

# Procedures Manual

for the protection  
from harm of students  
in Anglican schools

June 2010



**The Anglican Church of Australia**  
– Diocese of Brisbane



## Contents

Introduction from the Archbishop	1
Introduction	2
Purpose	2
Scope	2
Statement of commitment	2
Policy	2
Compliance	3
Policy review procedures	3
Key understandings and definitions	3
Principles	5
Obligations	6
Responsibilities	7
Management practices for a safe environment	9
Conclusion	14
Appendices	15
App A Supplemental information	15
App B Processes for informing student body, parents, staff and School Council	17
App C Processes for dealing with reports	23
Forms	21
Form 1 Report of inappropriate behaviour	21
Form 2 Report of harm or suspected harm	23
Form 3 Mandatory report of suspected or actual sexual assault	27
Policy flow chart	29

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Manual revised January 2010

Endorsed by  
Archbishop-in-Council 25 March 2010

Published June 2010



**The Anglican Church of Australia  
– Diocese of Brisbane**

(The Corporation of the Synod  
of the Diocese of Brisbane)

ABN 32 025 287 736



## Protection of students in Anglican schools

The Diocese of Brisbane and I are committed to the wellbeing and holistic development of students.

This Policy applies to all Anglican Schools. It encourages and supports the Schools in their commitment to offering a safe, supportive and ethical environment for students.

This Policy is based on the following principles:

- All students have rights, including the right to privacy, personal safety, and respect.
- All appropriate measures will be taken to protect students from all forms of harm.
- Harmful acts by anyone in authority over a student or student are a breach of trust and professional misconduct – in addition to any breach of law.
- Any form of sexual behaviour by an adult employee to or with a student or students who comes under his/her care is always sexual abuse.
- Child sexual abuse is a serious criminal offence and will always be reported to the police.
- All employees have a responsibility to care for students who come under their care and to promote their best interest and wellbeing.
- All persons belonging to or associated with an Anglican School will be treated openly and transparently in accordance with this Policy.

All employees in our schools are expected to respect the ethos and Gospel values of the Anglican Church; and share in our responsibility to promote and strive to provide a safe environment for students. This responsibility is placed on them by the Gospel teachings of Jesus and by the law of Queensland.

Diocesan and legislative screening requirements and appropriate employment selection procedures must be implemented to engage employees and others who will have responsibility for students; and for those persons whose work brings them into contact with students in Anglican schools.

All employees are expected to conduct themselves with the professionalism implied by their position, training and/or as stated in their employment contract. Employees are expected to behave at all times in the best interests of students.

Behaviour of a sexual, physical or psychological nature, which exploits the special position of trust and authority between employees and students, is a breach of this Policy and may constitute a criminal offence.

The Diocesan Council requires compliance with this Policy by all Anglican Schools.

The Diocesan Procedures Manual for Protection from Harm of Students in Anglican Schools specifically applies to students under 18 years of age. It is also recognised that at times young adults (that is, persons aged over 18 but less than 25) participating in Diocesan activities may be vulnerable. Accordingly, schools should take care to promote the welfare and best interests of young adults.

Reporting information or allegations of harm concerning a student within a school is mandatory. Legal and Diocesan consequences will apply to any employee or other person where such behaviours occur.

Regular monitoring and auditing procedures, external and internal to the School, will facilitate and affirm compliance. Monitoring and auditing the implementation and practice of the Policy will be the responsibility of the Director of Professional Standards.

The Diocesan Council in consultation with the Anglican Schools Commission will review this Policy every two years.



The Most Revd Dr Phillip Aspinall  
Archbishop of Brisbane

February 2010



## Introduction

Anglican Schools carry a heavy responsibility, placed upon them by Gospel values and the law, to provide spiritual and educational opportunities within a safe and protective environment. Protection for all students is of paramount importance and Anglican Schools are required to follow this Policy to provide and promote a transparent and consistent approach across all Anglican Schools in the Diocese of Brisbane.

### Purpose

This Protection Policy addresses the prevention of inappropriate behaviour, harm and sexual abuse to students, the obligations of the schools and their employees, and appropriate responses when allegations are made.

### Scope

The Policy applies to all matters concerning the protection, care and safety of students and to all Anglican Schools and all employees (paid or unpaid, full time, part time, casual, volunteers) and other persons (such as parents/carers, clergy, contractors and consultants) associated with those Schools.

### Statement of commitment

Anglican Schools are committed to:

- promoting and striving to provide a safe, supportive and ethical environment for the wellbeing and holistic development of students; and
- providing a safe secure nurturing environment in which all its students may grow and learn.

### Policy

Reporting of information about or an allegation of abuse is mandatory for all employees (paid or unpaid, full time, part time, casual, volunteers) and others (such as parents/carers, clergy, contractors and consultants associated with the School) who fall within the scope of this Policy.

This Policy will be applied to all behaviours that jeopardise the Anglican Schools' commitment to promoting and striving to provide a safe, supportive and ethical environment for students.

Any behaviour which exploits the special position of trust and authority between the employee and student including but not limited to a teacher/student, coach/athlete, instrumental teacher/musician or worker/student is a breach of Christian and professional obligation.

Legal and Diocesan consequences will apply where such behaviours occur.

Diocesan and legislative screening requirements and appropriate employment selection procedures must be adopted for employees and others who have a responsibility for students or whose work brings them into contact with students in Anglican Schools.

This Policy applies where the victim of harm is a student under 18 years of age at the time of the incident/s. The Diocese recognises that students aged 18 years and over participating in school activities may also at times be vulnerable. Schools should take care to promote the welfare and best interests of these students.

### Compliance

Diocesan Council requires compliance by all Anglican Schools with this Policy. Regular monitoring and other auditing procedures, external and internal to the School will be set in place to facilitate this. Oversight of this process will emanate from the office of the Diocesan Director of Professional Standards. Compliance responsibilities of the Head of School are identified in **Responsibilities** on page 7.

### Policy review procedures

The Diocesan Council or its delegate in consultation with Anglican Schools will review this Policy every two years.



## Key understandings and definitions

**Abuse of Position of Trust:** when a person uses his/her power, special position or authority over another person to take advantage of their position to the detriment of the other person, regardless of consent.

**Allegation:** an assertion or information still to be proved.

**Alleged Perpetrator:** the person against whom a complaint/allegation is made.

**Alleged Victim:** the person who is reported to have suffered the alleged offence.

**Anglican School:** means an Anglican school in the Diocese of Brisbane and includes:

- a school which is owned and administered by the Corporation;
- a school in the Diocese which is owned or administered by the Society of the Sacred Advent;
- a school which is owned or administered by or affiliated with a Church institution as provided under the Church Institution Canon;
- a school which is a separately incorporated company which is a subsidiary (as defined in the Corporations Act 2001 (Cth) of the Corporation); and
- a school which was a member of the Anglican Schools Commission immediately before the commencement of the Diocesan Governance Canon 2004.

**Anonymous Disclosure/Complaint:** anonymous disclosures will be received and investigated to the extent practicable. The value of information given anonymously is significantly less than information from an identifiable informant.

**Bullying:** violence, (physical or psychological) conducted by an individual or a group and directed against an individual who is not able to defend himself or herself in the actual situation. Forms of bullying include: verbal, gesture, extortion, and exclusion. There is often an imbalance of 'power', e.g. position, physical size, popularity, and/or wealth.

Bullying is usually responded to and managed under the School's Associated Protective Policy or Bullying Policy.

**Child:** for the purposes of this document, a child will be defined as any person aged under 18 years. This definition is consistent with the definition of 'child' in the Child Protection Act 1999 and includes young people aged from 12 years to 18 years.

**Complainant:** the person who makes an allegation or who provides information about an act of harm (this person is not necessarily the 'victim').

**Confidentiality:** each Employee who has access to information regarding suspected or disclosed harm has an obligation to observe appropriate confidentiality. The Diocese is unable to promise absolute confidentiality since this Policy will require disclosing, internally and externally, certain details involved in responding to the complaint.

State authorities can compel people to give evidence about actions under the Protocol and to produce documents.

**Defamation:** the damaging of another person's reputation. A person providing information in good faith about harm to a person who needs to know that information is generally excused from liability for defamation.

**Detriment:** includes personal injury or prejudice to safety; property damage or loss; intimidation or harassment; adverse discrimination, disadvantage or adverse treatment about career, profession, employment, trade or business; threats of detriment; and financial loss from detriment.

**Diocese:** an all-encompassing term that covers the activities and central organisation of the Anglican Church that occur in the geographical area of Southern Queensland: the area in Queensland below a line starting at the mouth of the Kolan River (north of Bundaberg) heading generally west to the border between Queensland and the Northern Territory.

It is a legal entity called 'The Corporation of the Synod of the Diocese of Brisbane'.

**Diocesan Director of Professional Standards:** person appointed by the Diocese to assist in the management of allegations/information of sexual misconduct, under the Professional Standards Canon 2009, this Policy and the Diocesan Protocol for Dealing with Complaints.

**Discrimination:** giving different treatment to a person based on race, colour, gender, language, religion, politics, nationality or social origin, property, birth or other status.



## Key understandings and definitions (CONTINUED)

**Employees:** office holders and persons who work in a paid or voluntary capacity in Anglican Schools. The expression also includes persons who are employed by independent contractors engaged by schools;

**Harm:** means any detrimental effect of a significant nature on the student'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; or sexual abuse or exploitation.

**Head of School:** the person responsible for the leadership and management of an Anglican School. In this Manual, the term may include the Head's nominated person to deal with matters under this Manual.

**Inappropriate behaviour:** means behaviour of an employee of the school which is inconsistent with the code of conduct and policies of the school and is considered to be 'inappropriate behaviour' by the student making the complaint.

**Licensed Person:** a bishop, priest, deacon, or employee licensed to officiate within the Diocese.

**Mandatory:** of or like a mandate, obliging or permitting no choice.

**Natural Justice:** the principles of natural justice will apply to decisions to be made under this Manual and associated protective policies. As the consequences of a decision for any individual become more severe, so the importance of demonstrably acting fairly increases.

The two fundamental principles of natural justice are:

- that those making a decision are not biased; and
- that persons should not be condemned unless they are given prior notice of the allegations against them and they have a fair opportunity to be heard.

**Ordained Person:** a bishop, priest or deacon licensed to officiate within the Anglican faith in any Anglican community.

**Privacy:** privacy legislation applies to records generated under this Policy and under the Diocesan Protocol for Dealing with Complaints. The complainant, the alleged victim and the alleged perpetrator may exercise their rights under the Diocesan Privacy Policy. Proper notice under the Privacy Act 1988 (Commonwealth) must be given before collecting personal information.

**Relevant State Authorities:** includes Police and the Department of Communities – Division of Child Safety.

**Screening:** the Working with Children Check carried out by the Commission for Children and Young People and Child Guardian to see if a person is suitable to work in the areas of child-related work covered by the Commission's Act.

**Self Harm:** harm perpetrated against one's self. It can include cutting, scratching, taking risks, abuse of illicit and licit medication and/or drugs, and alcohol; and can be symptomatic of underlying issues and needs to be considered in that light.

**School Safety Officer:** persons within a School designated by the Head of School as liaison people to whom students may refer if they are not feeling safe; or to whom they make complaints of harm, inappropriate behaviour or sexual abuse. The Head of School may fulfil this role – see Section 10 of the Education (Accreditation of Non-State Schools) Regulation 2001. There must be at least two staff members designated and they must be trained in matters pertaining to this Policy.

**Student:** means for the purposes of this document a person enrolled in a school or enrolled or registered in any other educational institution as stated in Section 3 of the Education (General Provisions) Act 1989. Student includes persons aged over 17 years, and children attending other programs on the school campus. For simplicity, the word 'student' will be used consistently through the document.

**Suitability Notice:** a notice issued by the Commissioner for Children and Young People under the Commission for Children and Young People and Child Guardian Act 2000 stating whether a person is suitable to work in the areas of child-related work covered by the Act. A notice may be a 'positive' or a 'negative' notice.

**Unacceptable Risk:** circumstances where, if the allegations are true, there is a risk of the alleged perpetrator re-offending.



## Principles

All employees share in the responsibility to promote and strive to provide a safe environment for students across Anglican Schools. This responsibility is placed upon them by the Gospel teachings of Jesus and the law.

This Policy is based on the following principles:

- All students have rights, including privacy, safety, and respect.
- All appropriate measures will be taken to protect students from all forms of harm.
- Harmful acts by anyone who has authority in relation to students are a breach of trust and professional misconduct – in addition to any possible criminal act.
- Any form of sexual behaviour by an employee with a student who is under his/her care is always sexual abuse.
- Child sexual abuse is a serious criminal offence and will always be reported to the police.
- All employees have a responsibility to care for students who are under their care and to promote their best interests and wellbeing.
- Students are expected to show respect to employees and other students and to comply with safe practices.
- Behaviour, both by the student and towards the student, that can be reasonably considered to indicate harm or an unacceptable risk of harm occurring, must be reported.
- Where, on the basis of all information available, it is believed that there is an unacceptable risk, an employee will not be permitted to continue to work in a position.
- In every preventive or protective action relating to harm, the total wellbeing and best interests of the student is the primary concern.
- Following the reporting of the information/allegation, each employee who has access to information has an obligation to observe appropriate confidentiality.
- The complainant and respondent will be kept informed of progress in resolving the complaint.
- The value of the family unit is to be respected but not to the detriment of the wellbeing and best interests of the student.
- All employees involved in situations where harm is disclosed or suspected, must be treated with natural justice, dignity, sensitivity and respect – including the alleged perpetrator.
- Proactive and reactive pastoral care structures will be in place in Anglican Schools.
- Anglican Schools will cooperate with relevant state authorities in matters regarding the protection of children and young people.
- Disciplinary action will be taken against anyone who harms a student.

The principles of openness and transparency require this Policy to be readily available to all members belonging to and associated with a particular Anglican School.





## Obligations

### Christian Obligations

Employees must respect the Gospel values and ethos of the Anglican Church.

Children are a gift from the Lord;  
they are a real blessing.

*Psalm 127: V 3-5*

If anyone should cause one of these little ones to lose faith in me, it would be better for that person to have a large millstone tied around his neck and be drowned in the deep sea. How terrible for the world that there are things that will make people lose their faith! Such things will always happen – but how terrible for the one who causes them.

*Matthew 18:6-7*

### Legal Obligations

Employees are bound by legal obligations as prescribed by common law and other legislation. Relevant areas of law include:

- The Child Protection Act 1999
- The Commission for Children and Young People and Child Guardian Act 2000
- Education (General Provisions) Act 1989
- Education (Accreditation of Non-State Schools) Regulation 2001

The Education (General Provisions) Act provides for penalties to apply to persons who do not comply with the Act's requirements for reporting – section 366 (2) and (4).

### Professional Obligations

All employees are expected to conduct themselves with the professionalism implied by their position, training and/or as stated in their employment contract (written or verbal). Employees are also expected to behave at all times in a manner supportive of the best interests of a student.

### Behavioural Obligations

Behaviour of a sexual, physical or psychological nature, which exploits the special position of trust and authority between an employee and a student, is a breach of obligations and of this Policy.

Such behaviours may include:

- Transporting a student without seeking the consent of a parent or caregiver or without informing the Head of School;
- Seeking to visit a student at his/her home without the consent or knowledge of the parent or caregiver and/or Head of School;
- Inviting a student to the employee's home unaccompanied without the consent of a parent or caregiver or without informing the Head of School;
- Sending or receiving correspondence of an inappropriate nature;
- Inappropriate giving of gifts;
- Physical or emotional aggression, violence or bullying;
- Sexual exhibitionism;
- Development of an intimate relationship incompatible with the professional relationship, initiated by either party, whether the same or the opposite sex;
- Exposure of a student to pornographic material in any medium;
- Inappropriate discussion of matters of sexual behaviour;
- Obscene language, especially of a sexual nature;
- Gestures or actions of a suggestive or obscene nature;
- Jokes of a sexual nature told in the presence of student;
- Voyeurism (gaining pleasure from secret watching of another);
- Repeatedly seeking to be alone with a student; and
- Detaining a student in locked facilities or facilities that do not have immediate access to relevant staff members.

This list is not exhaustive. Any behaviour which exploits a student is unacceptable.

**Failure by the student to reject inappropriate conduct never implies consent.**



## Responsibilities

### Heads of Schools must:

- Be fully conversant with this Protection Policy for children and any related Diocesan policies;
- Adhere to this Policy in all activities and behaviours;
- Ensure through selection, appointment and training that each employee for whom they are responsible understands and fulfils the requirements of this Policy;
- Ensure that employees involved with students know that they must refrain from any behaviour which is inappropriate or could lead to harm of the student;
- Ensure that their schools have written processes about the health and safety of its students and staff which are consistent with relevant legislation;
- Ensure that their schools have written processes about the appropriate conduct of its students and staff which are consistent with state legislation regarding the protection of students aged under 18 which includes a process for reporting by such student of inappropriate behaviour by a staff member and a process for how the reported information is to be dealt with;
- Ensure that all students are aware of and have access to the processes for the reporting by a student to an identified School Safety Officer/s of the behaviour of other staff members that the student considers is inappropriate;
- Report to a relevant state authority the harm or suspected harm of a student aged under 18 if he/she is aware or reasonably suspects that harm has been caused;
- Report to the Director of Professional Standards any information or allegation of harm, including that from an anonymous source, against any employee;
- Ensure that, in accordance with Section 366 of the Education (General Provisions) Act 1989, all employees are aware of and comply with the requirement that, when they become aware of or reasonably suspect the sexual abuse of a student under 18 by another employee, they immediately prepare a written report for the Head or a director of the school council which includes the information outlined in paragraph 11.3.2 below.
- Ensure that a copy of the written report immediately prepared on any matter of sexual abuse or suspected sexual abuse provided to the Head is immediately provided to a Police Officer;
- If, after the school has investigated an allegation of harm caused by or likely to be caused to a student because of the conduct of a teacher of the school, the school has dismissed the teacher or the teacher has resigned, the school is to inform the Queensland College of Teachers. If, during the investigation, a teacher resigns from the school, the College is also to be informed.
- If, after a written report about sexual abuse has been provided to a Police Officer, the employee who is the subject of the report resigns, the school is to inform the College of Teachers.
- Comply with Diocesan and legislative screening requirements for all employees and keep a register of legislative screening.



## Responsibilities (CONTINUED)

### Employees must:

- Ensure they are conversant and comply with this Policy;
- Ensure that their behaviour neither encourages nor supports behaviours in others that undermine the purpose of this Policy;
- Report to the Head of School or another nominated person any information or allegation of harm (which is not sexual abuse by an employee) that the employee is aware or reasonably suspects has been caused to a student. If the allegation is made against the Head of School, the report must be made directly to a director of the school's governing council and a copy provided to the Director of Professional Standards;
- When becoming aware of or reasonably suspecting sexual abuse of a student under 18 by another employee within the school, immediately prepare a written report (including the details as outlined in 11.3.2 below) for the Head of School or a director of the school council;
- Maintain strict confidentiality; and
- Practise safe behaviours.

### Students

All students are required to consider the rights and safety of others. These include:

- Respect for their peers;
- Respect for the employees;
- Respect for safe practices including the following of reasonable directions and practices; and
- Seeking assistance, where they are concerned for their safety or the safety of others, from the relevant School Safety Officer for students, as designated by the Head of School.





## Management practices for a safe environment

Safe Planning incorporates:

- Selecting and Screening;
- Training;
- Reporting; and
- Responding

### Selecting and Screening

#### Selecting

Each school must establish selection procedures for assessing the appropriateness of employees responsible for the care of students. This will include careful interviewing and reference checking of employment history (as allowed under Section 9 of the Privacy Amendment Act 2001).

All successful appointees must receive a copy of this Procedures Manual.

#### Screening

All potential employees and voluntary employees coming within the scope of the Commission for Children and Young People and Child Guardian Act must undergo legislative screening and receive a positive Suitability Notice (blue card).

No new paid employee may commence work before submitting an application seeking a Suitability Notice.

No volunteer may commence work without first obtaining a positive Suitability Notice.

Records of positive Suitability Notice holders and currency of blue cards will be kept in a School Register. All Suitability Notices are required by the Commission for Children and Young People and Child Guardian Act to be renewed every three years. Cards must be presented on request to the Head of School.

Schools are required to provide the Director of Professional Standards with the names of all potential employees including teachers so that the Director can obtain any record which may be on the Anglican Church's National Professional Standards Register. The Director will inform the school of the outcome of the National Register check.

### Training

All employees will be offered training in this Policy and other associated protective policies on a regular basis. Oversight of training opportunities addressing this Policy and the Diocesan Protocol for Dealing with Complaints is the responsibility of the Diocesan Director of Professional Standards.

As a means of protecting children and young people and protecting employees, the following key practices are to be highlighted in training programs:

- The 'two adult' rule (it is best practice to have two employees supervising students wherever possible);
- Parent permission forms are obtained for activities that may place students' safety at risk;
- Document the health needs of the student - both in the initial enrolment application and as updated yearly;
- The use of accident and incident report forms; and
- Active supervision and mentoring of employees.



## Management practices (CONTINUED)

### Reporting

Schools must have in place a published and readily accessible process by which, and the names of at least two designated people to whom, students can report the behaviour of a staff member which the student believes to be inappropriate and how the reported information must be dealt with. This is required by sections 10 (3) and (4) of the Education (Accreditation of Non-State Schools) Regulation 2001.

### Reporting of Harm

An employee must, when becoming aware or reasonably suspecting that harm has been caused by anyone to a student under 18 years, report the information to the Head of School or another nominated person. The Head should provide the Diocesan Director of Professional Standards with all relevant information as soon as possible.

If the information is against the Head of School, then the report is made to the director of the school's governing council, and a copy of the report is to be provided to the Diocesan Director of Professional Standards. The employee must keep a written report of his/her actions.

A Head or other nominated person, who receives a report of harm or suspected harm and is aware of the harm having been caused or reasonably suspects the harm to have been caused, must report it to a relevant state authority. A written report of the actions taken must also be kept.

### Mandatory Reporting of Sexual Abuse

If an employee becomes aware or reasonably suspects that a student who was under 18 years at the relevant time has been sexually abused by another employee at the same school, the employee must immediately provide a written report about the abuse to the Head of School or a director of the school council. This is required by section 366 of the Education (General Provisions) Act.

The report must include the following particulars –

- the name of the person giving the report (the first person);
- the student's name and sex;
- details of the basis for the first person becoming aware, or reasonably suspecting, that the student has been sexually abused by an employee of the school;
- details of the abuse or suspected abuse.

The report may include any of the following particulars of which the first person is aware –

- the student's age;
- the identity of the employee who has abused, or is suspected to have abused, the student;
- the identity of anyone else who may have information about the abuse or suspected abuse.

A Head who is given a written report about the abuse or suspected abuse must immediately provide a copy of the report to the police.

### Reporting of inappropriate behaviour

A Head or other designated person receiving a report of inappropriate behaviour must interview the student, the other person/s named in the report, and any other person who may be able to provide information. A designated person must provide a report with recommendations for action to the Head. The Head is to implement the actions in accordance with the report.



## Management practices (CONTINUED)

### Responding to Protection Issues within Schools

#### Students reporting Harm

Employees, who are not a designated person for receiving such reports, should direct students who verbally report incidents of harm to them to the appropriate person; and should advise that person that a student has reported a matter. Students who report verbally are to be assisted in completing the designated form for reporting harm.

Procedures are to be implemented within the school which indicate the process for students who wish to make a report and the names of the persons to whom reports are to be made.

#### Responding to Harm – within the School

The response to allegations of harm is the responsibility of the Head of School in collaboration – when appropriate – with the Director of Professional Standards.

Such responses to information and allegations of harm should be timely, practical and pastoral.

#### The Head of School must:

- Officially receive the information and note details as provided. The complaint must be recorded in the actual words used by the person making the allegation;
- Conduct an initial enquiry to establish reasonable suspicion that harm has occurred. Further enquiries need not be made if the Head knows the allegation is untrue;
- Notify the Police in the case of a potential criminal offence and the Department of Child Safety for other harm;
- Immediately provide the police officer with a copy of the written report regarding sexual abuse or suspected sexual abuse of a student under 18 years by an employee in the school;
- Notify the Diocesan Director of Professional Standards of the sexual abuse or suspected sexual abuse ;
- Protect the identity of the person providing the information unless that person consents otherwise;
- Maintain strict confidentiality except when required by law or the Diocesan Protocol;
- Where a parent/caregiver/adult makes a complaint on a student's behalf, the Head of School or the Director of Professional Standards must only enquire to the extent necessary to establish a reasonable suspicion that the abuse occurred;
- If the allegation is one which does not need to be reported to the police or Child Safety, inform the alleged perpetrator of the complaint against him or her and listen to any explanation offered and advise them that:
  - there is a presumption of innocence until another conclusion can be made based on all available information;
  - appropriate confidentiality will be maintained; and
  - pastoral support is available.
- Apply the Diocesan Protocol for Dealing with Complaints criteria for the standing aside of the alleged perpetrator;
- Where the complaint is made by the victim personally, the receiver of the information needs to respond pastorally by:
  - Listening and reassuring the person that s/he has taken the correct step in bringing the matter forward;
  - Reassuring the victim that procedures will be followed and that the matter must not be kept secret;
  - Explaining that, in order to obtain appropriate assistance, somebody who understands these matters will be advised; and
  - Thereafter arranging for continuing pastoral assistance/counselling.
- Prepare a media response as appropriate and in collaboration with the Archbishop and the Diocesan Director of Communication.



## Management practices (CONTINUED)

### Responding to issues of harm or suspected harm external to the school

#### Introduction

The Child Protection Act 1999 and the Education (Accreditation of Non-State Schools) Regulation 2001 address issues of harm, inappropriate behaviour and sexual abuse in relation to children. Students under these Acts are under the age of eighteen.

Anglican schools are required to assist the relevant state authorities – Queensland Police Service and the Department of Child Safety – in accordance with the Act and the Regulation.

Anglican schools are obligated to comply with the requirements of the Child Protection Act 1999 and the Education (Accreditation of Non-State Schools) Regulation 2001 in responding to issues of actual or suspected harm which occur beyond schools.

- The Act provides the legislative base for officers of the Queensland Police Service and Department of Child Safety to exercise legal responsibility to protect students from harm when their parents are unable or unwilling to do so.
- Section 17 of the Child Protection Act 1999 allows departmental officers and police officers to interview a student at school and before the student's parents are told about the investigation.
- The Regulation requires the Head to inform relevant state authorities about actual or suspected harm if he or she is aware or reasonably suspects that harm has been caused.

While the above-named legislation refers specifically to students aged under eighteen years, it is understood that Anglican Schools are committed to the well-being of all students within the schools.

#### Policy Statement

All employees must report all instances of actual or suspected harm to the Head of School. It is immaterial how the harm is caused.

If the Head is aware or reasonably suspects that harm has been caused, he/she must inform the relevant state authorities and will thereafter assist the relevant state authorities in accordance with the Act and their instructions.

Pastoral support will be offered and made available to the victim.

#### Responsibilities when responding

The Head of School is responsible for:

- Measures (induction and ongoing in-service programs) to inform employees of their responsibilities under the Act and this Policy;
- Reporting instances of harm and sexual abuse to the Department of Child Safety or the Police;
- Providing copies of written reports regarding sexual abuse or suspected sexual abuse to the Police;
- Providing pastoral support to the student;
- Assisting the Department of Child Safety and Police as requested;
- Ensuring that when a student is interviewed at school, he/she is accompanied by someone trusted by the student;
- Offering pastoral support to the parent/s if appropriate.

Employees are responsible for:

- Complying with this Policy;
- Reporting instances of harm to the Head of School;
- Providing the Head of School with written reports regarding sexual abuse or suspected sexual abuse; and
- Respecting confidentiality.



## Management practices (CONTINUED)

### Responding to Verbal Disclosure by a student:

When a student discloses harm to an employee, the employee is directed to respond sensitively and in the following manner:

- Convey belief;
- Validate the decision to tell;
- Not enquire for further information;
- Make no promises;
- Inform the student what will happen when the report is made – that someone may come to the school to talk to them; a support person can be with them; the people who can help will decide what is best to do;
- Record the exact words that the student used to disclose the harm and the questions asked of them - the record should be signed and dated. (include time); and
- Report the matter to the Head of School who will report to the Department of Child Safety or the Police.

### Responding to Verbal Disclosure by Parents/other concerned adults

If a concerned adult discloses that he/she knows of harm or neglect or lack of protection to a student, the employee must report the information to the Head of School.

When a parent discloses that he/she has harmed a student, the Head of School should immediately offer pastoral assistance and referral for support to an Anglican network or agency.

The Head of School will also advise the parent that the School will manage the situation in accordance with the School's legal obligations.

### Responding to physical/behavioural signs of harm

Where an employee is aware or reasonably suspects that harm has been caused to a student, the employee must report the harm to the Head or another nominated person.

If the information is against the Head of School, then the report is made to the director of the school's governing council, and a copy of the report is to be provided to the Diocesan Director of Professional Standards. The employee must keep a written report of his/her actions.

### Responding to contact from the Department of Child Safety/Police

When a notification of harm is received by the Department of Child Safety or the Police, the decision may be made to talk to a student without the knowledge of their parents.

If so, a departmental or police officer will contact the Head of School and arrange a time to have contact with and talk to the student. The officer will explain the nature of the investigation, why it is necessary to talk to the student without the parents' knowledge and the legislative authority to do so. The agreed time will take into consideration the convenience of the school and the urgency of the investigation.

The Head of School is obliged to work with the relevant state authorities as requested.

#### • During the Interview

Departmental officers, officers of the Police Service, or a combination of the two will come to the school to speak with the student. These officers will be specially trained in interviewing students and will be experienced in communicating with them and putting them at ease.

It is recommended that an employee from the school sit in while the officers are talking to the student, both to serve as a support for the student and observe the interview process. It is desirable that this be someone the student chooses, knows and trusts.

This may result in that person being involved in a court matter at a later date as a witness, and his/her role should be discussed before the interview begins.



## Management practices (CONTINUED)

### Responding to contact from the Department of Child Safety/Police (continued)

- **After the Interview**

After the officers have finished speaking with the student, the Head of School will be told about the general outcome, what steps will now be taken if the student needs protection and the plan for advising their parents that the interview has taken place. The authorised departmental officer may decide to take the student into protective custody.

The departmental officer or police officer will inform the student's parents in person that they have spoken to their child and the reasons for this, i.e. investigating allegations of harm to their son or daughter. The school should not contact the parents in this regard.

If parents ask questions of the school after the interview, the school may indicate that an interview had taken place, but should refer the parents to either the Department of Child Safety or the Police Service.

## Conclusion

### Conclusion

Anglican Schools are committed to promoting and striving to provide a safe, supportive and ethical environment for the wellbeing and holistic development of students. This Policy seeks to assist Anglican Schools and Associated Schools as they work to make this commitment a reality.





## Appendix A – Supplemental information

### Causes of harm

Harm to a child or young person can be caused by:

- physical abuse: punching, slapping, kicking, shaking, biting, applying physical 'discipline' or 'punishment' causing harm or injury
- emotional or psychological abuse: constant criticism, scapegoating, name-calling, belittling, excessive teasing, ignoring, punishing normal behaviour, exposure to domestic and family violence, withholding praise and affection
- neglect: failing to meet the child's basic needs for adequate supervision, food, clothing, shelter, safety, hygiene, medical care, education, love and affection and failure to use available resources to meet those needs
- sexual abuse or exploitation: any sexual act or sexual threat imposed upon a child including exposure, indecent phone calls, voyeurism, persistent intrusion of a child's privacy, penetration, rape, incest, involvement with pornography, child prostitution.

These types of harm often occur together. The younger a child is, the more vulnerable they are and the more serious the consequences are likely to be.

### Indicators of harm

Children who have been harmed or are at risk of being harmed may show behavioural, emotional or physical signs. Some children may show no signs at all.

Some general indicators that a child may have been harmed or is at risk of being harmed include:

- showing wariness and distrust of adults
- inconsistent explanation for injuries
- low self esteem
- difficulty relating to adults and peers
- aggressive or demanding behaviour
- abusing alcohol or drugs
- being seemingly accident prone
- suicidal feelings or attempts at suicide
- difficulty concentrating
- being withdrawn or overly obedient
- reluctance to go home
- creating stories, poems or artwork about abuse.

Observing any of these behaviours in a child may be sufficient grounds for suspicion of harm even if no actual disclosure has been made.





## Appendix A

### Effects of harm

Harm experienced in childhood and adolescence may have significant and long lasting effects on children, and no two children react in the same way.

Some children may show no observable effects of harm they may have experienced, while others show a wide range of effects. There may be long-term effects even when short-term effects are not apparent.

Children may experience a range of emotional, psychological and physical problems as a result of being harmed, including:

- low self esteem
- increased fear, guilt and self blame
- distrust of adults
- depression
- suicidal thoughts and self harming
- anxiety disorders
- attachment disorders
- post traumatic stress disorder
- learning disorders, including poor language and cognitive development
- aggressive behaviour and other behavioural problems
- developmental delay, eating disorders and physical ailments
- delinquency and criminal behaviour including violent or aggressive behaviour
- drug and alcohol abuse and high-risk sexual behaviour
- permanent physical injuries or death
- difficulty forming relationships with other adults
- symptoms and behaviour that lead to them being singled out and victimised.

The most serious effects are likely to occur when no one takes action to stop the harm and protect the child.

### How to respond to a disclosure

A person to whom a child is disclosing some form of harm should take the following steps:

- ensure there is a private place to talk to the child
- ensure that the child understands that you cannot promise to keep the disclosure a secret
- ensure that you ask only the questions necessary to confirm the requirement to report the matter
- ensure that you do not attempt to investigate the matter or mediate an outcome between the persons involved
- document the disclosure clearly and accurately as a narrative
- clearly identify the appropriate authorities to whom a report needs to be made
- ensure that the school's process for reporting internally is followed.

Some children may disclose harm by speaking as if the harm happened to another child. Gentle questions about the harm and to whom it happened will often elicit an acknowledgement that it happened to the child who has come to you.



## Appendix B

### Processes for informing student body, parents, staff and school council

Target Group	Processes
<p><b>Student Body</b></p>	<ul style="list-style-type: none"> <li>Brochures made available to all students</li> <li>Brochures available in common areas</li> <li>Posters in class rooms and common areas</li> <li>Communicated through pastoral care programs</li> <li>Students informed through assemblies and form groups</li> <li>Brochure included in enrolment pack for new students</li> <li>Policy and procedures placed on school website and intranet</li> </ul>
<p><b>Parent Body</b></p>	<ul style="list-style-type: none"> <li>Regular references made in school newsletters</li> <li>Brochures made available to all parents</li> <li>Presentation at parent nights at start of year/term</li> <li>Brochures in enrolment pack</li> <li>Policy and procedures placed on school website and intranet</li> </ul>
<p><b>Employees and Volunteers</b></p>	<ul style="list-style-type: none"> <li>Brochures made available to all personnel including volunteers and contractors</li> <li>Reference in all 'risk assessment' sheets for school activities</li> <li>Reference made in all briefings prior to school activities</li> <li>Staff meetings</li> <li>Induction programs for newly appointed staff</li> <li>Full training provided to all staff</li> <li>Policy and procedures placed on school website and intranet</li> <li>Inclusion of policy and procedures in Staff Handbook</li> </ul>
<p><b>School Council</b></p>	<ul style="list-style-type: none"> <li>Policy and procedures included in handbook and briefing notes for members</li> <li>Brochures made available to members</li> </ul>



## Appendix C

### Procedures in dealing with reports of inappropriate behaviour/harm/sexual abuse

Reporting Harm		(Ss 10 (5) (b) Education (Accreditation of Non-State Schools) Regulation 2001)
IF	THEN	
A You are a Student and you are aware or reasonably suspect that harm has been caused by anyone to a student of the school who was under 18 years at the time of the harm.	<ul style="list-style-type: none"> <li>Report it to the School Safety Officer</li> <li>or</li> <li>any other staff member</li> </ul>	
B You are a Staff Member or the School Safety Officer and you are aware or reasonably suspect that harm has been caused by anyone to a student of the school who was under 18 years at the time of the harm; or you receive a report under (A) above.	<ul style="list-style-type: none"> <li>Report it to the Principal or the Deputy Principal</li> <li>Keep a written record of your actions</li> <li>Complete Form 2 and hand it to the Principal</li> </ul>	
C You are the Principal/Deputy Principal and receive a report under (A) or (B) above and you are aware or reasonably suspect that harm has been caused by anyone to a student of the school who was under 18 years at the time of the harm.	<ul style="list-style-type: none"> <li>Report the matter to the relevant State authority</li> </ul>	
Reporting Inappropriate Behaviour		(Ss 10 (3) and (4) Education (Accreditation of Non-State Schools) Regulation 2001)
IF	THEN	
A You are a Student and you wish to report behaviour by a staff member which you consider inappropriate.	<ul style="list-style-type: none"> <li>Report the behaviour to the Principal or School Safety Officer or any other Staff Member.</li> </ul>	
B You are the School Safety Officer or a Staff Member and you receive a report under (A) above.	<ul style="list-style-type: none"> <li>Complete Form 1 and hand it to the Principal</li> <li>Keep a written record of your actions.</li> </ul>	
C You are the Principal and you receive a report under (A) or (B) above.	<ul style="list-style-type: none"> <li>Consult as appropriate to decide on investigation process</li> <li>Make initial enquiries of student to establish that matter is 'inappropriate behaviour' and not 'harm' or 'sexual abuse'</li> <li>If 'inappropriate behaviour' commence investigation by interviewing student, staff member named, and other person/s</li> <li>Take appropriate action based on findings.</li> </ul>	
Reporting Sexual Abuse		(S146B of Education (General Provisions) Act)
IF	THEN	
A You are a Staff Member and become aware or reasonably suspect that an employee of the school has sexually abused a student of the school who is, or was at the time of the abuse, aged under 18 years.	<ul style="list-style-type: none"> <li>Provide a written report on Form 3 about the abuse to the Principal or a member of the School Council immediately. The report must contain all required information – see <b>Reporting</b> on page 10.</li> </ul>	
B You are the Principal or a member of School Council and you receive a report under (A) above.	<ul style="list-style-type: none"> <li>Provide a copy of the report to a police officer immediately</li> <li>Advise the Chair of Council and the Director of Professional Standards</li> </ul>	



# Form 1

INAPP.BEHAV

## REPORT OF INAPPROPRIATE BEHAVIOUR

School	
Name of Student	
Class/Year	
Name of Class Teacher	
Name of School Safety Officer	

Details of alleged Inappropriate Behaviour (as verbally reported by student or teacher)

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Nature of complaint

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**Please ensure that both sides of this form are completed in full**





# Form 2a

HARM

## REPORT OF HARM OR SUSPECTED HARM

Part A (to be completed by School Safety Officer)

School	
Name of Student	
Class/Year	
Name of <b>Reporting</b> Teacher	
Name of School Safety Officer	
Time and date of report	Time _____ am   pm Date _____ / _____ / _____

Nature of harm or suspected harm

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Name of alleged perpetrator (if known)	
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Please ensure that both sides of this form are completed in full





Form 2b

HARM

**REPORT OF HARM OR SUSPECTED HARM** Part B (to be completed by Head of School)

School	
Name of Head of School	

Please delete one statement <span style="float: right;">OR</span>	
On the basis of the above report and my preliminary enquiries, <b>I am aware or reasonably suspect</b> that harm has been caused to the above-named student.	On the basis of the above report and my preliminary enquiries, <b>I am NOT aware or DO NOT reasonably suspect</b> that harm has been caused to the above-named student.
Head of School signature	Time _____ am   pm      Date      /      /

Assessment by Head of School	<input type="checkbox"/> Harm (Please complete this form)	<input type="checkbox"/> Sexual Abuse (Please complete Form 3)	<input type="checkbox"/> Inappropriate Behaviour
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Report to State authority (if assessed as Harm)		
Name of Authority/ies	Name of person/s to whom reported	Time and date when reports made
_____ _____ _____ _____ _____ _____ _____ _____	_____ _____ _____ _____ _____ _____ _____ _____	_____ _____ _____ _____ _____ _____ _____ _____
Director of Professional Standards advised	Time _____ am   pm      Date      /      /	

Please ensure that both sides of this form are completed in full





# Form 3

SEXUAL ABUSE

## MANDATORY REPORT OF SUSPECTED OR ACTUAL SEXUAL ABUSE

School	
Name of Student	
	Age <span style="margin-left: 150px;">Gender</span>
Name of staff member who is suspected of abusing or has abused student	
Name/s of other person/s who may have information	<hr/> <hr/>

Details for basis for 'first person' becoming aware, or reasonably suspecting, sexual abuse

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**Please ensure that both sides of this form are completed in full**





## Policy flow chart

**Professional Standards Canon**

**Code of Conduct – Faithfulness in Service**

**Protocol for dealing with complaints**

**Protection policy for schools**

### **Procedures Manual**

#### **Forms**

For students to complete (inappropriate behaviour)

- sexual abuse – ‘first person’ to Head of School
  - sexual abuse – police
- enquiry – harm – conclusion of investigation
  - register of all complaints for school

#### **Procedures**

- informing school of processes in reporting & responding to protection issues

#### **Training**

- training of Head of School in Policy and conducting initial enquiry
- training of contact person/s in receiving and managing reports
  - training staff in Protection Policy & related procedures

#### **Brochure**

- introduction and purpose
- what to do? who to see? what will happen then?
  - frequently asked questions?

#### **Introduction**

Outline of the intent of the Manual and Policy



DPS 3779 JUN 2010