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**Non-State Schools
Accreditation Board**
Queensland Government

6 April 2004

Mr Howard Stack
Chairman
Board of Trustees of Brisbane Grammar School
Gregory Terrace
BRISBANE QLD 4000

Dear Mr Stack

I am writing to you as the nominated contact for the Board of Trustees of Brisbane Grammar School, the governing body of Brisbane Grammar School under the *Education (Accreditation of Non-State Schools) Act 2001*, to advise you of an initiative commenced by the Non-State Schools Accreditation Board (the "Board") and to seek your assistance in providing the Board with copies of particular documents and other related information.

I wrote to all non-State school governing bodies on 3 December 2003 to give advance notification of new legislation in relation to student protection at non-State schools and an outline of the planned follow-up action in 2004 by the Accreditation Board.

By way of a brief overview, new legislation is being enacted dealing with the mandatory reporting to police of actual or suspected sexual abuse of students by employees of State and non-State schools.

The *Education (General Provisions) Act 1989* has been amended to include a new section 146B, which details the obligation to report sexual abuse of a student under 18 years attending a non-State school (see Attachment A). State schools are similarly covered by section 146A.

The *Education (General Provisions) Regulation 2000* has been amended to include a new section 76AA, which sets out the particulars that must be included in a report about sexual abuse (see Attachment B).

The present section 10 (Health, safety and conduct of staff and students) of the *Education (Accreditation of Non-State Schools) Regulation 2001* has been amended to reorganise and simplify the current wording in various places, and to include a new subsection 10(5)(a), which is a statutory reference to reporting sexual abuse or suspected sexual abuse in compliance with section 146B of the *Education (General Provisions) Act 1989* (see Attachment C).

The new and amending legislation mentioned above will come into force on 19 April 2004.

Since the beginning of 2002, section 10 has placed an obligation on schools to have certain written processes in place about the **conduct of staff and students**, and required schools to be able to demonstrate that they are complying with the written processes. As a result of the student protection initiatives detailed above, the Board expects that schools will need to make some adjustments to their current written processes.

As foreshadowed in my 3 December 2003 letter, the Board has now commenced a program involving all non-State schools to establish the extent of conformity with the statutory requirement to have in place and operational specific written processes about the conduct of staff and students (as amended to include mandatory reporting).

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Accordingly, the Board requests that for any school under your governance, after the school's written processes about the conduct of staff and students have been adjusted to include mandatory reporting matters, you provide the Board with the documents and information described below:

- (a) A copy of the written processes about the conduct of staff and students mandated by subsection 10(2) and further regulated by subsections 10(3) to 10(8) of the *Education (Accreditation of Non-State Schools) Regulation 2001*.
- (b) A description of how the governing body is complying with subsection 10(6) of the *Education (Accreditation of Non-State Schools) Regulation 2001*.
- (c) A description of how the school is implementing the written processes [subsection 10(7) of the *Education (Accreditation of Non-State Schools) Regulation 2001* refers].

If any of the requested material is embedded in a document containing a range of other related or unrelated information, it is open to you to send that larger document. If you do send it in that form, however, it would be appreciated if you would tag and mark clearly the requested information with cross references to the relevant sections of the legislation to enable the material to be readily identified and located by Board Members.

The Board would appreciate this material as soon as possible, but no later than 28 May 2004.

Please note that the Board is not requiring the written processes about health and safety of staff and students mentioned at subsection 10(1) of the *Education (Accreditation of Non-State Schools) Regulation 2001*.

I have attached a copy of the relevant sections of the legislation for your assistance. Also, a copy of the legislation referred to in this letter may be found on the Queensland Parliamentary Counsel's web site at <http://www.legislation.qld.gov.au> or a copy may be purchased from Goprint, the Government Bookshop, by telephoning (07) 3246 3399 or Toll Free 1800 679 778.

The Board notes that, even though schools will already have written processes in place and be implementing them, some effort may still be required by governing bodies and school staff to include these legislated student protection initiatives into the processes. Members of the Board would like to thank you and relevant school staff in advance for assistance with this important matter, and look forward to receiving the requested material as soon as possible.

I invite you to contact Ms Debbie Tanzer of the Board's office on telephone (07) 3237 9947 if you require further information about this matter.

Yours sincerely



Emeritus Professor Roy Webb AO
Chairperson

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