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## APPLICATION OF THIS POLICY

This policy, developed by the Anglican Schools Commission (ASC) and approved by Diocesan Council, applies to all Anglican schools in the Diocese of Brisbane and any business associated with the school, including international colleges. Other Anglican schools in Queensland have approval from the Anglican Schools Commission (ASC) to utilise this policy and associated procedures.

The *Student Protection in Anglican Schools Procedures* (the procedures), which support this policy, outline the roles, responsibilities, processes and forms that must be used when actioning this policy. The procedures also contain information on relevant definitions and key terms.

### 1. SCOPE

This policy outlines the Anglican Church Southern Queensland's (ACSQ) commitment to ensure the safety and wellbeing of students attending Anglican schools and the schools' obligations to respond appropriately to all suspected student protection concerns.

The policy and procedures apply to all school staff, volunteers and visitors (including contractors) and relate to any student under 18 years of age who is a child, as defined by the [Child Protection Act 1999](#) (CPA), and a student under the [Education \(General Provisions\) Act 2006](#) (EGPA).

### 2. COMPLIANCE

The ACSQ requires compliance by all Anglican schools with this policy and the *Student Protection in Anglican Schools Procedures*.

To facilitate this compliance, auditing procedures will be implemented at least every three (3) years, including internal and external measures. Oversight of this process will emanate from the Office of the Director of Professional Standards, ACSQ. Disciplinary action may be taken against an employee who does not comply with legislative obligations or policy requirements.

### 3. EXCLUSIONS

This policy and the associated procedures do not apply to:

- complaints about the actions/decisions of staff or volunteers or non-compliance with other policies or procedures – see the *Complaints Management in Anglican Schools Policy*;
- allegations of sexual misconduct - see the ACSQ [Protocol for Dealing with Sexual Misconduct](#); or
- alleged workplace bullying, discrimination, physical assault, harm or harassment (other than sexual harassment) – see the [Bullying, Harassment and Discrimination Policy and Procedures](#).

### 4. STATEMENT OF COMMITMENT

Anglican schools support the rights of all children and young people and are committed to ensuring the safety and wellbeing of students attending an Anglican school.

Anglican schools will provide a safe and supportive living and learning environment for students and will ensure staff, volunteers and visitors model and encourage behaviours that uphold the dignity, safety and wellbeing of students. Anglican schools will ensure they:

- provide an appropriate and timely response to all allegations of harm to a student resulting from the conduct, action or inaction of any person, including staff and volunteers;
- comply with all legislative obligations and student protection policy and procedural requirements; and
- support, wherever possible and appropriate, individuals affected by student protection matters, including students, parents, staff and volunteers.

## POLICY STATEMENT

The ACSQ recognises that the safety and wellbeing of children and young people is of paramount importance and that school staff, due to their ongoing connections with students and families, are often well placed to identify significant concerns for a student's safety or wellbeing and to support students and families who may be facing difficult life challenges.

The ACSQ also recognises that school staff must comply with obligations under the [CPA](#) and the [EGPA](#) to report child protection concerns to the Department of Communities, Child Safety and Disability Services (Child Safety) and/or to the Queensland Police Service (the police).

As a result, this policy requires that all Anglican schools must:

- ensure all staff, volunteers and visitors understand and action their obligations and responsibilities in relation to student protection, including reporting requirements under legislation and this policy;
- in accordance with s.16(3) of the [Education \(Accreditation of Non-State Schools\) Regulation 2017](#), have a minimum of two appropriate staff members designated as Student Protection Officers (SPOs) and ensure the school community is aware of these SPOs (see Section 2 of the procedures);
- ensure any student or parent who has concerns about a student's safety is encouraged to report their concerns to an SPO or the Principal (see Section 3 of the procedures);
- support, wherever possible and appropriate, individuals affected by student protection matters, including students, families, staff and volunteers (see Section 18 of the procedures);
- comply with legislative and/or policy or procedural requirements in relation to the recruitment, selection, screening, training and management of staff and volunteers, including requirements under s.16(4)(1) of the [Education \(Accreditation of Non-State Schools\) Regulation 2017](#) to train staff annually and requirements under the *Safe Ministry with Children Canon 2017*;
- endeavour to work in partnership with families and other professionals and agencies to ensure the safety and wellbeing of students attending an Anglican school; and
- implement the procedures including using required reporting and referral forms.

By ensuring schools understand and fulfil these obligations and responsibilities, and have the resources, tools and training necessary to implement the policy and procedures, the ACSQ will:

- fulfil its stated commitment to ensuring the safety and wellbeing of students;
- ensure all staff and volunteers comply with legislated and/or policy obligations;
- ensure timely, appropriate responses to all student protection concerns;
- facilitate transparency and consistency in student protection actions and decisions;
- support staff and volunteers as they respond to challenging student protection matters; and
- enable schools to fulfil their roles as part of Queensland's wider child protection system.

## 5. OBLIGATIONS – SCHOOL STAFF, VOLUNTEERS AND VISITORS

### 5.1 Christian obligations

School staff and volunteers will respect the Gospel values and ethos of the Anglican Church and create an environment for students and families that is characterised by:

- an appreciation of diversity and acceptance;
- a strong service and care ethic;
- respect for others;
- a commitment to social justice; and
- a willingness to serve God and his people in the wider community.

Further information about the values and ethos of the Anglican Church and the Archbishop's message to schools can be found on the ASC Mission website at <http://www.ascmission.org/>.

## 5.2 Obligations to immediately discuss student protection concerns

**When a staff member, volunteer or visitor has concerns for a student or unborn child<sup>1</sup> they must immediately discuss their concerns with an SPO or the Principal** (see Section 4 of the procedures).

The SPO or Principal will then:

- identify other information known about the student and family to support a report or referral;
- consult Child Safety's online [Child Protection Guide](#) (CPG), if required;
- help determine the most appropriate response to the concerns;
- help complete a reporting or referral form, when necessary; and
- ensure supports are immediately provided to the student.

Note: While this discussion must occur, it does not fulfil mandatory reporting of student protection concerns (see section 5.3).

## 5.3 Obligations in relation to reporting student protection concerns

### 5.3.1 Mandatory reporters

The following school staff are mandatory reporters under legislation:

- all teachers<sup>2</sup> and registered nurses<sup>3</sup> employed by the school are mandatory reporters under s.13E of the [CPA](#); and
- all staff employed by a school are mandatory reporters under ss.366 and 366A of the [EGPA](#).

### 5.3.2 Reporting child abuse and neglect to Child Safety (Section 5 of the procedures)

**All teachers and registered nurses must, in accordance with s.13E of the [CPA](#), make a written report to Child Safety** when they reasonably and honestly suspect:

- a child may have suffered, may be suffering or may be at risk of suffering significant harm **as a result of physical or sexual abuse** and may not have a parent able and willing to protect the child from harm.

In addition to this legislative requirement, **all teachers and registered nurses must, in accordance with this policy, make a written report to Child Safety** when they reasonably and honestly suspect:

- a child may have suffered, may be suffering or may be at risk of suffering significant harm **as a result of any type of abuse or neglect** and may not have a parent able and willing to protect the child from harm; or
- an unborn child may be at risk of significant harm after birth and may not have a parent able and willing to protect the child from harm.

**All school staff, volunteers and visitors must** immediately discuss any suspicions of harm or risk of harm to a student, or risk of harm to an unborn child, with an SPO or the Principal and, if required, provide information to the SPO or Principal for inclusion in a report to Child Safety.

When an SPO or the Principal is made aware of concerns which indicate a student or unborn child may be in need of protection (s. 10 of the [CPA](#)) as a result of abuse or neglect they **must** ensure a written report is immediately forwarded to Child Safety.

<sup>1</sup> The provisions in relation to an unborn child refer to concerns a person may have before a child is born about the child's safety and wellbeing after birth. The provisions are intended to be preventative measures before the baby's birth.

<sup>2</sup> A teacher is an approved teacher under the [Education \(Queensland College of Teachers\) Act 2005](#) employed at a school.

<sup>3</sup> A registered nurse means a person registered under the Health Practitioner Regulation National Law to practise in the nursing profession, other than a student, and in the registered nurses division of that profession.

### 5.3.3 Reporting sexual abuse or likely sexual abuse to police (Section 7 of the procedures)

In accordance with ss.366 and 366A of the [EGPA](#) and this policy, **all school staff, volunteers and visitors must** immediately give a written report to the Principal when they suspect the sexual abuse or likely sexual abuse of a relevant person<sup>4</sup> by **any** other person, including a student. **The Principal must** then ensure the written report about the suspected sexual abuse or likely sexual abuse is immediately given to the police.

When the concerns are identified by the Principal, **the Principal must** ensure a written report about suspected sexual abuse or likely sexual abuse is immediately given to the police and a copy of the report is immediately forwarded to the Director of the school's governing body, or their delegate.

When the concerns relate to the Principal, a written report about the suspected sexual abuse or likely sexual abuse **must** immediately be given to the Director of Professional Standards [DPS] (owned schools) or the Director of the school's governing body, or their delegate (separately controlled schools). **The Director, or their delegate, must** ensure the written report about the suspected sexual abuse or likely sexual abuse is immediately given to the police.

### 5.3.4 Reporting inappropriate behaviour (Section 11 of the procedures)

**All school staff, volunteers and visitors must**, as soon as practicable, discuss all suspected inappropriate behaviour of a staff member or volunteer towards a student with an SPO or the Principal.

When the concerns are reported to an SPO, **the SPO must** immediately inform the Principal of the concerns.

When the concerns relate to the Principal, the concerns **must** be discussed with an SPO and **the SPO must** report the concerns to the DPS (owned schools) or the Chair of the school's governing body, or their delegate (separately controlled schools).

When informed of suspected inappropriate behaviour towards a student, **the Principal, DPS or Chair/delegate must** respond to and report the concerns as specified in the procedures.

## 5.4 Other child protection responsibilities

In addition to their reporting obligations, **schools must also:**

- ensure that, where boarding or homestay services are provided by the school, processes and systems are implemented to protect students from harm by any individual, including another student, and support students' safety and wellbeing while in the school's care;
- comply with confidentiality and information sharing requirements (refer to *SP Resource Sheet 11*);
- support vulnerable students and families, whenever possible and appropriate (see Section 16 of the procedures);
- provide timely, appropriate responses to concerns about other forms of harm, including self-harm, inappropriate sexualised behaviours and harm caused by another student (see Sections 13 and 14 of the procedures);
- comply with staff, volunteer and visitor training requirements, including complying with requirements, under s.16(4)(1) of the [Education \(Accreditation of Non-State Schools\) Regulation 2017](#) to train staff annually in relation to student protection processes (see Section 23 of the procedures);
- ensure staff, volunteers, visitors, parents and students are aware of the school's commitment to and processes for managing child protection matters by providing appropriate and relevant information and resources (see Section 20 of the procedures); and
- ensure, in accordance with s. 16 of the [Education \(Accreditation of Non-State Schools\) Regulation 2017](#), they have written processes in place for reporting harm and responding to inappropriate behaviour of a staff member towards a student.

<sup>4</sup> A 'relevant person' includes the following, as defined by section 366 of the *Education (General Provisions) Act 2006*, namely:

- i. a student under 18 years attending the school;
- ii. a kindergarten age child registered in a kindergarten learning program at the school;
- iii. a person with a disability who – under section 420 (2), is being provided with special education at the school; and is not enrolled in the preparatory year at the school.

## 5.5 Professional and behavioural obligations

All staff and volunteers are expected to conduct themselves in a professional manner as required by their position and/or terms of employment contract and in accordance with relevant Church Canons, policies, Professional Standards and/or Codes of Conduct including:

- the [Code of Conduct](#) - The Corporation of the Synod of the Diocese of Brisbane;
- any school specific Code/s of Conduct;
- the *Safe Ministry to Children Canon 2017* – Anglican Church of Australia
- the [Professional Standards Canon](#) – Anglican Church of Australia – Diocese of Brisbane;
- the [Professional Standards for Queensland Teachers – Queensland College of Teachers](#)
- the [Code of Ethics for Teachers in Queensland](#) – Queensland College of Teachers (QCT);
- the [Professional boundaries: A Guideline for Queensland Teachers](#) – QCT; and
- the standards and codes outlined in the *Counselling Services in Anglican Schools Policy*.

School staff and volunteers must also comply with requirements outlined in ASC or school policies in relation to online interactions with students via electronic communication and/or social media applications.

School staff and volunteers are expected to behave in a manner that is supportive of the safety and wellbeing of students. Behaviour of a sexual, physical or psychological/emotional nature which exploits the special position of trust and authority between the staff member or volunteer and a student is unacceptable and a breach of legal obligations and policy requirements.

Such inappropriate behaviour may include, but is not limited to:

- transporting a student or seeking to visit a student at home without the written consent of a parent and the approval of the Principal;
- inviting a student to the staff member or volunteer's home;
- sending or receiving correspondence of an inappropriate nature or inappropriate giving of gifts;
- physical or emotional aggression, violence or bullying;
- sexual exhibitionism or exposing a student to pornographic material in any medium;
- development of an intimate relationship incompatible with the professional relationship;
- inappropriate discussion of sexual matters or use of obscene language, especially of a sexual nature;
- gestures, actions or jokes of a suggestive, obscene or sexual nature while in a student's presence;
- voyeurism (gaining pleasure from secret watching of another);
- repeatedly seeking to be alone with a student; or
- detaining a student in locked facilities or facilities that do not have immediate access to other staff.

## 6. OBLIGATIONS - PRINCIPAL

The Principal will:

- ensure their school's culture prioritises the safety and wellbeing of students and clearly demonstrates the school's commitment to protecting students from harm;
- understand and comply with the *Student Protection in Anglican Schools Policy and Procedures*, including discharging all responsibilities assigned to the Principal;
- comply with the [Code of Conduct – Heads of Schools](#);
- abide by all confidentiality and information sharing requirements (see *SP Resource Sheet 11*);
- ensure the school complies with requirements under s.16 of the [Education \(Accreditation of Non-State Schools\) Regulation 2017](#); and
- ensure staff and volunteers comply with all student protection obligations and responsibilities.

## 7. OBLIGATIONS - SCHOOL COUNCIL

All members of the School Council will:

- understand the *Student Protection in Anglican Schools Policy and Procedures*;
- comply with the [Code of Conduct – Members of Governing Bodies of Schools](#);
- support the Principal and school in actioning all requirements in the policy and procedures;
- ensure the school complies with requirements under s.16 of the [Education \(Accreditation of Non-State Schools\) Regulation 2017](#) as directed by Diocesan Council;
- ensure that, where required, the Director's functions are delegated in accordance with s.366B of the EGPA (see Section 7.1 of the procedures); and
- undertake training as provided by the ASC each year.

The Chair/Director, or their delegate, must also ensure they discharge all responsibilities specified in the *Student Protection in Anglican Schools Policy and Procedures*.

## 8. COMPLAINTS

This policy and associated procedures will be made available to all persons employed by and/or associated with the school. If a person is concerned about possible non-compliance with the *Student Protection in Anglican Schools Policy and Procedures*, the person can make a complaint in accordance with the *Complaints Management in Anglican Schools Policy and Procedures*.

## 9. RELEVANT LEGISLATION AND RELATED DOCUMENTS

### Legislation

- [Child Protection Act 1999](#)
- [Education \(Accreditation of Non-State Schools\) Act 2017](#)
- [Education \(Accreditation of Non-State Schools\) Regulation 2017](#)
- [Education \(General Provisions\) Act 2006](#)
- [Education \(General Provisions\) Regulation 2017](#)
- [Education \(Queensland College of Teachers\) Act 2005](#)
- [Code of Ethics for Teachers in Queensland – Queensland College of Teachers](#)
- [Professional Standards for Queensland Teachers – Queensland College of Teachers](#)

### Other related documents / references

- [National Register Canon 2007 – Anglican Church of Australia](#)
- [Safe Ministry to Children Canon 2017](#)
- [Diocesan Governance Canon - ACSQ](#)
- [Professional Standards Canon – ACSQ](#)
- [Code of Conduct – The Corporation of the Synod of the Diocese](#)
- [Protocol for Dealing with Sexual Misconduct - ACSQ](#)
- [Complaints Management in Anglican Schools Policy and Procedures – ASC](#)
- [Faithfulness in Service in Schools: A Code of Conduct for School Principals](#)
- [Faithfulness in Service in Schools: A Code of Conduct for Members of Governing Bodies of Schools](#)
- [Student Protection in Anglican Schools Procedures – ASC ERM website](#)
- [Student Protection Resource Sheets - ASC ERM website](#)
- [Student Protection in Anglican Schools: Parent Guide – ASC ERM website](#)

## 10. POLICY REVIEW

The ASC, on behalf of Diocesan Council, will review this policy and procedures two years from the effective date, or as required, in consultation with Anglican schools.

## 11. VERSION CONTROL

Version 1.1 of this Policy has been in effect from 26/02/2018. Version 1.2 of this Policy replaced Version 1.1 on the 01/11/2020 to include clarification within section 5.3.3 of the Policy regarding the immediacy of the need for the Principal to report to a director of the school's governing body (or delegate); and make reference to the scope of relevant persons with whom suspicions of sexual abuse, or likely sexual abuse must be reported, as defined by section 366 of the *Education (General Provisions) Act 2006*.