



TSA Independent Schools
YOS Lawnton, YOS Lawnton (Riverview) and Tom Quinn Community
Centre Alternative School (TQCCAS)
 (Queensland Non-State Independent Schools)

Child Protection Policy

Code: CPP2023

Purpose:	The purpose of this policy is to provide written processes about – <ul style="list-style-type: none"> (a) How TSA Independent Schools: (YOS Lawnton, YOS Lawnton Riverview and TQCCAS) will respond to harm or allegations of harm, to students under 18 years; and (b) The appropriate conduct of the school’s staff and students To comply with accreditation requirements	
Filing Instructions:	F Drive: F Drive/Independent Schools!/MASTER SCHOOL FOLDER/Current Policies and Procedures/Finalised Polices and Procedures	
Scope:	Students and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements at TSA Independent Schools and covers information about the reporting of harm and abuse.	
Status:	Approved v9.5	Supersedes: v9.4
Authorised by:	Stuart Glover TSA Independent Schools Advisory Group (ISAG) Chair	Date of Authorisation: 26 May 2023
References:	<ul style="list-style-type: none"> • Child Protection Act 1999 (Qld) • Education (General Provisions) Act 2006 (Qld) • Education (General Provisions) Regulation 2017 (Qld) • Education (Accreditation of Non-State Schools) Act 2017 (Qld) • Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) • Working with Children (Risk Management and Screening) Act 2000 (Qld) • Working with Children (Risk Management and Screening) Regulations 2020 (Qld) • Criminal Code Act 1899 (sections 229BB and 229BC) • TSA Feedback and Complaints Handling Policy • TSA Dispute Resolution Policy and Procedure • TSA Work Health and Safety Policy (for the Work Health and Safety Act 2011 (Qld)) 	

	<ul style="list-style-type: none"> • TSA Child Protection Risk Management Strategy (for the Working with Children (Risk Management and Screening) Act 2000 (Qld)) • TSA Child Protection Reporting Form 	
Forms and Other Documents	<ul style="list-style-type: none"> • QLD Government Child Protection Online Guide (CPG) • <i>Solv Safety Application – Client Incident Online Report</i> • <i>ISQ Child Protection Decision Tree for Teachers</i> • <i>ISQ Child Protection Decision Tree for Principals and Board Directors</i> • <i>ISQ Child Protection Decision Tree for Non-School Staff</i> 	
Review Date:	Annually	Next Review Date: December 2023
Policy Owner:	TSA Independent Schools Advisory Group (ISAG)	

Change Record/Revision History:

Version	Prepared/ reviewed by	Date reviewed	Approved by	Authorised by	Review date
9.1	Helen Boardman	Dec 2019	Darren McGhee	Rish Lefterys	Dec 2020
9.2	Helen Boardman	Amendments: 5/5/2020, 7/7/2020, 10/9/20, 13/1/21	Rish Lefterys	Rish Lefterys	Dec 2021
9.3	Helen Boardman	Amendments: 04/08/2021, 10/2/22, 4/10/22, 29/11/22, 15/03/2023	Helen Boardman	Natalie O'Brien	Dec 2023
9.4	Riley Hore		Helen Boardman	Stuart Glover	Dec 2023
9.5	Riley Hore		Helen Boardman	Stuart Glover	Dec 2023

Definitions

- **Section 9 of the *Child Protection Act 1999* - “Harm”**, to a child, is any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing.
 1. It is immaterial how the harm is caused.
 2. Harm can be caused by—
 - a) physical, psychological or emotional abuse or neglect; or
 - b) sexual abuse or exploitation.
 3. Harm can be caused by—
 - a) a single act, omission or circumstance; or
 - b) a series or combination of acts, omissions or circumstances.
- **Section 10 of the *Child Protection Act 1999* - A “child in need of protection”** is a child who—
 - a) has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and
 - b) does not have a parent able and willing to protect the child from the harm.
- **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.

Health and Safety

TSA Independent Schools have written processes in place to enable it to comply with the requirements of the *Work Health and Safety Act 2011* (Qld) and the *Working with Children (Risk Management and Screening) Act 2000* (Qld).

Responding to Reports of Harm

When TSA Independent Schools receives any information alleging 'harm'¹ to a student (other than harm arising from physical or sexual abuse) it will deal with the situation compassionately and fairly so as to minimise any likely harm to the extent it reasonably can. This is set out in TSA Independent Schools’ Child Risk Management Strategy. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy².

Conduct of Staff and Students

All staff, contractors and volunteers must ensure that their behaviour towards and relationships with students reflect proper standards of care for students. Staff, contractors and volunteers must not cause harm to students³.

¹ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(7)*: the definition of 'harm' for this regulation is the same as in section 9 of the *Child Protection Act 1999 (Qld)*

² *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)*

³ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)*

Reporting Inappropriate Behaviour

If a student considers the behaviour of a staff member to be inappropriate, the student should report the behaviour to⁴: -

Lawnton Campus:

- Nicky Chase - Safeguarding Officer
- Karin Howard - Safeguarding Officer

Riverview Campus:

- Brittany Rissman - Safeguarding Officer
- Charlotte Hanley - Safeguarding Officer

Bundaberg (TQCCAS)

- Richard King - Safeguarding Officer
- Sarah McBead - Safeguarding Officer

Dealing with Report of Inappropriate Behaviour

A staff member who receives a report of inappropriate behaviour must report it to the principal, Helen Boardman. Where the principal is the subject of the report of inappropriate behaviour, the staff member must inform a member of TSA Independent Schools Advisory Group (ISAG)⁵. Reports will be dealt with under the school's Complaints Handling Policy.

Reporting Sexual Abuse⁶

Section 366 of the *Education (General Provisions) Act 2006* states that if a staff member becomes aware, or reasonably suspects, in the course of their employment at the school, that any of the following has been sexually abused by another person:

- a) a student under 18 years attending the school;
- b) a kindergarten aged child registered in a kindergarten learning program at the school;
- c) a person with a disability who: -
 - under section 420(2) of the *Education (General Provisions) Act 2006* is being provided with special education at the school; and
 - is not enrolled in the preparatory year at the school.

then the staff member must give a written report about the abuse or suspected abuse to the principal, Helen Boardman or to the Director of TSA Independent Schools Advisory Group (ISAG), Stuart Glover immediately.

The school's principal, Helen Boardman or the Director of TSA Independent Schools Advisory Group (ISAG), Stuart Glover must immediately give a copy of the report to a police officer.

A copy of the report will also be given to the principal's direct line manager, Natalee O'Brien, TSA National Youth Manager.

⁴ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2) and s.16(3)*

⁵ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)*

⁶ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*

If the first person who reasonably suspects likely sexual abuse is the school's principal, the principal must give a written report about the suspicion to a police officer immediately and must also give a copy of the report to the Director of TSA Independent Schools Advisory Group (ISAG), Stuart Glover immediately.

A report under this section must include the following particulars: -

- a) the name of the person giving the report (the *first person*);
- b) the student's name and sex;
- c) details of the basis for the first person becoming aware, or reasonably suspecting, that the student has been sexually abused by another person;
- d) details of the abuse or suspected abuse;
- e) any of the following information of which the first person is aware: -
 - i. the student's age;
 - ii. the identity of the person who has abused, or is suspected to have abused, the student;
 - iii. the identity of anyone else who may have information about the abuse or suspected abuse⁷.

Reporting Likely Sexual Abuse ⁸

Section 366A of the *Education (General Provisions) Act 2006* states that if a staff member reasonably suspects in the course of their employment at the school, that any of the following is likely to be sexually abused by another person: -

- a) a student under 18 years attending the school;
- b) a kindergarten aged child registered in a kindergarten learning program at the school;
- c) a person with a disability who: -
 - i. under section 420(2) of the *Education (General Provisions) Act 2006* is being provided with special education at the school; and
 - ii. is not enrolled in the preparatory year at the school.

then the staff member must give a written report about the abuse or suspected abuse to the principal, Helen Boardman or to the Director of TSA Independent Schools Advisory Group (ISAG), Stuart Glover immediately.

The school's principal, Helen Boardman or the Director of TSA Independent Schools Advisory Group (ISAG), Stuart Glover must immediately give a copy of the report to a police officer.

A copy of the report will also be given to the principal's direct line manager, Natalee O'Brien, TSA National Youth Manager.

If the first person who reasonably suspects likely sexual abuse is the school's principal, the principal must give a written report about the suspicion to a police officer immediately and must also give a copy of the report to a director of TSA Independent Schools Advisory Group (ISAG), Stuart Glover immediately

⁷ *Education (General Provisions) Regulation 2017 (Qld) s.68*

⁸ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*

A report under this section must include the following particulars: -

- a) the name of the person giving the report (the *first person*);
- b) the student's name and sex;
- c) details of the basis for the first person reasonably suspecting that the student is likely to be sexually abused by another person;
- d) any of the following information of which the first person is aware: -
 - i. the student's age;
 - ii. the identity of the person who is suspected to be likely to sexually abuse the student;
 - iii. the identity of anyone else who may have information about suspected likelihood of abuse⁹.

Reporting Physical and Sexual Abuse ¹⁰

Under Section 13E (3) of the *Child Protection Act 1999*, if a doctor, a registered nurse, a teacher or an early childhood education and care professional forms a 'reportable suspicion' about a child "in the course of their engagement in their profession", they must make a written report.

A **reportable suspicion** about a child is a reasonable suspicion that the child: -

- a) has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse; and
- b) may not have a parent able and willing to protect the child from the harm.

The doctor, nurse, teacher or early childhood education and care professional must give a written report to the Chief Executive of the Department of Child Safety, Youth and Women (or another department administering the *Child Protection Act 1999*). The doctor, nurse, teacher or early childhood education and care professional should give a copy of the report to the principal.

A report under this section must include the following particulars: -

- a) state the basis on which the person has formed the reportable suspicion; and
- b) include the information prescribed by regulation, to the extent of the person's knowledge¹¹.

Delegation of Director Authority

Under section "366B Delegation of directors reporting function under s 366 and 366A," the directors reporting functions have been delegated to the Director of TSA Independent Schools Advisory Group (ISAG), Stuart Glover

Phone Numbers

- Child Safety Regional Intake Service (Brisbane and Moreton Bay) – 1300 682 254
9am to 5pm Monday to Friday
- Child Safety After Hours Service Centre free call – 1800 177 135

⁹ *Education (General Provisions) Regulation 2017 (Qld) s.69*

¹⁰ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16 (2)(d)*

¹¹ See *Child Protection Regulation 2011 (Qld) s.10 "Information to be included in report to chief executive"*

Responsibilities under Criminal Code Act 1899 (Qld)

The *Criminal Code Act 1899* includes two offences that pertain to the failure to report a child sexual offence and the failure to protect a child against a child sexual offence. A child sexual offence is an offence of a sexual nature by an adult against a child under 16 years or a person with an impairment of the mind.

Failure to Report^[1]

Under section 229BC of the Code, all adults must report sexual offences against a child by another adult to police as soon as reasonably practicable after the belief is, or ought reasonably to have been, formed. Failure to make a report without a reasonable excuse is a criminal offence. A reasonable excuse not to make a report under the *Criminal Code Act 1899* includes that a report has already been made under the *Education (General Provisions) Act 2006* (reporting sexual abuse or likely sexual abuse) and the *Child Protection Act 1999* (reporting significant harm or risk of significant harm) as per this policy.

Failure to Protect^[2]

Under section 229BB of the Code, all adults in positions of power or responsibility within institutions to reduce or remove the risk of child sexual offences being committed must take reasonable steps to protect children in their care from a child sexual offence. A failure to protect is an offence.

Awareness and Accessibility of Processes

The school will inform staff, students and parents of its processes relating to health and safety, conduct of staff and students, and child protection, through:

- Verbal communications at enrolment, annually or as need arises for parents and students,
- Placing policies and procedures on the website
- On request
- staff can access SharePoint
- Orientation of new staff and ensuring all staff have access to copies of this child protection policy and other related policies
- Posters around school stipulating that Salvation Army staff are mandatory reporters and the process to follow if there are concerns, including names of staff to talk to and contact details
- Decision Trees displayed in office space

Training

The school will train its staff and volunteers in processes relating to the health, safety and conduct of staff, volunteers and students through:

- Induction
- Refresher annual policy training sessions
- Staff will be required to sign the Organisational Code of Conduct for TSA Workers

^[1] *Criminal Code Act 1899 (Qld) s.229BC*

^[2] *Criminal Code Act 1899 (Qld) s.229BB*

- TSA eLearning: Safeguarding Principles Training (via the Australian Childhood Foundation) every 3 years
- Education Meetings when required

This will be documented through the TSA training register and meeting minutes.

Implementing the Processes

The school will ensure it is implementing processes relating to the health, safety and conduct of staff and students by auditing compliance with the processes and through revision at staff meetings at the beginning of the school year annually, and when legislation changes occur¹².

Students should be aware that under Salvation Army policy, all staff are considered “mandatory reporters” through discussions at enrolment. Students are to sign the Confidentiality and Consent Form at the beginning of each year to ensure awareness and transparency.

Complaints Procedure

Suggestions of non-compliance with the school’s processes may be submitted as complaints under TSA Independent Schools Dispute Resolution Policy and Procedure¹³.

¹² *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(d)*

¹³ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(5) and s.16(6)*



Child Protection Decision Tree – for Principals and Board Directors

I am the Principal, Helen Boardman or Director TSA Independent Schools Advisory Group (ISAG), Stuart Glover

During the course of my engagement, I have become aware (complete the school report form), or I have received a report from a staff member or volunteer, that there is a reasonable suspicion that a child has been harmed or is likely to be harmed

A child is being sexually abused or is likely to be sexually abused, or is the victim of a child sexual offence.
EGPA s366 & 366A; Criminal Code s229BC

NO

YES

A child is being harmed due to physical, psychological or emotional abuse or neglect, or that a child is likely to be harmed in such a way.
Accreditation Regulation s16(2)(a)

Immediately report to police and give a copy to Director TSA Independent Schools Advisory Group (ISAG), Stuart Glover and TSA National Youth Manager, Natalee O'Brien

SIGNIFICANT HARM TEST FULFILLED?
The child has suffered, is suffering, or is at an unacceptable risk of suffering, significant harm.

Check if a report also needs to be made to Child Safety under the CPA.

[Use the Online Child Protection Guide](#)

YES

NO

PARENT TEST FULFILLED?

The child may not have a parent, willing and able, to protect them from harm.

[Use the Online Child Protection Guide](#)

YES

NO

Report to Child Safety as soon as reasonably practical. *CPA; and/or school policy*

Principal, Helen Boardman may refer to FaCC with or without consent under the CPA.

IS THE HARM BEING CAUSED BY A TEACHER? If so, you have additional notification obligations under the [QCT Act](#).



Child Protection Decision Tree – for Teachers

I am a teacher at TSA Independent School

During the course of my engagement, I have become aware (complete TSA Solv Safety online report form), or I have received a report from a staff member or volunteer, that there is a reasonable suspicion that a child has been harmed or is likely to be harmed

Complete the TSA Solv Safety online report form

A child is being sexually abused or is likely to be sexually abused, or is the victim of a child sexual offence.

EGPA s366 & 366A

NO

A child is being harmed due to physical, psychological or emotional abuse or neglect, or that a child is likely to be harmed in such a way.
CPA s13E; and Accreditation Regulation s16(2)(a)

YES

Report to the Principal, Helen Boardman or Director TSA Independent Schools Advisory Group (ISAG), Stuart Glover **immediately**. Helen or Stuart will report this to the police **immediately**.

SIGNIFICANT HARM TEST FULFILLED?

The child has suffered, is suffering, or is at an unacceptable risk of suffering, significant harm.

YES

PARENT TEST FULFILLED?

The child may not have a parent, willing and able, to protect them from harm.

YES

NO

NO

Check if a report also needs to be made to Child Safety under the CPA.

Principal, Helen Boardman may refer to FaCC with or without consent under the CPA.

Report to Child Safety as soon as reasonably practical. *CPA; and/or school policy*



SIGNIFICANT HARM/PARENT TEST

You can confer with your Principal, Helen Boardman when applying these tests and use the [Online Child Protection Guide](#)



Child Protection Decision Tree – for Non-Teaching Staff

I am a staff member at TSA Independent School,
other than a teacher

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During the course of my engagement, I have become aware (complete the school report form), or I have received a report from a staff member or volunteer, that there is a reasonable suspicion that a child has been harmed or is likely to be harmed

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A student is being harmed, or is likely to be harmed due to: Sexual abuse Physical abuse Psychological/emotional abuse Neglect. Or is the victim of a child sexual offence.
EGPA s366 & 366A; Criminal Code s229BC; and Accreditation Regulation s16(2)(a)

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Complete TSA Solv Safety online report form

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Immediately give the report to the Principal, Helen Boardman or Director of TSA Independent Schools Advisory Group (ISAG), Stuart Glover

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If the report relates to sexual abuse or likely sexual abuse the Principal, Helen Boardman or Director of TSA Independent Schools Advisory Group (ISAG), Stuart Glover will report this to the police immediately under the EGPA

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They will also assess if a report to Child Safety or a referral to FaCC is required, as soon as is reasonably practicable, under the CPA and/or School Policy

Child Protection – Summary of Reporting Harm

WHO	ABUSE TYPE	TEST	REPORT TO	LEGISLATION
ALL staff	Sexual	Awareness of reasonable suspicion Sexually abused or likely to be sexually abused	Principal: Helen Boardman or Director TSA Independent Schools Advisory Group (ISAG): Stuart Glover Through to Police immediately	EGPA, sections 366 and 366A
Teacher	Sexual and Physical	Significant harm; and Parent may not be willing and able	Confer with Principal, Helen Boardman, report to Child Safety	CPA, sections 13E and 13G
ALL staff	Physical, psychological, emotional, neglect and exploitation	Significant harm; and Parent may not be willing and able	Principal, Helen Boardman, through to Child Safety	Accreditation Regulations, section 16
ALL staff	Any	Not of a level otherwise reportable to Child Safety, refer with consent	Principal, Helen Boardman, through to Family and Child Connect	CPA, sections 13B and 149M
Principal	Any	Not of a level otherwise reportable to Child Safety, refer with consent	Family and Child Connect	CPA, sections 13B and 149M
Any member of the public	Any	Significant harm; and Parent may not be willing and able	Child Safety	CPA, section 13A
Any adult*	A child sexual offence against a child by another adult	Reasonable belief and, at the relevant time, the child is or was; - Under 16 years; or - A person with an impairment of the mind	Police	Criminal Code section 229BC
Employing authorities	Harm or likely harm due to conduct of a teacher	When you start dealing with an allegation; and When you finish dealing with an allegation	Queensland College of Teachers	QCT, section 76 and 77

* Any adult includes students 18 years and over, parents, guardians, and volunteers.

* This obligation is fulfilled if the adult has already reported the information under any of the previous provisions or believes on reasonable grounds that another person has done or will do so.