



TSA Independent School: (YOS Lawnton and Riverview) Safeguarding Reporting Practice Guide

Contents

Overview.....	2
Practice Guide Statement.....	3
In Scope	3
Health and Safety.....	3
Responding to Reports of Harm	3
Conduct of Staff and Students	3
Reporting Inappropriate Behaviour.....	3
Dealing with a Report of Inappropriate Behaviour.....	3
Reporting Sexual Abuse	4
Reporting Likely Sexual Abuse	4
Reporting Physical and Sexual Abuse	5
Responsibilities under the Criminal Code Act 1899 (Qld).....	6
Failure to Report.....	6
Failure to Protect	6
Grooming	6
Management of this Practice Guide	6
Delegation of Director Authority	6
Accessibility of Processes.....	6
Awareness.....	7
Training.....	7
Implementing the Processes.....	7
Phone Numbers	7
Complaints Procedure	7
Child Protection Decision Tree – for Principals and Board Directors	8
Child Protection Decision Tree – for Teachers.....	9
Child Protection Decision Tree – for Non-Teaching Staff	10
Child Protection – Summary of Reporting Harm	11
Related Documents and References.....	12
Definitions.....	12
Document Control Information	13

Overview

Overarching Policy	This local practice guide is implementing TSA's Responding to Safeguarding Concerns Procedure.
Purpose	The purpose of this document is to provide written guidance on: <ul style="list-style-type: none">a) How TSA Independent School: (YOS Lawnton and YOS Lawnton Riverview) will respond to harm, risk of harm or allegations of harm, to students under 18 years; andb) The appropriate conduct of the school's staff and students to comply with accreditation requirements and TSA Child Safe Principles
Who does this apply to?	This practice guide applies to all 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.
Effective date	26/06/2024

Practice Guide Statement

In Scope

This document is in scope of all instances where harm, abuse or where the likelihood of a student being at risk of harm or abuse has been identified and covers information about the reporting of harm and abuse.

Health and Safety

TSA Independent School has 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 School receives any information alleging harm 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 School's Child Risk Management Strategy.

Information relating to physical or sexual abuse is handled under obligations to report set out in this practice guide.

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 that is in accordance with *TSA Code of Conduct Standard*.

Staff, contractors and volunteers must not cause harm to students.

Reporting Inappropriate Behaviour

If a student considers the behaviour of a staff member to be inappropriate or that breaches TSA Code of Conduct Standard, the student should report the behaviour to -

YOS Lawnton:

- Nicky Chase - Safeguarding Officer
- Kimmi Naidoo - Safeguarding Officer
- Cheryl Dunkley – Safeguarding Officer

YOS Lawnton (Riverview):

- Karl Moy - Safeguarding Officer
- Kimmi Naidoo – Safeguarding Officer
- Cheryl Dunkley – Safeguarding Officer

Dealing with a 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 the chair of TSA Independent Schools Advisory Group (ISAG), Gregory Morgan. Reports will be dealt with under the TSA Client Feedback and Complaints Policy and associated Procedure.

Reporting Sexual Abuse

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: -
 - 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), Greg Morgan immediately.

The school's principal, Helen Boardman or the Director of TSA Independent Schools Advisory Group (ISAG), Greg Morgan 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 the Director of TSA Independent Schools Advisory Group (ISAG), Gregory Morgan 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 abuse

Reporting Likely Sexual Abuse

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), Gregory Morgan immediately.

The school's principal, Helen Boardman or the Director of TSA Independent Schools Advisory Group (ISAG), Gregory Morgan 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), Gregory Morgan 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 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 abuse

Reporting Physical and Sexual Abuse

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, Seniors and Disability Services (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) The basis on which the person has formed the reportable suspicion
- b) The child's name, age and sex descriptor
- c) Details of how to contact the child
- d) Details of the harm to which the reportable suspicion relates
- e) Particulars of the identity of the person suspected of causing the child to have suffered, suffer, or be at risk of suffering, the harm to which the reportable suspicion relates
- f) Particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates

Responsibilities under the 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

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. This offence applies to all adults inclusive of students 18 years or older, as well as parents/guardians and volunteers at the school. 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

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.

Grooming

Section 218B of the Criminal Code Act 1899 relates to the offense of grooming a child under 16 years of age. An offence has been committed if an adult engages in conduct with intent to facilitate the child's procurement to engage in a sexual act or exposes a child to indecent matter without legitimate reason.

Management of this Practice Guide

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), Gregory Morgan.

Accessibility of Processes

Processes relating to the health, safety and conduct of staff and students are accessible on the school website and will be available on request from the school administration.

Awareness

The school will inform staff, students and parents of its processes relating to the health, safety and conduct of staff and students in communications to them and it will publish these processes on its website.

- 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 where all policies are kept digitally
- Orientation and induction 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 and will refresh training annually through:

- Induction
- Refresher annual policy training sessions
- Staff will be required to sign the Organisational Code of Conduct for TSA Workers
- TSA eLearning: Safeguarding @ TSA - Foundational Training and Safeguarding @ TSA -Advanced Training. Both training modules are valid for 2 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 annually.

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.

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

Complaints Procedure

Suggestions of non-compliance with the school’s processes may be submitted as complaints under TSA Client Feedback and Complaints Policy and Procedure.



Child Protection Decision Tree – for Principals and Board Directors

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

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

NO

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

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), Gregory Morgan 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.

[Use the Online Child Protection Guide](#)

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

YES

PARENT TEST FULFILLED?

The child may not have a parent, willing and able, to protect them from harm. [Use the Online Child Protection Guide](#)

NO

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

YES

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

NO

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

NO

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

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.

CPA s13E; and Accreditation Regulation s16(2)(a)

Report to the Principal, Helen Boardman or Director TSA Independent Schools Advisory Group (ISAG), Gregory Morgan **immediately**. Helen or Gregory 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.

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

YES

PARENT TEST FULFILLED?

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

NO

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

YES

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

NO

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

|

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 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)*

|

Complete TSA Solv Safety online report form

|

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



|

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

|

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): Gregory Morgan 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.

Related Documents and References

Related Policy Documents

- TSA Safety and Wellbeing of Children and Young People Framework
- TSA Safety and Wellbeing of Children and Young People Policy
- TSA Code of Conduct Standard
- TSA Incident Management Procedure
- TSA Client Feedback and Complaints Management Procedure
- TSA Work Health and Safety Policy (for the Work Health and Safety Act 2011 (Qld))
- TSA Independent School's Child Risk Management Strategy

Related Legislation

- *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)*

Related Accreditation

Non-State School's Accreditation Board

Other Relevant Documents /Resources

- QLD Government Child Protection Online Guide (CPG)
- Solv Safety Application – Client Incident Online Report
- ISQ Child Protection Decision Tree for Teachers
- ISQ Child Protection Decision Tree for Principals and Board Directors
- ISQ Child Protection Decision Tree for Non-School Staff

Definitions

Definitions are located in the [Glossary of Terms and Definitions](#).

Term	Definition
Section 9 of the Child Protection Act 1999 - "Harm"	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"	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

Term	Definition
Section 364 of the Education (General Provisions) Act 2006 - “Sexual abuse”	Sexual abuse in relation to a relevant person, includes sexual behaviour involving the relevant person and another person in the following circumstances: <ul style="list-style-type: none"> 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

Document Control Information

Theme	Governance	
Category	Legal, Risk and Compliance	
Document Owner	Head of Social Mission	
Document Implementer	School Principal	
Approval Authority	Head of Social Mission	
Review Date	N/A	
Next Review Date	June 2027	
Previous Documents	School Child Protection Policy V9.6	
Document History	Date	Summary of Changes
	25/06/2024	Inaugural Version