

Child Protection Procedure

Guiding Policy

This procedure is informed and guided by the Child Protection Policy and Child Protection Risk Management Strategy.

Rationale

The purpose of this procedure is to provide written processes to ensure that Kairos Community College complies with legislation applying in Queensland about the care and protection of children. In particular, the procedure sets out a processes for the purpose of reducing the risk of harm to children.

Scope

This procedure applies to all staff, including volunteers, students over 18 and other operators associated with Kairos Community College and covers information about the school's commitment to child protection, procedures related to recruiting, selecting, training and managing staff policies and procedures for handling disclosures or suspicions of harm, including reporting guidelines; risk identification and management; and communication and support.

Responsibility: School Governing Board

Point of Contact: Head of School

Relevant Legislation

- [Working with Children \(Risk Management and Screening\) Act 2000 \(Qld\)](#)
- [Working with Children \(Risk Management and Screening\) Regulation 2011 \(Qld\)](#)
- [Child Protection Act 1999 \(Qld\)](#)
- [Education \(Accreditation of Non-State Schools\) Act 2001 \(Qld\)](#)
- [Education \(Accreditation of Non-State Schools\) Regulation 2001 \(Qld\)](#)
- [Education \(General Provisions\) Act 2006 \(Qld\)](#)
- [Education \(General Provisions\) Regulation 2006 \(Qld\)](#)
- [Education Services for Overseas Students \(ESOS\) Act 2000 \(Cth\)](#)
- [Education \(Overseas Students\) Regulation 1998 \(Qld\)](#)
- [Education \(Queensland College of Teachers\) Act 2005 \(Qld\)](#)
- [Education and Care Services National Law \(Queensland\) Act 2011 \(Qld\)](#)
- [Education and Care Services National Regulation 2011 \(Qld\)](#)

This procedure should be read in conjunction with the Kairos Community College Child Protection Policy, Risk Management Strategy and Staff Code of Conduct.

Definitions

- **Section 9 of the *Child Protection Act 1999* - "Harm"**, to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing.
 1. It is immaterial how the harm is caused.
 2. Harm can be caused by—
 - a) physical, psychological or emotional abuse or neglect; or

- b) sexual abuse or exploitation.
- 3. Harm can be caused by—
 - a) a single act, omission or circumstance; or
 - b) a series or combination of acts, omissions or circumstances.
- **Section 10 of the *Child Protection Act 1999* - A “child in need of protection”** is a student who—
 - a) has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and
 - b) does not have a parent able and willing to protect the child from the harm.
- **Section 364 of the *Education (General Provisions) Act 2006* - “Sexual abuse”**, in relation to a relevant person, includes sexual behaviour involving the relevant person and another person in the following circumstances –
 - (a) the other person bribes, coerces, exploits, threatens or is violent toward the relevant person;
 - (b) the relevant person has less power than the other person;
 - (c) there is a significant disparity between the relevant person and the other person in intellectual capacity or maturity

Procedure

Kairos Community College is committed to the protection of all children in its care. In order to manage the risks surrounding child protection the following policies, Strategies and procedures apply at the College.

DEALING WITH INCIDENTS

The School keeps a register in the Head of School office of all incidents related to sexual abuse, harm or inappropriate behaviour.

Where legislation requires, incidents of harm or suspected harm are reported to the relevant state authorities immediately, and the incident is noted in the register.

Where an incident of inappropriate behaviour is reported, full details, including the steps taken to resolve the incident, are entered in the register.

Staff, parents and students can access the School’s comprehensive complaints handling procedure in cases where an issue is not resolved to their satisfaction on the school website or through requesting it at the reception and in the student and parent information pack at enrolment.

Suspicion of harm

A person has ‘reasonable grounds’ to suspect harm if:

- A child or young person tells them they have been harmed

- Someone else, for example another child, a parent, or staff member, tells them that harm has occurred or is likely to occur
- A child or young person tells them they know of someone who has been harmed (it is possible they may be referring to themselves)
- They are concerned at significant changes in the behaviour of a child or young person, or the presence of new unexplained and suspicious injuries, or
- They see the harm happening.

Disclosures of harm

Disclosures of harm may sound like:

- "I think I saw ..."
- "Somebody told me that ..."
- "Just think you should know ..."
- "I'm not sure what I want you to do, but ..."

Any disclosure of harm is important and must be acted upon, regardless of whether:

- The harm to a child or young person has been caused by a person from within or outside your organisation, or
- The child or young person disclosing the harm to you is from within or outside your organisation.

What to do when a disclosure is made

- Don't panic
- Find a private place to talk
- Listen
- Believe the person, and
- Don't ask leading questions.

It is NOT the role of the person receiving a disclosure or a report to investigate allegations of harm. He/she should only ask enough questions to confirm the need to report the matter to the Queensland Police Service or the Department of Child Safety. The safety of the child or young person is paramount. Unnecessary questions or interviews could cause distress, confusion and interfere with any subsequent investigation authorities undertake.

The college should not:

- Conduct its own investigation to substantiate claims
- Hold its own internal hearing, or
- Attempt to mediate a settlement of the matter instead of notifying relevant authorities.

Remember, when a person makes a report to the Department of Child Safety or the Queensland Police Service, his/her details are kept confidential and the person's identity is strictly protected.

Reporting of Harm

The school has reporting procedures that comply with legislation, as follows:

PROCEDURES FOR REPORTING HARM

SCOPE: applies to:

- harm or suspicion of harm of any student of this school who was under 18 years at the time the harm or suspected harm was caused; and
- behaviour of a staff member that a student considers is inappropriate.

Reporting Harm

You are;

a student are aware or reasonably suspect that harm has been caused by anyone to a student of the school who was under 18 at the time should report it to Tanya Genito or Tony Andrews

a staff member and you are aware or reasonably suspect that harm has been caused by anyone to a student of the school who was under 18 at the time should report it to Tanya Genito or Tony Andrews. Keep a written record of your actions

You are:-

Head of School and you receive a report of harm or suspected harm to a student of the school; and you are aware of the harm having been caused or you reasonably suspect the harm to have been caused when legislation requires must report it to the police or the Department of Child Safety. Keep a written record of your actions.

Reporting Inappropriate Behaviour

You are a student and you wish to report behaviour by a staff member that you consider inappropriate.

- Report the behaviour to Tanya Genito or Tony Andrews.

You are the Head of School receive the report under the preceding step

- Interview the student
- Interview the staff member named in the report
- Interview any other person who may be able to provide useful information
- Report your findings to the Chair of the board, with your recommendation for action to be taken
- As Head of School take action on the basis of the report

Reporting Sexual Abuse

Education (General Provisions) Act2006 s.366 and S366B)

you are:-

- staff member; and aware or you reasonably suspect that a student of the school who was under 18 at the time has been sexually abused by another person .
Give a written report about the abuse to Tanya Genito or Tony Andrews immediately or a director of the governing board if you suspect the Head of School involvement
- the Head of School, or a member of the board of directors, receive a report under the preceding step. Give a copy of the report to a police officer immediately if you are aware of harm or you reasonably suspect harm or abuse.

ACTION REQUIRED:

Risk assessment procedure

1. Identify risks

A risk is anything that can cause harm, either physically, psychologically or emotionally. It could be caused by a faulty piece of equipment, a poorly planned excursion, abuse, neglect, communication misunderstandings, leaving students alone in a car park while they wait for a lift from a friend, and so on.

Kairos Community College has a Risk Management Committee with the role of identifying risks to students of the school, whether on campus or involved in school related activities off campus. All staff members are expected to report risk situations to the Committee, as well as to identify risks related to activities under their supervision and to comply with all policies of the school that have been established for the safety of children.

Kairos Community College applies the parental test and the significant harm test when assessing the risk. The significant harm test is, has the child suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse? The parental test is may not have a parent able and willing to protect the child from the harm?

Risks can be identified through:

- audits or physical inspections
- brainstorming
- decision trees
- examining local or overseas experience
- expert judgment
- flow charting, system design review, systems analysis
- history, failure analysis
- incidents or complaints
- interviews/focus groups
- operational modelling
- organisational experience
- personal experience

- scenario analysis
- survey or questionnaire
- work breakdown structure analysis.

These key questions help to identify risks:

- When, where, why, how are the risks likely to occur?
- What is the source of each risk?
- Who might be involved?
- How often might these risks occur?
- How reliable is the information?
- What are the consequences of each risk?
- What is the potential cost in time, money and resources?
- What controls presently exist to mitigate the risk?
- What are the accountability mechanisms - internal and external?
- Is there a need to research specific risks or seek further information?

Staff members who are involved in identifying risks must be knowledgeable about the policy, program, process or activity being reviewed and, where it is complex, consult with experts who may assist them.

Some risks will not lend themselves to objective analysis or observation, and the cost of collecting all data might be too great for the benefits provided.

2. Analyse risks

After identifying a wide range of risks, the next step is to separate the minor risks from the major and to begin to prioritise the risks. The level of risk is defined by the relationship between consequence and likelihood, applicable to the area of risk or program under review.

Answer these key questions to define risk levels:

- What are the potential consequences of each risk if it occurs?
- What is the potential likelihood of the risk happening?
- What controls exist to prevent or detect the risk?
- What controls exist which will lower the consequences or likelihood of the risk?
- How well are these controls enforced by management?

3. Evaluate and prioritise

After analysing the risk, decisions can be made by you or by the organisation regarding whether the risk is acceptable or unacceptable. This involves comparing the level of risk with the identified level of unacceptable risk.

A risk is called 'acceptable' if it is not going to be treated. Unacceptable risks will be treated in some way. Evaluation should take account of the degree of control over

each risk and the cost impact, benefits and opportunities presented by the risks. Combining likelihood and consequences will produce risk levels.

Level of risk

		Consequences				
		Insignificant	Minor	Major	Critical	Extreme
Likelihood	Almost Certain	Medium	Serious	High	High	High
	Likely	Medium	Medium	Serious	High	High
	Possible	Low	Medium	Serious	Serious	High
	Unlikely	Low	Low	Medium	Medium	Serious
	Rare	Low	Low	Medium	Medium	Serious

Risk descriptors

High risk	Immediate action required, senior management/Board will be involved
Serious risk	Senior executive management attention needed and management responsibility specified
Medium risk	Manage by specific monitoring or response procedures
Low risk	Manage by routine procedures, unlikely to need specific application of resources

Answer these **key questions** to assess whether a risk is acceptable:

- How does the level of each risk stand up against the level of acceptable risk?
- Is the level of the risk so low that treatment is not appropriate?
- Do the opportunities outweigh the threats to such a degree that the risk is justified?
- Is the cost excessive compared to the benefit?
- Is there no treatment available?

4. Treat risks

Risk cannot be eliminated, but choosing and implementing a treatment plan will help to master the risk.

A number of options are available:

- accept
- avoid
- reduce
- transfer

Assess treatment or control options to minimise risk by asking:

- What is the feasibility of each treatment option?
- What is the cost of implementing versus the benefits?
- What is the extent of risk reduction versus the benefits?
- What are the resources needed (people, money, technical)?

- Do the risk treatments comply with legal requirements, government and organisational policies, including those concerning access, equity, ethics and accountability?
- What are the criteria of acceptability?
- What opportunities are created by the risk?
- Are there rare but severe risks?

Prepare treatment plans by deciding:

- Which option is the best choice?
- What will be monitored and reviewed to determine the success of the treatment?
- Who is best placed to treat each risk, either through better knowledge, technical expertise or financial capability?
- What job design and work organisation options are appropriate for staff treating the risks?
- Who is accountable and responsible for the treatment of the risk?

Implement your treatment plan by following these steps:

- develop the policy
- establish the infrastructure, including management commitment, responsibility and authority and resources
- develop and establish the program at organisational level
- address management of cross-organisational risks
- manage program, project and team level risks
- manage individual level risks
- develop performance indicators to monitor the levels of risk, the performance of the treatment measures and the risk treatments.

5. Monitor and review

You need to monitor risks, the effectiveness of your treatment plan or strategies and the management system that you set up to control the implementation. Review and monitor risks on an 'as needed' basis. Some risks should be reviewed daily, while others can be addressed at the start of semester, biannually or annually.

Key questions when monitoring and reviewing risks are:

- Are the risk treatments effective in minimising the risks?
- Are the risk treatments comparatively efficient/cost effective in minimising risks?
- Do the performance indicators address the key elements for risk treatment?

- Are the assumptions you made about the environment, technology and resources still valid?
- Are the management and accounting controls adequate?
- Do the risk treatments comply with legal requirements, government and organisational policies, including access, equity, ethics and accountability?
- How can improvements be made?

Related Policies and Procedures

- Child Protection Policy
- Staff Code of Conduct
- Anti-bullying Policy
- Sexual Harassment Policy
- Privacy Policy
- Grievance/Complaints Policy
- Anti-Discrimination Policy
- Child Protection Risk Management Strategy

Policy Review and Version Tracking				
Version	Date to be Reviewed	Person Responsible	Comments	Date Adopted
1	15.12.15	Tanya Genito		15.12.14
2	8.3.17	Tanya Genito		8.3.16