



**CATHOLIC EDUCATION OFFICE  
DIOCESE OF TOOWOOMBA**

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<b>DIVISION</b>	S & SD
<b>AUDIENCE</b> [Primary, Secondary, Composite]	Primary and Secondary
<b>PRIORITY</b> [Urgent, For Information, For Response, for Competition]	For information, action and confirmation

## CEO CIRCULAR 044 / 2011

<b>To:</b>	All Principals	<b>File:</b>	716.2
<b>From:</b>	Margaret Hendriks	<b>Date:</b>	December 1, 2011
<b>Pages:</b>	Two	<b>Re:</b>	Changes to Education Legislation in 2012
<b>Contact:</b>	Peter Simpson	<b>Phone:</b>	4637 1421

Dear Principals

On November 17, 2011, Education Minister Cameron Dick announced that the *Education and Training Legislation Amendment Act 2011* had been passed in Parliament. As a result, in 2012 there will be a number of changes to legislation that apply to teachers and staff within the Toowoomba Diocese. The key changes can be summarised as follows:

**Amendments to the *Education (General Provisions Act) 2006*:**

As of the beginning of Term 3, 2012, there will be a new additional requirement to our existing harm reporting procedures for employees to report a reasonable suspicion that a student is "likely to be sexually abused by another person." The Act also now carries a definition of sexual abuse as applied to the reporting obligations.

In preparation for this change, the Catholic Education Office will review the existing Student Protection Policy and Procedure to determine what changes are required to our existing documentation and processes. Further information and any necessary training will be provided to employees *prior* to these changes coming into effect.

There were a number of other minor changes to this legislation which will take effect sooner, on January 1, 2012. These changes include that in cases where a non-state school's governing body has only one Director, the Director may delegate their reporting function around suspicions of sexual abuse or likely sexual abuse to an appropriately qualified individual. However, for non-state schools the Director must not delegate this function to a Principal or any other staff member at the school. From an employee reporting perspective, this will not have a substantial impact on our existing processes.

**Amendment of the *Education (Queensland College of Teachers) Act 2005*:**

Also in 2012, changes to the *Education (Queensland College of Teachers) Act 2005* will mean that registration as a Teacher is automatically cancelled where a person is convicted, after commencement of part 4 of the Act, of a serious offence, irrespective of whether the person is sentenced to imprisonment.

These changes will also permanently prevent a person who has been convicted of a serious offence, after commencement of part 4 of the Act, from applying for teacher registration or permission to teach. However, in some limited circumstances, a person may apply for an Eligibility Declaration which, if granted, will allow the person to make an application for registration.

Additionally, the Queensland Civil and Administrative Tribunal (QCAT) will be able to make disciplinary orders that prohibit a person from applying for registration as a teacher for a stated period of time or for life.

The commencement date for these changes to the *Education (Queensland College of Teachers) Act 2005* is yet to be confirmed.

Further information around these legislative changes can be found on the Queensland Government Legislation website: [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)

More information will follow in preparation for these changes. In the interim, should you have any queries, please contact Peter Simpson, Student Protection Officer, at the Catholic Education Office.

Yours sincerely



Margaret Hendriks  
Assistant Director  
Staff and School Development