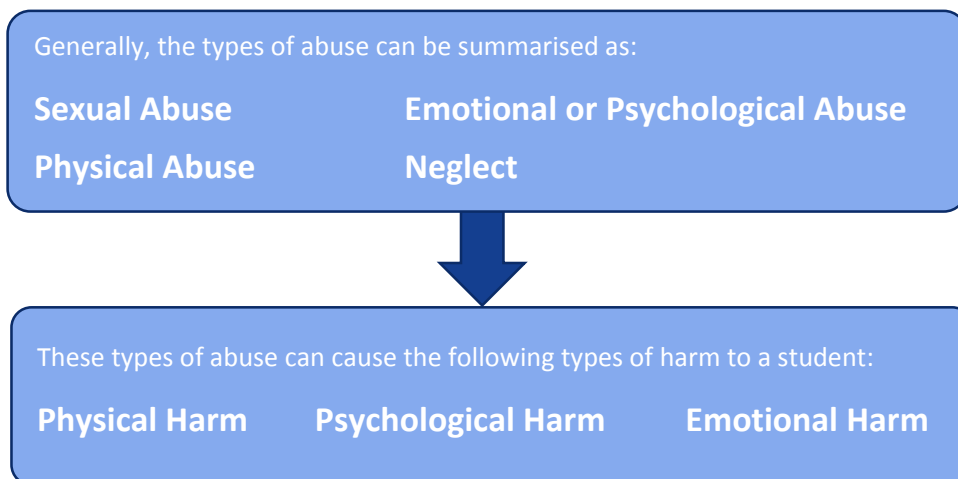
## Preface

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

### Understanding abuse and harm

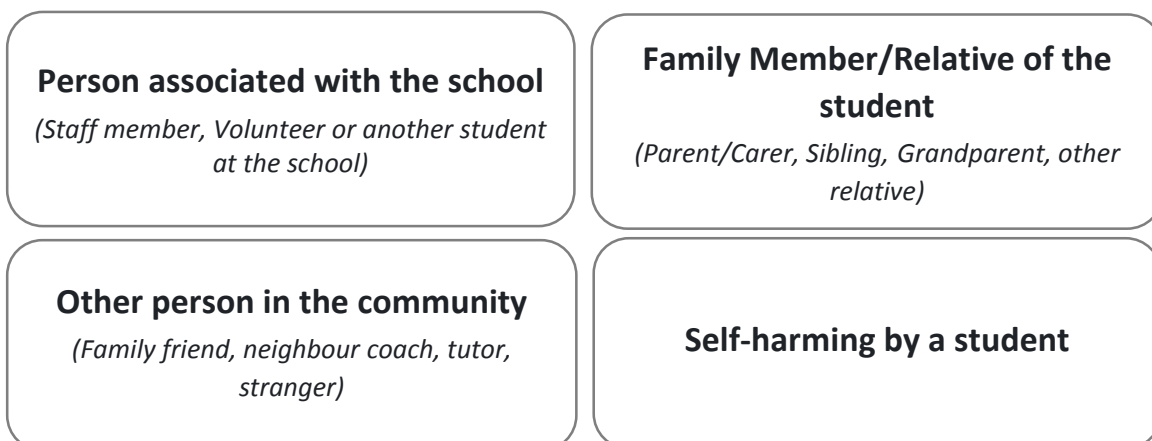
All children have the right to be safe in environments free from abuse and harm. Where this is not the case, adults have a responsibility to act. This part explains the key concepts that underpin the processes for ensuring the safety of students, in order to inform the actions staff members must take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

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



#### 1.1. Sources of abuse and harm

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



## Types of Abuse

### Sexual Abuse and Likely Sexual Abuse

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

- the other person bribes, coerces, exploits, threatens or is violent toward the relevant person; and/or
- the student has less power than the other person; and/or
- there is a significant disparity between the student and the other person in intellectual capacity or maturity.<sup>1</sup>

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

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

#### **IMPORTANT NOTE: Sexual Activity between staff members and students**

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

## What does sexual abuse involve?

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

Sexual abuse involving physical contact with a student could include:

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

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

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

<sup>1</sup> See Section 364 of the *Education (General Provisions) Act 2006*



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

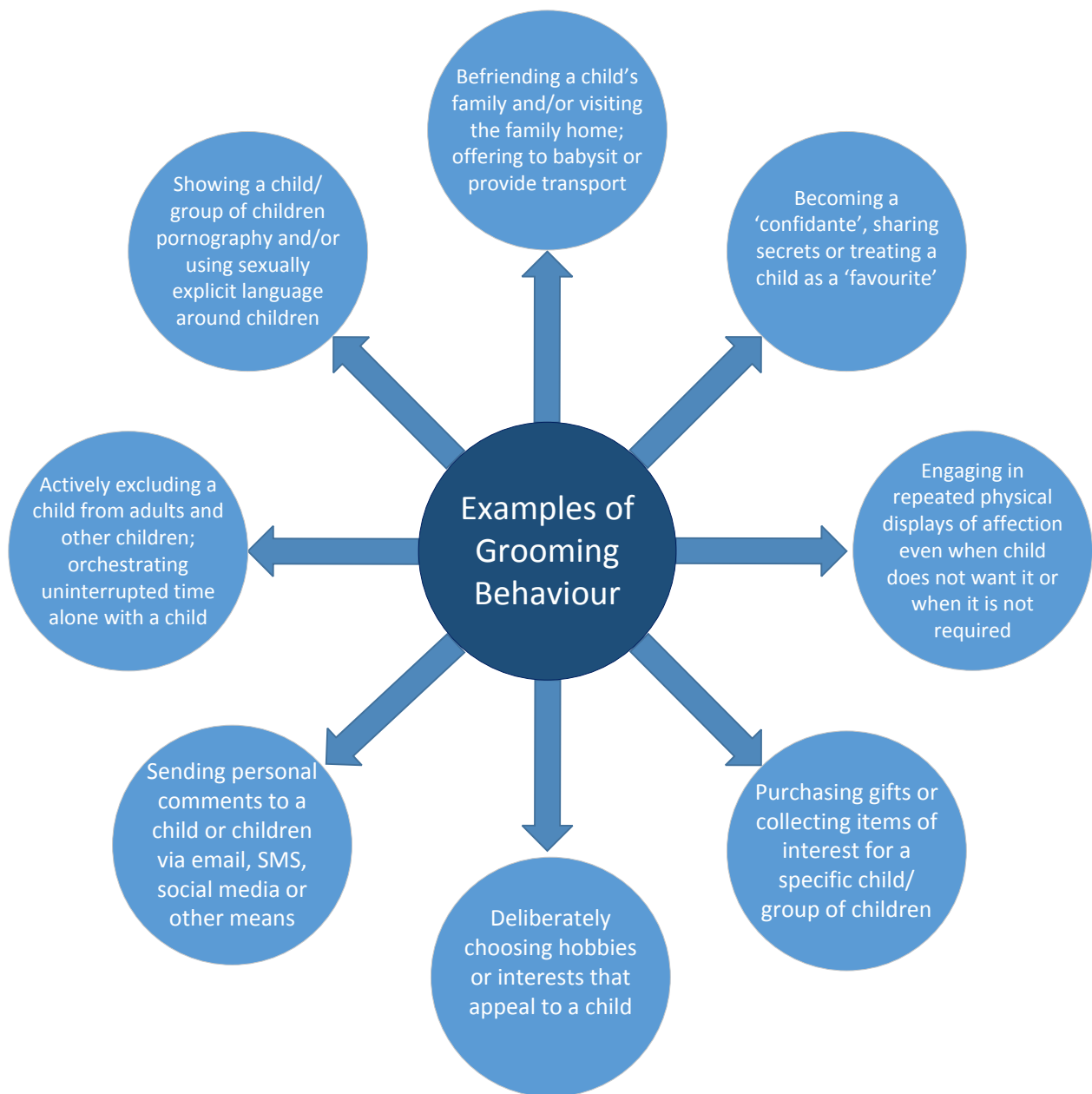
## What is Grooming?

Sexual offending against a child is rarely a random act by a stranger. It is commonly based on a relationship with the child that has been formed over time. The abuse is commonly well thought out and planned in advance. Offenders may often take time to 'groom' their victim, often over a lengthy period. They will also often 'groom' the child's parents, care-providers or others who might otherwise protect them from the abuse. This occurs so that the child and his/her parents or care-providers will trust the offender and not suspect any intended wrongdoing.

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

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

**Some examples of 'grooming' behaviour could include:**



## Activity between peers

- **Sexual activity between students**

It is important to note that activity between peers may also be considered abusive, especially if the relationship is coercive or the behaviour forceful, degrading or threatening. Sexual activity between young people under 16 years of age is not automatically considered to be sexual abuse, even though technically it is unlawful in Queensland. The dynamics and characteristics of the sexual activity is a key consideration. For example, if a young person under the age of 16 years engages in sexual activity with a peer and there is no imbalance of power, coercion or manipulation involved, this may not be considered sexual abuse. On the other hand, if there is a power imbalance, coercion or manipulation in the sexual activity between a young person 16 years and older and another person, this may be considered sexual abuse.

- **Student sexual behaviour**

Suspicions that a student has been sexually abused may also be formed in some cases where a student exhibits concerning sexual behaviour. [Resources](#) such as those published by the Department of Communities, Child Safety and Disability Services can assist in identifying age inappropriate sexual behaviour, and [section 4.2](#) details further signs of sexual abuse.

## Physical Abuse



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

### What does physical abuse involve ?

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

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

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

- the person's propensity towards violence,
- the degree of control a person has over their own behaviour or the behaviour of others,
- the physical force used and
- the ability and willingness of another adult to act protectively to prevent the physical abuse.

Examples of situations which give rise to an unacceptable risk of physical abuse include, though are not limited to:

- domestic violence involving the throwing of objects; or
- situations in which a baby is shaken but not obviously injured.

## Emotional/Psychological Abuse



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

### What does emotional or psychological abuse involve ?

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

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

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

#### Neglect



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

### What does neglect involve?

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

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

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

**More information around understanding child abuse and harm can be found on the Department of Communities, Child Safety and Disability Services [website](#)**

## Significant Harm

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

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

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

### 3.1 What is "unacceptable risk" of harm?

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

### 3.2 Relationship between abuse and harm

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

Types of Abuse	Physical abuse	Emotional abuse	Sexual abuse	Neglect
	Hitting	Rejection	Sexual exploitation	Inadequate supervision
	Punching	Persistent hostility	Penetration Exposure to Pornography	Poor hygiene/nutrition



Types of harm (impact on the child)	Physical (refers to body)	Emotional (ability to express emotions)	Psychological (mind & cognitive processes)
	Bruising	Depression	Learning and developmental delays
	Fractures	Hypervigilance	Impaired self-image
	Internal injuries	Self-harm	

## Recognising Abuse and Harm

### 4.1 Recognising the signs of abuse and harm

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

It is important to remember:

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

### 4.2. Identifying the signs of Abuse and Harm

## Observations of student behaviour

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

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

In relation to possible harm or risk of harm to a student that may be a result of sexual, physical or emotional abuse and/or neglect you may observe the following:

### Physical

- bruises or lacerations, especially on face, head and neck;
- burns/scalds;
- multiple injuries or bruises, especially over time;
- fractures, dislocations, twisting injuries;
- explanations offered by the child not consistent with the injury or the injury is unable to be explained by the child;
- A child hiding injuries
- repeated injuries with a recurring or similar explanation.

### Neglect

- delay in achieving developmental milestones;
- medical or therapeutic needs not attended to;
- poor personal hygiene leading to social isolation;
- scavenging for/stealing food; lack of adequate school lunches;
- extreme seeking of adult affection;
- flat and superficial way of relating.

### Domestic violence

- difficulties in eating and sleeping;
- hyper vigilance;
- regression to age-inappropriate behaviours;
- developmental delays;
- child is over-protective of a parent;
- excessively controlling or aggressive/violent behaviour;
- abuse of siblings/parent.

### Emotional/psychological

- 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.

## Sexual

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

**More information around recognising the signs of abuse can be found on the Department of Communities, Child Safety and Disability Services [Website](#).**

## Forming a reasonable suspicion

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

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



- A student makes a direct disclosure about another person's behaviour (see Section 5.1)
- A parent or any person reports information of concern about a student and/or another person's behaviour (this information may come from another student, relative, friend, acquaintance of the student, or sometimes could be anonymous)



- Direct observation of abusive or inappropriate behaviour towards a student
- Relevant observations (appearance, behaviours, and situations) are witnessed, or other relevant firsthand knowledge is gained.

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

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

A staff member may **confer** with a colleague as part of the decision making process as to whether they have formed a reasonable suspicion – further detail around [conferral](#) processes can be found in the Student Protection Processes.

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

- it is not the role of the staff member or of the school to investigate, confirm or substantiate the validity of the information;
- in some cases, it may be appropriate to seek additional information to clarify the situation, to the extent necessary to determine any action that may be required under these processes;
- if the information received gives rise to a staff member forming a reasonable suspicion of harm to a student resulting from abuse or neglect, from any source, the staff member must follow the relevant [reporting requirements](#) described in the Student Protection Guidelines;
- if the information received by the staff member suggests inappropriate behaviour by a staff member towards a student, then the staff member must follow the relevant [reporting requirements](#) described in the Student Protection Processes for Queensland Catholic School Authorities.



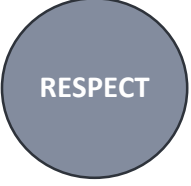


**NOTE: Staff members must not photograph student injuries or audio/ video record the discussion with the student – this is the role of Police.**

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

## 5.1 Responding to a disclosure

Staff members in schools are often the first people a student may tell when they are feeling unsafe, therefore it is important for staff members to be aware of how children/young people disclose and how to respond in the most appropriate manner. If a student tells a staff member about being abused or harmed:

 <p><b>LISTEN</b></p>	<ul style="list-style-type: none"> <li>• <b>Move to a suitable environment</b>, free of distractions.</li> <li>• <b>Be calm and patient</b> - allow for the child to be heard.</li> <li>• <b>Let the child use their own words</b> - avoid asking leading questions.</li> <li>• <b>Avoid “quizzing” the child about details of the abuse.</b></li> <li>• <b>Don’t be afraid of saying the ‘wrong’ thing.</b> Listening supportively is more important than what you say.</li> </ul>
	<ul style="list-style-type: none"> <li>• Reassure the child that <b>it is Okay to tell you</b> what’s been happening.</li> <li>• <b>Address any concerns about the child’s safety.</b></li> <li>• Reassure the child s/he is <b>not at fault and is not the cause of any distress</b> you may feel.</li> </ul>
 <p><b>RESPECT</b></p>	<ul style="list-style-type: none"> <li>• Respect that the child <b>may only reveal some details.</b></li> <li>• <b>Acknowledge the child’s bravery and strength.</b></li> <li>• <b>Avoid making promises you can’t keep</b> - manage the child or young person’s expectations.</li> <li>• <b>Explain</b> to the child that in order for them to be safe <b>you will need to report their experience to someone else</b></li> </ul>

*Adapted from an AIFS infographic: [Responding to children and young people’s disclosure of abuse](#)*

**Remember - it is not a school staff member’s role to investigate** a suspicion of an unacceptable risk of abuse/ harm from any source, rather to report a reasonable suspicion of abuse or harm in accordance with the student protection processes. It is the role of officers of Queensland Police Service and qualified officers of the Department of Communities, Child Safety and Disability Services to investigate and collect evidence in the required circumstances, such as conducting interviews with students.

**Only ask enough questions to help you decide whether you have honest and reasonable grounds to form a suspicion** of harm/abuse or an unacceptable risk of harm/abuse. Be aware that any questioning beyond this



could cause distress and confusion and could interfere with the integrity of any subsequent investigation undertaken by relevant authorities.

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

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

## Considering whether there is a parent able and willing to protect a student

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

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



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



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



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

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

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

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

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

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

A parent's ability and willingness may be evident in both their statements and their direct and indirect actions. The table below contains examples that may assist when considering a parent's ability and willingness to protect a child:

You suspect that a parent is <u>able and willing</u> to protect their child because....	You suspect that a parent is <b>NOT</b> <u>able and willing</u> to protect their child because.....
You speak, for the second time, with the parent about your concerns in relation to their child's inappropriate sexual behaviour towards other children in their class. The parent tells you they tried to deal with the issue after the first incident but don't know what to do and agree to a referral to a local specialist counselling service.	You speak, for the second time, with the parent about your concerns in relation to their child's inappropriate sexual behaviour towards other children in their class. The parents becomes very confrontational and says the teacher is persecuting them. The parent refuses to acknowledge there is a problem and say other children must have been responsible.
You speak with the parent about your concerns for their child who has become very fearful and has told you they're scared of their older brother who physically assaults and verbally abuses them. The parent appears unaware of the issue and states they will address the behaviour with the older brother and seek counselling for the child to build their resilience.	You speak with the parent about your concerns for their child who has become very fearful and has told you they're scared of their older brother who physically assaults and verbally abuses them. The parent says the child just needs to grow up and that he should give him a good belting for causing so much trouble.
You speak with a parent about your concerns for their 8 year old child who had no lunch or breakfast on a few occasions and told you they were left alone at home while the parent went to work. The parent says they will speak with their sister about baby sitting and agrees to a referral to the intensive family support service.	You leave a message for a parent about your concerns for their 8 year old child who had no lunch or breakfast on a few occasions and told you they were left alone at home while the parent went to work. The parents doesn't return your calls.
You speak with a parent about your concerns for their child who's been self-harming and has suicidal thoughts. The parent acts immediately to access appropriate mental health services.	You speak with a parent about your concerns for their child who's been self-harming and has suicidal thoughts. The parent belittles the child or minimizes the concerns and refuses to obtain any mental health support.

Source: Department of Education, Training and Employment, Student Protection Guidelines – December 2014.

Staff are not required to investigate any aspect of a student protection concern before making a report. However, they may seek information from a student to the extent necessary to clarify whether the matter reaches the threshold for a report to Child Safety or QPS or to determine an appropriate course of action. Under Section 13H of the *Child Protection Act 1999*, staff are also able to confer with colleagues at the school, such as the Principal or counsellor, before decided whether to make a report.

## Confidentiality, Record Keeping and Information Sharing

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

The management of any student protection concern should be well-documented, with clear records of any disclosures made by a student and any actions taken by the school. All information relating to a student protection concerns, including notes, reports and other documents must be stored securely and confidentially.

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

A person who notifies the Department of Communities, Child Safety and Disabilities around a suspicion that a child has been, or is likely to be harmed (known as the "notifier") cannot be identified unless certain exceptions apply. Where a student protection report results in a criminal court proceeding, the report may form part of the prosecution's evidence, therefore the staff member who made the report may be required to give evidence. Consequently, student protection reports must be completed in an impartial, accurate and factual manner.

## Information Sharing

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

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

- Under Part 4 of the *Child Protection Act 1999*, the Department of Communities, Child Safety and Disability Service may request information around a student who may be in need of protection. Such requests should be in writing, and clearly specify what information is requested. The Principal should keep clear records around what information was provided in response and ensure that any information is accurate and factual.
- A Principal, as a 'particular prescribed entity' under the *Child Protection Act 1999* may share information with certain service providers in order to obtain support for a student and their family. As best practice, any referral for support should be with the knowledge and consent of a student's parents or care-providers, however a Principal may refer to service providers such as **Family and Child Connect** or **Intensive Family Support Services** without the prior consent of a parent or care-provider. These services will then seek the consent of the parent to engage them in providing support.

- Police may seek information from a Principal in relation to a law enforcement activity, for example in the investigation of a criminal offence, or in attempting to locate a missing child. Again, the Principal should keep clear records around what information was provided in response and ensure that any information is accurate and factual.

## Support and Referral Services

When students and families receive support services early, it can avoid the escalation of concerns towards statutory intervention by the Department of Communities, Child Safety and Disability Services or Police. Where a concern is identified that does not meet the threshold for a report to Department of Communities, Child Safety and Disability Services or Police, or indeed where the outcome of a report is that no intervention by the authorities will occur, the Principal should consider any referral to appropriate support services:

### Family and Child Connect

Community-based intake and referral services, known as '[Family and Child Connect](#)' have been established across Queensland to provide an additional pathway for referring concerns about children and their families. Family and Child Connect provides information and advice to people seeking assistance for children and families where there are concerns about their wellbeing, and can connect families to local services. Families can also contact Family and Child Connect themselves for advice and help.

### Intensive Family Support Services

In addition to Family and Child Connect, Intensive family support services are funded services that provide family support delivered under a lead case management model to address multiple and/or complex needs and assist families to build their capacity to care for and protect their children.

Intensive family support services include:

- Intensive Family Support
- Referral for Active Intervention
- Aboriginal and Torres Strait Islander Family Support Services
- Fostering Families.

Information around making a referral to these services can be found via the Department of Communities, Child Safety and Disability Services [website](#). Particular information around information sharing provisions for Principals are detailed in [section 7](#).

### Other referral options

In some cases, it may be desirable to refer a family to a specific local service in the community, particularly where the family's needs are clearly identified. For example, a family may be in need of financial or housing support. The Queensland Family and Child Commission's [One Place](#) website provides useful information about local services.

### School based supports

There are a number of options to support students at risk within the school environment that can be implemented in addition to any external referral, including:

- Referral to the school counsellor
- Engaging specific educational services to meet a student's needs
- Consideration of academic demands and providing flexible alternatives
- Identifying other school support staff, including pastoral care options and peer support
- Implementing risk management plans, particularly involving situations between students
- Providing protective behaviours education to students, including safety planning.

Understanding behaviour by a staff member a student considers to be inappropriate

For the purposes of these processes, staff inappropriate behaviour includes (though is not limited to) any behaviour, including words, towards a student that is contrary to what is required of staff members under the Townsville Catholic Education Office Code of Conduct.

Inappropriate behaviour by a staff member towards a student can be described in terms of *violations of*

### Physical Boundaries

Exist to protect the body. Physical boundaries define appropriate physical contact between staff members and students in appropriate circumstances whilst respecting and responding to the physical needs of students

### Emotional Boundaries

Exist to protect feelings. Emotional boundaries determine the nature of appropriate professional relationships between staff members and a students in the context of respecting the emotional needs and wellbeing of students.

### Behavioural Boundaries

Exist to protect actions. Behavioural boundaries determine the appropriate behaviours expected of a staff member towards students, including respecting the rules of the Catholic School Authority or School.

*professional boundaries*. These boundaries can be described as follows:

**Examples of boundary violations appear on the following page.**

## 9.1 Examples of Boundary Violations\*

\*See also The [Professional Boundaries: A Guideline for Queensland Teachers](#) as published by the QCT

Physical Boundary Violations	Emotional Boundary Violations	Behavioural Boundary Violations
<ul style="list-style-type: none"> <li>• pushing</li> </ul>	Making inappropriate	Having inappropriate interactions with a student

<ul style="list-style-type: none"> <li>• pulling</li> <li>• grabbing</li> <li>• hitting</li> <li>• poking shoving</li> <li>• shaking</li> <li>• throwing</li> <li>• kicking</li> <li>• pinching</li> <li>• punching</li> <li>• using physical force to ensure a child cooperates</li> <li>• holding or restraining a child (unless in imminent danger of harm)</li> <li>• using an object (ruler, book, whiteboard marker) to manage a student</li> <li>• Refusing biological necessities Applying painful or noxious conditions to a student</li> <li>• Inappropriately touching or massaging a student</li> <li>• Unnecessary or unwanted physical contact</li> </ul>	<p>comments about a student and/or a student's family by:</p> <ul style="list-style-type: none"> <li>• shaming,</li> <li>• embarrassing, humiliating</li> <li>• using sarcasm</li> <li>• making derogatory remarks belittling</li> <li>• teasing</li> <li>• unprofessional criticism</li> </ul> <p>Exerting power over a student through the use of:</p> <ul style="list-style-type: none"> <li>• intimidating behaviour</li> <li>• fear</li> <li>• threats</li> <li>• moral pressure</li> </ul> <p>Shouting at a student</p>	<p>through:</p> <ul style="list-style-type: none"> <li>• inappropriate use of social media in relation to a student</li> <li>• phone calls emails or texts to the student's personal email or phone</li> <li>• gift giving or showing special favours sharing secrets with a student disclosing inappropriate personal information to a student</li> <li>• inappropriate questioning of a student about personal and private matters engaging in social activities with students (with whom there is not a declared personal relationship) outside school</li> <li>• driving students without appropriate authority</li> <li>• visiting students at home without appropriate authority</li> </ul> <p>Using unprofessional language:</p> <ul style="list-style-type: none"> <li>• swearing at or in the presence of a student</li> <li>• making otherwise inappropriate comments to or in the presence of a student</li> </ul> <p>Failing to follow a school's behaviour support policy and procedures:</p> <ul style="list-style-type: none"> <li>• unreasonable, unfair and/or unjust disciplinary measures</li> <li>• the imposition of manifestly unreasonable expectations or excessive demands on a student</li> <li>• using inappropriate locations or social isolation outside of the school's behaviour support guidelines as punishment</li> </ul> <p>Using a personal device or private email address to make contact with a student (with whom there is not a declared personal relationship or appropriate authority)</p> <p>Photographing a student other than for an appropriate professional reason Supplying substances to a student (e.g. unauthorised medication, tobacco, alcohol, illicit drugs)</p> <p>Exposing students to material that contains adult content or themes that is offensive or inappropriate to the age and/or maturity of the student</p>
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## Historical Allegations

When a staff member receives information that a former student has been sexually abused, or has suffered significant harm, by a staff member at the school, the staff member must follow the relevant Catholic School Authority processes.

If the allegation is against a current staff member, or is against a former staff member, then advice is to be obtained by the Senior Catholic Education Social Worker.