

CHILD PROTECTION POLICY

1.0 PURPOSE

The purpose of this policy is to define how the Radiant Life College (RLC) responds to harm, or allegations of harm, to students under 18 years old. This procedure also outlines the appropriate conduct of RCL staff and students to comply with accreditation requirements.

2.0 SCOPE

This procedure applies to: students, employees (including full-time, part-time, permanent, fixed-term and casual), contractors, volunteers and any person undertaking work experience or vocational placement.

3.0 DEFINITIONS

The words "**child**" and "**student**" are interchangeable and when used in relation to child protection matters and mean any child enrolled at the RLC, regardless of age.

"**Harm**", to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by:

- physical, psychological or emotional abuse or neglect
- sexual abuse or exploitation Harm can be caused by:
 - a single act, omission or circumstance; or
 - a series or combination of acts, omissions or circumstances.

Harm means damage or injury caused by abuse to a child's body, to a child's emotional state or to a child's psychological state (Harm is the effect or impact on the child of the abuse).

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

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

"**Abuse**" (according to Child Safety) can be defined as an action such as physical, sexual, emotional or neglect e.g.: hitting, punching, fondling, and exposure to domestic violence or 'scapegoating' (made to bear the blame for others or suffer in their place); it can be inaction such as failure to provide medical care; or failure to provide appropriate stimulation.

"**Physical abuse**" (according to Child Safety) occurs when a child has suffered, or is at risk of suffering, no accidental physical trauma or injury. Physical abuse can include:

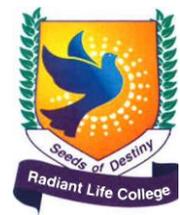
- hitting
- shaking
- throwing
- burning
- biting

Physical abuse is not determined by how bad the mark or injury is, but rather the act itself that causes injury or trauma to the child.

"**Psychological or emotional abuse**" (according to Child Safety) occurs when a child's social, emotional, cognitive or intellectual development is impaired or threatened. It can include emotional deprivation due to persistent:

- rejection hostility teasing/bullying yelling
- criticism
- exposure of a child to domestic and family violence

"**Neglect**" (*according to Child Safety*) occurs when a child's basic necessities of life are not met, and their health and



development are affected. Basic needs include:

- food, housing, health, care
- adequate clothing, personal hygiene, hygienic living conditions
- timely provision of medical treatment adequate supervision

"Child in need of protection" is a child who:

- has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm
- does not have a parent able and willing to protect the child from the harm

"Reportable suspicion" is where a teacher, doctor or nurse:

- has a reasonable suspicion that a student has suffered, is suffering, or is at an unacceptable risk of suffering significant harm caused by physical or sexual abuse
- may not have a parent able and willing to protect the student from harm

Obligations, with regards to:

- a) Whether there are detrimental effects on the child's body or the child's psychological or emotional state:
 - i) that are evident to the person; or
 - ii) that the person considers are likely to become evident in the future
- b) in relation to any detrimental effects to the child, the reporter may consider:
 - i) their nature and severity; and
 - ii) the likelihood that they will continue, and
- c) the child's age

"Parent Test" is where:

A parent may be willing to protect a child, but not have capacity to do so and therefore they are not considered "able". This includes situations such as where the parent's inability is due to factors such as intellectual impairment or ill health. Alternatively, a parent may have the capacity to protect a child (able), but may choose not to do so (not willing). This might include situations where parents choose on ongoing relationship with a person who is abusing their child and are thus "unwilling" to protect the child. If there is at least one parent "able" and "willing" to protect the child, the child is considered to not be in "need of protection".

4.0 PROCEDURE

4.1 Procedure

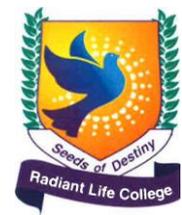
Responding to reports of Harm When the College receives any information alleging 'harm' to a student (other than harm arising from physical or sexual abuse) it will deal with the situation compassionately and fairly to minimise any likely harm to the extent it reasonably can. This is set out in the College's Child Risk Management Strategy. Information relating to physical or sexual abuse is handled under obligations to report as set out in this procedure.

4.2 Conduct of Staff and Students

All employees, contractors and volunteers must ensure that their behaviour towards and relationships with students reflect proper standards of care for students. Employees, contractors and volunteers must not cause harm to students. If a student considers the behaviour of a staff member to be inappropriate, the student should report the behaviour to the Principal and/or the Business Manager - Director of Pastoral Care.

4.3 Dealing with Information about Inappropriate Behaviour

A staff member who receives a report of inappropriate behaviour must report it to the Principal. Where the Principal is the subject of the report of inappropriate behaviour, the staff member must inform a Director of the College Board. Reports will be dealt with under the College's Grievance Policy.



4.4 Reporting Sexual Abuse

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

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

The staff member, as a mandatory reporter, must give a written report about the abuse or suspected abuse to the College's Principal or to a Director of the College Board immediately. The College Principal or Director of College Board must immediately give a copy of the report to a Police Officer.

If the first person who becomes aware or reasonably suspects sexual abuse is the RCL's Principal, the Principal, as a mandatory reporter, must give a written report about the abuse, or suspected abuse, to a Police Officer immediately and must also give a copy of the report to the College Board. A report under this section must include the following:

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

4.5 Reporting Likely Sexual Abuse

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

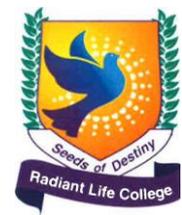
- a) a student under 18 years attending the College
- b) a pre-preparatory aged child registered in a pre-preparatory learning program at the College (e.g.; Kindy)
- c) a person with a disability who:
 - i) under s.420(2) of the *Education (General Provisions) Act 2006* is being provided with special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

The staff member, as a mandatory reporter, must give a written report about the suspicion to the RLC Principal or Director of College Board immediately. The RCL Principal or Director of College Board must immediately give a copy of the report to a Police Officer.

If the first person who becomes aware or reasonably suspects likely sexual abuse is the RCL's Principal, the Principal, as a mandatory reporter, must give a written report about the suspicion to a Police Officer immediately and must also give a copy of the report to the Directors of the College Board. A report under this section must include the:

- 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 identity of the person who is suspected to be likely to abuse the student
 - ii) the identity of anyone else who may have information about the suspected likelihood of abuse

"Likely" is not defined in the legislation, and will take its ordinary meaning. "Likely" has been judicially considered as having a degree of probability that is greater than "possible" but less than "certain". For a consequence to be likely, it must be substantial and real and not remote. As in the existing legislation, a person who makes a report under these provisions is protected from any criminal, civil or administrative liability, including defamation, and is relieved of their obligations of confidence.



4.6 Reporting Physical and Sexual Abuse

Under Section 13E (3) of the Child Protection Act 1999, if a doctor, a registered nurse or teacher forms a 'reportable suspicion' about a child during 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
- b) may not have a parent able and willing to protect the child from the harm

The doctor, nurse or teacher, as a mandatory reporter, must give a written report to the Chief Executive of the Department of Communities, Child Safety and Disability Services (or other department administering the Child Protection Act 1999). The doctor, nurse or teacher should also give a copy of the report to the Principal. A report under this section must include the following:

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

4.7 Awareness

RCL will inform staff, students and parents of its processes relating to the health, safety and conduct of the staff and students in communications to them and it will publish these processes on its website. RCL has written processes in place about the health and safety of its staff and students in accordance with the relevant workplace health and safety legislation.

4.8 Training

RCL will train its staff in processes relating to the health, safety and conduct of staff and students upon induction and refresh annually.

4.9 Implementing the Processes

RCL will implement its processes relating to the health, safety and conduct of staff and students via an annual auditing compliance.

4.10 Accessibility of Processes

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

4.11 Action Against a Staff Member

If the respondent to the report is a staff member, the Principal may suspend a staff member. In an extreme case when the risk is deemed to be unacceptable, instant dismissal could occur. Such action may precede the finalisation of any court proceedings.

If a respondent to an allegation is a registered teacher, RCL, if required to do so under the *Education (Queensland College of Teachers) Act, 2005 (Qld)*, will supply notification to the College of Teachers.

4.12 Complaints Procedure

Suggestions of non-compliance with RCL's processes are submitted as complaints under the College's Grievance Policy.

5.0 REFERENCES & LEGISLATION

- Legislation Child Protection Act 1999 (Qld)
- Education (General Provisions) Act 2006 (Qld)
- Education (General Provisions) Regulation 2006 (Old)
- Education (Accreditation of Non-State Schools) Act 2001 (Qld)
- Education (Accreditation of Non-State Schools) Regulation 2001(Qld)
- Education (Queensland College of Teachers) Act, 2005 (Old)
- Working with Children (Risk Management and Screening) Act 2000 (Old)
- Working with Children (Risk Management and Screening) Regulations 2011 (Old)

Status	Approved	Authorised by	Radiant Life Education Ltd
Supersedes	Rev 1.0	Reviewed	Annually

