Student Protection Processes

Catholic Education
Archdiocese of Brisbane
29 January 2013
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EXECUTIVE DIRECTOR’S MESSAGE

The person of each individual human being, in his or her material and spiritual needs, is at the heart of Christ’s teaching; that is why the promotion of the human person is the goal of the Catholic school.  
(The Catholic School on the Threshold of the Third Millennium #9)

Jesus insisted on the primacy of love: love of God and love of each other. No one was excluded from his love and by word and deed he showed a special preference for people who were poor, powerless and vulnerable, those often relegated to the margins of society. He especially loved children ‘for of such are the Kingdom of heaven’ (Mt 19:14). All people, like Jesus himself, are called especially to love and care for children, protecting them from anyone who would harm or abuse them. It is recognised that students are harmed, or could be at risk of harm, from many sources, including self-harm.

Catholic schools are committed to ensuring the young people in our schools are safe and protected from harm. Appropriate and responsive interventions by schools, and especially Catholic schools, can provide hope to, and foster resilience in students who may be at risk by protecting them from harm and supporting their healing. Student protection is integral to learning and teaching. Safety, security and nurture are fundamental human rights and needs. These rights and needs underpin students’ capacity for learning and maximise potential for personal development ultimately enhancing their wellbeing and life opportunities.

This document of processes for Catholic schools administered by Brisbane Catholic Education has been produced to ensure that appropriate responses are made whenever matters of student protection concern come to the attention of staff. The processes laid down are intended to ensure that the steps taken at all levels will result in prompt, professional, sensitive and appropriate action being taken by Brisbane Catholic Education personnel in schools and at the Brisbane Catholic Education Office.

These processes also conform to relevant legislative and church requirements as explained in the pages that follow.

I feel confident that our staff members willingly undertake the requirement to know and understand the serious responsibilities that apply to them in this area. Please be assured of my prayerful support as we continue to implement our shared vision for Catholic schooling in each unique school community.

Pam Betts  
Executive Director of Catholic Education  
Archdiocese of Brisbane
1.0 OVERVIEW

1.1 INTRODUCTION

In Catholic Education, protection for students is based upon the belief that each person is made in the image of God and that the inherent dignity of all should be recognised and fostered.

The Archdiocese of Brisbane Catholic Education Council Student Protection Policy states:

*Jesus insisted on the primacy of love: love of God and love of each other. No one was excluded from his love. In fact, by word and deed He showed a special preference for the poor, the powerless and the vulnerable, those often relegated to the margins of society. He especially loved children ‘for such are the Kingdom of heaven.’* (Mt 19:14)

The need for Student Protection Processes arises primarily from the Catholic education community’s concern about the reality of child abuse in our midst. This concern flows from our Christian belief in the dignity of all persons. We see children as entrusted to us by the love of God, and are committed to the protection of their rights.

This document is also formulated in accordance with a variety of Queensland legal requirements. It provides the rationale and principles and the subsequent processes to be followed when responding to student protection matters. It also provides a framework for the various elements of pastoral provisions for students’ personal safety and welfare, and those of others who may be involved.

It is hoped that our continued efforts in the implementation of the Student Protection Processes will help to enhance the protection of students and bring healing and peace to young people and any others who may have been adversely affected.

1.2 PURPOSE

The purpose of this document is to provide a framework for responding to and reporting allegations or suspicions of:

- sexual abuse or likely sexual abuse of a student by another person
- harm or likely harm to a student from any source
- inappropriate behaviour by a staff member towards a student.

The document sets out the processes to be followed to ensure that prompt, professional, sensitive and appropriate action is taken by Brisbane Catholic Education staff in schools and within the Brisbane Catholic Education Office.

It has been developed in accordance with Brisbane Catholic Education’s obligations under the *Education (General Provisions) Act 2006* (as amended), the *Education (Accreditation of Non-State Schools) Regulation 2001*, the *Commission for Children and Young People and Child Guardian Act (2006)* and the *Education (Queensland College of Teachers) Act 2005*.

This document is also underpinned by the Catholic Education Council’s *Student Protection Policy (2011)* and complements the procedures developed by the National Committee for Professional Standards entitled *Towards Healing – Principles and Procedures in Responding to Complaints of Abuse Against Personnel of the Catholic Church in Australia* (2010) and the document entitled *Integrity in the Service of the Church* (September 2011).
1.3 COMPLIANCE

All Brisbane Catholic Education staff have legislative and policy responsibilities that are outlined in this document. If further information in relation to any of the processes mentioned in this document and/or other student protection compliance requirements is required, please seek advice from the Principal, the school’s Student Protection Contacts or Brisbane Catholic Education Office Student Protection, Legal Counsel, Professional Standards or Employee Relations staff members.

Each principal is responsible for ensuring that this document is freely available to staff members, students and parents and that staff members and students are aware of the relevant contents of the document, and that its provisions are being implemented within the school.

1.4 DELEGATION

Pursuant to section 366B of the Education (General Provisions) Act 2006, Mark Benedict Coleridge, the Archbishop of Brisbane, the sole director of The Corporation of the Trustees of the Roman Catholic Archdiocese of Brisbane, has delegated to the person performing the duties of the position of Director - Employee Services, Brisbane Catholic Education, his obligations under sections 366 of the Education (General Provisions) Act 2006 and more particularly the obligations described as the “function of the director of a non-State school’s governing body of receiving a report and giving a copy of the report to a police officer” pursuant to section 366 of the Education (General Provisions) Act 2006.

1.5 SCOPE

This document applies to:

- A reasonable suspicion of sexual abuse or likely sexual abuse of a student by another person
- A reasonable suspicion of harm or likely harm to a student from any source
- A complaint or reasonable suspicion of inappropriate behaviour towards a student by a person who is a staff member.

A situation may arise in which Brisbane Catholic Education becomes aware that a current staff member has been under police investigation or has been prosecuted for an offence against a child who is not a student attending the school. In such a case, Brisbane Catholic Education will take all appropriate measures to ensure that students are protected. Such a response will be guided by the processes outlined in this document.

1.6 GUIDING PRINCIPLES AND COMMITMENTS

The Student Protection Processes for Brisbane Catholic Education are based on the following principles and commitments.

The following principles are to be observed when responding to student protection issues:

- Every child and young person has a right to protection from sexual abuse, harm and inappropriate behaviour
- The welfare and best interests of the child/young person are paramount
- All adults have a responsibility to care for children and young people, to positively promote their welfare, and to protect them from any kind of harm
- The interactions of Brisbane Catholic Education staff with students take place in the context of the staff member being in a position of trust arising from the nature of their role
• In every preventative and/or protective action related to a student the total wellbeing of the student is the primary concern, while at the same time the rights and welfare of others involved are to be respected
• Appropriate confidentiality should be observed in relation to information relating to student protection matters, and relevant information should be kept in a secure place
• The cultural diversity of students and families in our schools (particularly indigenous students and their families) is to be recognised, acknowledged and respected. The management of student protection issues needs to be carried out with sensitivity to cultural issues
• The special needs and vulnerabilities of students with disabilities and their rights to an educational and family environment free from harm, sexual abuse, discrimination, harassment or victimisation must also be recognised, acknowledged and respected
• The value of the family unit is to be respected but not in such a manner as to be detrimental to the wellbeing of the student
• All persons who are the subject of an allegation of improper conduct should be treated fairly and reasonably and provided with access to support services as appropriate
• All persons who honestly report a matter in good faith in accordance with these procedures should not be disadvantaged for doing so
• All persons involved in situations where sexual/likely sexual abuse or harm/likely harm or inappropriate behaviour towards a student by a staff member is suspected and/or disclosed should be treated with sensitivity, dignity and respect.

Brisbane Catholic Education seeks to fulfil its duty of care to all within its school communities and particularly its duty of care to students. In order to do this, Brisbane Catholic Education is committed to:
• Upholding the right of students to a safe and secure environment based on the belief that this is critical to fulfilling their academic achievements and potential and indeed critical to their overall wellbeing
• Responding promptly and appropriately to information concerning student protection matters
• Co-operating and working in partnership with the relevant Statutory Authorities that are involved in child/student protection
• Ensuring that school pastoral care structures address and make appropriate provision for the support of students, families and staff.

1.7 CONFIDENTIALITY

Staff members who have access to information regarding suspected or alleged sexual abuse or likely sexual abuse of a student, harm or likely harm to a student, or inappropriate behaviour by a staff member towards a student must observe appropriate confidentiality in relation to the matter, and also must ensure that any associated documentation is kept in a secure place.

Staff members are directed that the matter must remain highly confidential, should never become a topic of gossip and should never be spoken freely about with others.

1.8 THE ROLE OF BRISBANE CATHOLIC EDUCATION OFFICE STAFF

Principals and other Student Protection Contacts may consult with relevant staff in the Brisbane Catholic Education Office regarding the processes outlined in this document. The Area Supervisor, Professional Standards, Legal Counsel or Employee Relations personnel may be able to provide advice concerning an assessment of staff inappropriate behaviour. A Student Protection Officer may also be able to assist with an assessment of sexual abuse or likely sexual abuse, harm or likely harm.
However, if a staff member (the first person) reasonably suspects in the course of the staff member’s employment at the school, that a student under 18 years attending the school has been sexually abused or is likely to be sexually abused by another person, he/she MUST IMMEDIATELY make a written mandatory report to the principal or the Director - Employee Services. Likewise, upon receiving the written report from the ‘first person’, the principal or Director - Employee Services MUST IMMEDIATELY forward to the police the written report. See Section 5 for details.

2.0 AWARENESS

2.1 DEFINITIONS

Student Protection is a complex issue and requires all staff to be aware of their responsibilities and to know clearly what it is they are required to report. Following is a list of relevant definitions that can assist in clarifying important terms used within this document.

Bullying:
Bullying is repeated, unreasonable and less favourable treatment of one person by another. The person experiencing the treatment considers it to be unwelcome, intimidating, degrading or threatening and it would be perceived as such by a reasonable person.

Child:
A child is a person under 18 years of age (Child Protection Act 1999).

Church authority:
A church authority includes a bishop, a leader of a religious institute and the senior administrative authority of an autonomous lay organisation, and their authorised delegates, responsible for the Church body to which a cleric or religious is or was connected at the time of the alleged behaviour.

Cleric:
A cleric is an ordained priest or deacon of the Catholic Church.

Complaint:
A complaint is an expression of concern or dissatisfaction, either oral or written.

Director – Employee Services:
The Director – Employee Services is the person appointed and holding office of the Director – Employee Services within Brisbane Catholic Education; otherwise the person who has been appointed to act in the role of Director – Employee Services.

Director of Professional Standards (Towards Healing):
The Director of Professional Standards (Towards Healing) is the person appointed by the bishops and heads of religious institutes in Queensland to manage the implementation of the Towards Healing principles and processes.

Employee:
An employee includes a staff member and any other person who is engaged to carry out work at the school for financial reward, and includes any cleric, and any religious appointed to a role at the school pursuant to an agreement with a religious order. (See also definition of staff member)
**Executive Director:**
The Executive Director is the person appointed by the Catholic Archbishop of Brisbane to be the Executive Director of Brisbane Catholic Education and who has the delegated authority to administer and manage diocesan and parish schools in the Archdiocese of Brisbane; otherwise the person who has the authority to act in the position of Executive Director from time to time.

**First Person:**
The “first person” is the staff member who becomes aware or reasonably suspects, in the course of the staff member’s employment at the school, that a student under 18 years attending the school has been sexually abused or is likely to be sexually abused by another person. [Education (General Provisions) Act 2006 Sec 366 (1) & 366 A (1)]

**Harm:**
Harm has been defined in Section 3 of the Education (Accreditation of Non-State Schools) Regulation 2001 as:

1. “Harm”, caused to a student under 18 years, is any detrimental effect of a significant nature on the student’s physical, psychological or emotional wellbeing.
2. It is immaterial how the harm is caused.
3. Harm can be caused by –
   1. physical, psychological or emotional abuse or neglect; or
   2. sexual abuse or exploitation.

Whilst the definition of “harm” as outlined above only relates to students under 18 years of age, this document extends the general meaning to include students attending Brisbane Catholic schools who are 18 years of age or above.

**Inappropriate behaviour:**
Inappropriate behaviour includes but is not limited to any behaviour, including words, directed towards or in the presence of a student that is contrary to what is required of staff members under Brisbane Catholic Education’s Code of Conduct. Further, any report from a person, including a student, about a staff member’s behaviour directed towards or in the presence of a student that the person making the report considers to be inappropriate is to be taken as an allegation of inappropriate behaviour and must be responded to in accordance with the processes contained within this document.

**Principal:**
The principal is the person appointed to be the religious and educational leader of a Catholic Education school within the Archdiocese of Brisbane; otherwise a person who has the delegated authority to act in the position of principal.

**Reasonable suspicion:**
A reasonable suspicion is a suspicion that would be formed by a reasonable person based on a reasonable view of the evidence available to them. In other words, a reasonable suspicion is an objectively justifiable suspicion that is based on specific facts or circumstances. More information about forming a reasonable suspicion is contained in Section 2.5.

**Relevant Statutory Authority:**
A relevant Statutory Authority could be either the Department of Communities Child Safety Services and/or the Queensland Police Service (QPS), (for example a QPS specialist unit such as the Child Protection Investigation Unit - CPIU).

**Religious:**
A religious is a member of an institute of consecrated life or a society of apostolic life within the Catholic Church. Religious are generally known as brothers, nuns or sisters.
Sexting:
Sexting is referring to an act of sending sexually explicit photographs or messages electronically.

Sexual abuse:
Sexual abuse of a student occurs when a person uses power or authority over the student to involve the student in sexual activity or to sexually exploit the student. Sexual abuse can be physical, verbal or emotional. Physical force may sometimes be involved. More detailed information about sexual abuse/likely sexual abuse including legislative guidance is contained in Section 2.2.

Staff Member:
A staff member is any person who is employed by Brisbane Catholic Education on a casual, fixed term, or continuing basis, either pursuant to a contract of employment or appointed to a role at the school pursuant to an agreement with a religious order. (See also definition of employee)

Student:
A student is any person enrolled as such at a Brisbane Catholic Education school or college.

Student Protection Contact (SPC):
A Student Protection Contact (SPC) is one of at least two persons who are so designated in each Brisbane Catholic Education school in compliance with the Education (Accreditation of Non-State Schools) Regulations 2001 s 10 (4). The primary role of a Student Protection Contact is to receive reports of suspected harm / likely harm to students from any source (Section 6) and alleged inappropriate behaviour by staff towards students (Section 8) and to take subsequent action as set down in the processes within this document. The names of the Student Protection Contacts are to be made known to the members of the school community and prominently displayed around the school. In Brisbane Catholic Education schools the school principal is to be one of the Student Protection Contacts. Information relating to the selection and support of Student Protection Contacts is to be found in Section 11.

Student Protection Officer:
A Student Protection Officer is a Brisbane Catholic Education Office staff member appointed to assist school staff in student protection matters. Their duties include assisting school staff in the assessing of sexual abuse/likely sexual abuse and harm/likely harm to students. They also offer support and guidance to schools during and after statutory intervention, and assist with the facilitation of compliance with student protection policies and processes, including developing and facilitating student protection in-service for staff.

Volunteer:
A volunteer is any person who performs work on a voluntary basis in a Brisbane Catholic Education school. The relationship between the volunteer and Brisbane Catholic Education is not bound by a contract of employment and no payment is made by Brisbane Catholic Education to the volunteer or anybody on their behalf, for the work performed.
2.2 SEXUAL ABUSE / LIKELY SEXUAL ABUSE

a) Sexual Abuse

The Education (General Provisions) Act 2006 at s 364 provides that sexual abuse of a relevant person includes sexual behaviour involving the relevant person and another person in the following circumstances:

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

The following additional advice is offered to assist staff members:

Sexual abuse/likely sexual abuse can be physical, verbal or emotional. It may involve physical contact with another person, but not necessarily so.

Sexual abuse/likely sexual abuse of a student occurs when there is an imbalance of power between the student and a person who is older, or has power, authority, influence or some kind of control over the student. The imbalance of power allows force, trickery, emotional bribery, blackmail or emotional pressures to be used against the student to involve him/her in sexual activity or to sexually exploit him/her. Secrecy, the misuse of power and distortion of adult-child relationships may also be involved. It is important to note that activity between peers may also be abusive, especially if the relationship is coercive or the behaviour forceful, degrading or threatening.

The involvement of any staff member, other employee or volunteer within a school in sexual activity with, or sexual exploitation of, a student attending that school is always to be regarded as sexual abuse.

When considering this matter, it is important for staff members to understand that there is a difference between the sexual abuse of a student and unlawful “consensual” peer sexual activity. In Queensland children and young people less than 16 years of age [less than 18 years in cases involving sodomy] cannot legally consent to sexual acts with others and to engage in such activity is unlawful even if the child/young person has, or appears to have, consented. However, if there is no imbalance of power or coercion involved, the activity may not be sexually abusive. On the other hand, young people 16 years of age and older can be subjected to sexual abuse through the use of power and improper use of authority even if the young person appears to have consented in some way.

Sexual abuse involving physical contact with a student could include:

- touching, kissing or holding a student in a sexual manner
- touching or fondling a student’s genital areas
- touching or fondling a student’s body in a sexual manner
- engaging in or attempting to engage in vaginal or anal intercourse with a student
- penetrating or attempting to penetrate a student’s vagina or anus with a finger or any other object
- engaging or attempting to engage in oral sex with a student
- engaging or attempting to engage in masturbation with a student.

Sexual abuse involving having a student engage in sexual acts by duress or through inducements of any kind could include having a student:

- touch or fondle another person’s genital areas
- touch or fondle another person’s body in a sexual manner
- engage in or attempt vaginal or anal intercourse with another person
- penetrate or attempt to penetrate another person’s vagina or anus with a finger or any other object
- engage or attempt to engage in oral sex with another person
- masturbate or to attempt to masturbate.
Sexual abuse/likely sexual abuse of a student not necessarily involving physical contact could involve events that occur in the student’s direct presence or that occur indirectly (including through digital communications):

- exposing a sexual body part to a student
- requesting a student to expose a sexual body part
- making obscene or sexually explicit remarks to a student
- sending obscene or sexually explicit material to a student
- blatant or persistent intrusion into a student’s physical privacy
- voyeurism: covertly observing intimate behaviour that is normally private
- exposing a student to pornographic films, photographs, magazines or other material
- having a student pose or perform in a sexually explicit manner
- exposing a student to a sexual act
- forcing a student to witness a sexual act
- communicating with a student in a sexually intrusive way.

Note: Whilst the legislation relating to the mandatory reporting of sexual abuse/likely sexual abuse as outlined above only relates to students under 18 years of age, this document extends the general meaning to include students attending Brisbane Catholic schools who are 18 years of age or above. Suspicions of sexual abuse/likely sexual abuse of a student 18 years or older are to be acted on according to Brisbane Catholic Education’s student protection processes relating to harm/likely harm.

b) Likely Sexual Abuse

**Likely sexual abuse** of students must be reported where a reasonable suspicion is formed and that unless someone intervenes to prevent it, sexual abuse is more probable than not to occur in the future. One situation where such a reasonable suspicion could occur would be as a result of a reasonable suspicion that ‘grooming’ is occurring.

2.2.1 ‘Grooming’

Sexual offending by an adult against a child is rarely a random act by a stranger. It is commonly based on a relationship with the child that has been formed over time. The abuse is commonly well thought out and planned in advance.

Offenders may often take time to ‘groom’ their victim, often over a lengthy period. They will also often ‘groom’ the child’s carers or others who might otherwise protect them from the abuse. This occurs so that the child and his/her carers will trust the offender and not suspect any intended wrongdoing. The establishment of a relationship of trust is often very confusing and damaging to the child, who may not even immediately recognise what is happening to them as abuse.

Recognition of the grooming process that is used as a preparation for the sexual abuse of a child is an indicator of likely sexual abuse. Grooming behaviour is unlikely to be recognised when observed as a one-off event, but a pattern of grooming of the intended victim and/or the intended victim’s carers is likely to be recognised. Grooming will tend to develop in intensity over time. It will also tend to include elements of secrecy and concealment.

It is important to be aware of the types of behaviours that can be used in the process of grooming a child or young person, while remembering that some of the behaviours might equally reflect normal interactions based on genuine motives of care and concern. This is the reason that for staff members the observance of clear professional boundaries and transparency in the declaration of potential conflicts of interest is a vital part of the protection of children and of the staff members themselves.
Some examples of ‘grooming’ types of behaviour could include:

- Befriending a vulnerable student
- Giving the student special attention
- Treating the student more favourably than others, for example with school work or in extra-curricular activities
- Giving gifts to or doing favours for the student
- Sharing secrets with the student
- Arranging opportunities to be alone with the student
- Sending email or SMS messages of a personal nature
- Making personal comments to the student about sexuality or relationships
- Directing suggestive jokes, remarks or actions towards the student
- Acting as a substitute parent or confidant of the student
- Befriending the student’s family and visiting the family home
- Offering to babysit or provide transport
- Offering individual coaching or special help to the student.

2.2.2 Student Sexual Behaviour

Suspicion of sexual abuse may also be formed in some cases where a student exhibits concerning sexual behaviour. This is where the behaviour displayed by the student may lead to a reasonable suspicion that sexual abuse has occurred. Some of these situations could emerge not only through overtly sexual behaviour by a student but also through the student’s use of technology, e.g. in some incidents of “sexting”. More information about general and specific signs of sexual abuse is provided in Section 2.4.

2.3 HARM/LIKELY HARM

(a) Harm is defined in Queensland legislation as:

Any detrimental effect of a significant nature on the child’s/student’s physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by –

a) physical, psychological or emotional abuse or neglect; or
b) sexual abuse or exploitation.

s.9 Child Protection Act 1999
s.3 Education (Accreditation of Non-State Schools) Act and Regulations 2001

(b) Likely Harm Situations involving likely harm are those where a reasonable person, given a reasonable view of the evidence available to him/her, would form the view that unless someone intervenes to prevent it, harm as legally defined is more probable than not to occur in the future.

2.3.1 Causes of harm/likely harm, sexual abuse/likely sexual abuse

Harm can be caused by physical abuse, emotional abuse, sexual abuse or neglect. Children and young people being exposed to domestic violence situations can also be harmed or be at risk of harm as a result. Harm can also be caused through the use of electronic/cyber mediums, physical assault and sexual behaviours. Students can also self-harm at times.

- **Physical Abuse** refers to non-accidental injury to a child by another person. These injuries are caused by violence including assaults, excessive discipline, severe beatings or shakings, and any other actions causing injuries such as bruising, lacerations or welts, burns, fractures or dislocations, female genital mutilation, attempted suffocation, strangulation and death.

- **Emotional Abuse** is behaviour by another person that emotionally damages a child resulting in significant deprivation or trauma. It involves a negative impact on a child’s social, emotional, cognitive, intellectual development and/or disturbance of a child’s behaviour. Examples of
emotional abuse include constant criticism, public humiliation, belittling, excessive teasing and scapegoating.

- **Sexual Abuse** is dealt with in the preceding Section 2.2.

- **Neglect** is the failure to provide the child with adequate nutritious food, clothing, shelter, supervision and protection needed for the child's optimal growth and development. Failure to provide access to medical and dental care, and educational opportunities, may also be deemed as neglect. Child neglect occurs where a child is harmed by the failure to provide basic physical and emotional necessities of life. Neglect is characterised as ongoing omissions in care giving.

- **Domestic violence** is violence which includes physical and verbal abuse, and intimidation perpetrated by one person against another in a family or in another personal, intimate relationship, causing fear, physical, sexual, emotional and/or psychological harm.

### 2.3.2 Sources of harm / likely harm, sexual abuse/likely sexual abuse

For the purposes of this document, the various sources of harm or sexual abuse are classified as follows:

- **Source 1:** Harm/likely harm or sexual abuse/likely sexual abuse to a student by a staff member, other employee or volunteer
- **Source 2:** Harm/likely harm or sexual abuse/likely sexual abuse to a student by a person who is not an employee or agent of the school or another student
- **Source 3:** Harm/likely harm or sexual abuse/likely sexual abuse to a student by another student
- **Source 4:** Student self-harm.

### 2.3.3 Assessing harm / likely harm, sexual abuse/likely sexual abuse

When attempting to assess whether harm or sexual abuse (as defined) has taken place or is likely in the future, the following questions may be useful:

- What harm/sexual abuse has been identified?
- What are the signs of harm/likely harm, sexual abuse/likely sexual abuse? (see section 2.4)
- What are the reasonable grounds to suspect harm / likely harm, sexual abuse/likely sexual abuse? (see section 2.5)
- What information is needed to provide background and context?
- What information is not evident that we might need to know in order to make an adequate assessment?

### 2.3.4 Key facts on harm/likely harm, sexual abuse/likely sexual abuse

Staff should be aware of signs and patterns of harm/likely harm or sexual abuse/likely sexual abuse. There may be physical, emotional and/or behavioural indicators. Section 2.4 provides more information about general and specific signs of harm/likely harm, sexual abuse/likely sexual abuse.

**Source 1: Harm/likely harm, sexual abuse/likely sexual abuse of a student by a staff member, other employee or volunteer**

- A student can be harmed or sexually abused by a staff member, other employee or volunteer within a school. While such harm/sexual abuse may very rarely be physical in nature, the role of the teacher in particular can provide opportunities for emotional/psychological harm to be done to a student through the misuse of the teacher’s power and authority, possibly inadvertently.
• Adults in schools may emotionally harm students without being fully aware of the impact that their behaviour can have. Harm could be caused by yelling at students, making degrading comments about students, continually teasing or belittling students, labelling students as stupid or dumb and threatening students as a means of exerting control.

• If a student is harmed or sexually abused by a staff member, other employee or volunteer within a school this may be especially damaging because of the special position of trust that is held by the adult within the school and because those working in a Catholic school do so on behalf of the Catholic Church.

Source 2: Harm/likely harm to and sexual abuse/likely sexual abuse of a student by a person who is not an employee or agent of the school or another student

• Unfortunately, most children/young people who are harmed or sexually abused are harmed or sexually abused by someone they know and trust - a parent, caregiver, sibling, or other relative or family friend.
• The younger the child, the more vulnerable they are and the more serious the consequences are likely to be.
• Harm or sexual abuse done to a child by a close family member can often have permanent negative effects on the child’s development and life opportunities as well as upon the family itself, therefore early intervention is vital.

Source 3: Harm/likely harm to or sexual abuse/likely sexual abuse of a student by another student

Harm/likely harm or sexual abuse/likely sexual abuse can be caused to a student by another student. The use of the word “bullying” in this section includes all types of harassment and intimidation and can sometimes result in physical, psychological and/or emotional harm. Besides physical harm or sexual abuse, the following types of interactions between students may involve psychological and/or emotional harm and require an appropriate response.

(i) Cyber bullying
Cyber bullying is bullying using electronic communication media. It can cause long-term harm to students.

• Mobile phones and computers can be used to bully
• Some cyber bullying or other misuse of electronic media can be a criminal offence
• These offences should be reported to police and managed appropriately at the school level.

(ii) Students with a disability
It is important to recognise, acknowledge and respect the special needs and vulnerabilities of students with disabilities and their rights to an educational and family environment free from harm, discrimination, harassment or victimisation. The behaviour of other students towards students with disabilities needs to be monitored carefully.

(iii) Student sexual behaviours
Sexual behaviours of various kinds may be evident in children, particularly in the early years. Some forms of this behaviour may be commonly encountered, while other behaviours may indicate that the child may have been exposed to inappropriate material or experiences. For example, reports of very young children knowing about and even experimenting with oral sex and other concerning sexual behaviours have been noted in some schools.

• Schools need to respond appropriately to any sexual behaviour among students that come to their attention.
• It is important that **ALL** cases of sexual behaviour be taken seriously, and responded to in a timely manner. Principals should do all they reasonably can in the particular circumstances to respond to the reported situation while acting with caution in their response.
• Assistance is available in assessing the seriousness of the sexual behaviour from a BCEO Student Protection Officer.

If sexual behaviour that is of concern is identified, steps should be taken to ensure the safety of the child or children who are involved or who could be exposed, and to report according to student protection reporting processes in relation to sexual abuse or harm or likely harm.

**Source 4: Student self-harm**

During the course of their schooling, some students may be at risk of harming themselves.
• This may be by direct means such as cutting, burning etc. but could also be by engaging in serious risk-taking behaviours such as alcohol/substance abuse, recklessly dangerous physical activities and/or unsafe promiscuity.
• Each of these situations presents the possibility of a complex range of precipitating circumstances and possible interventions.
• If student self-harm is identified steps should be taken to ensure the initial safety of the student.
• Staff are required to report it according to the relevant student protection reporting process in relation to harm and likely harm. (N.B. It is important to keep in mind that some cases of self-harm may at times be an indication of sexual abuse).

**2.4 RECOGNISING SIGNS OF SEXUAL ABUSE/LIKELY SEXUAL ABUSE AND HARM/LIKELY HARM**

There are many signs that might lead staff to have concerns about a student. It is important to keep an open mind when encountering these signs, as their presence does not necessarily mean that sexual abuse or harm has occurred or is likely. However, they may identify concerns for a student and indicate that further assessment and monitoring is the appropriate response.

It is important to remember:
• The signs are generally more significant if they are severe and/or form a pattern
• The younger the child involved, the greater the risk
• All factors need to be considered including the child’s circumstances and family context.

In general terms, something may be wrong if you observe student behaviour such as:
• Nervousness/withdrawal
• Passivity/excessive compliance
• Evidence of deterioration in peer relationships and/or generally poor peer relationships
• Trouble concentrating at school/unexpected drop in school academic performance
• Frequent absences from school without substantiated or acceptable explanations
• Being extremely aggressive, stealing or running away
• Evidence of extreme or continually aroused emotional states
• Out of character behaviour
• Behaviour that is not age appropriate or typical of peer behaviour
• In younger students: separation anxiety, changed eating patterns
• In older students: drug/alcohol use, sexual promiscuity, self-harm or reckless and risk-taking behaviour.
In relation to the specific causes of harm/likely harm and sexual abuse/likely sexual abuse you may observe:

**Physical**

- Bruises or lacerations, especially on face, head and neck
- Burns/scalds
- Multiple injuries or bruises, especially over time
- Fractures, dislocations, twisting injuries
- Explanations offered by the child not consistent with the injury or the injury is unable to be explained by the child
- Repeated injuries with a recurring or similar explanation.

**Neglect**

- Delay in achieving developmental milestones
- Medical or therapeutic needs not attended to
- Poor personal hygiene leading to social isolation
- Scavenging for/stealing food; lack of adequate school lunches
- Extreme seeking of adult affection
- Flat and superficial way of relating.

**Domestic violence**

- Difficulties in eating and sleeping
- Hyper vigilance
- Regression to age-inappropriate behaviours
- Developmental delays
- Child is over-protective of a parent
- Excessively controlling or aggressive/violent behaviour
- Abuse of siblings/parent.

**Emotional/Psychological**

- Inability to value self and others
- Lack of trust in people
- Statements from the child e.g. “I’m bad; I was born bad”
- Extreme attention-seeking behaviours.

**Sexual abuse**

- Direct or indirect disclosures of abuse
- Concerning and/or serious sexual behaviour and/or age-inappropriate sexual knowledge
- Use of threats, coercion or bribery to force other children into sexual acts
- Sexual themes/fears expressed in artwork, written work or play
- Repeated urinary tract infections, especially in younger girls
- Physical trauma to buttocks, breasts, genitals, lower abdomen, thighs
- Unexplained accumulation of money/gifts
- Presence of sexually-transmitted infections, especially in younger children.
2.5 FORMING A REASONABLE SUSPICION

A reasonable suspicion of sexual abuse/likely sexual abuse or harm/likely harm, from any source, or inappropriate behaviour by a staff member towards a student, may be formed by a staff member in the light of the staff member’s knowledge and experience, if:

- a student reports or discloses to a staff member information of concern about him/her or about another person’s behaviour
- another student reports or discloses information of concern about a student or about another person’s behaviour in relation to that student
- a parent or another person reports information of concern about a student and/or another person’s behaviour (This information may come from a relative, friend, acquaintance of the student, or sometimes could be anonymous)
- relevant observations (appearance, behaviours, and situations) are witnessed, or other relevant firsthand knowledge is gained.

It should be noted that at times information may come to a staff member’s attention indirectly (e.g. perhaps third hand). In these cases the following issues should be considered:

- in some cases, it may be appropriate to seek the minimum amount of additional information required to clarify the situation
- it is not the role of the staff member or of the school to investigate, confirm or substantiate the validity of the information
- if the information received gives rise to a staff member forming a reasonable suspicion of sexual abuse/likely sexual abuse or harm/likely harm, from any source, or inappropriate behaviour by a staff member towards a student, then the staff member must follow the relevant reporting process described in this document
- details about how the information came to the staff member’s attention should be included in the report that the staff member provides.

2.6 RESPONDING TO A STUDENT DISCLOSURE

2.6.1 Pastoral guidelines for dealing with a disclosure

School personnel are often the first people students may tell when they are feeling unsafe. It is important for staff members to be aware of how children/young people disclose and how to respond in the most appropriate manner.

If a student tells you about being abused or harmed:

Do

- listen attentively, actively and non-judgementally
- respond calmly to the information the student provides
- only question the student if absolutely necessary and restrict yourself to questions such as ‘Tell me what happened...and/or Tell me more about that....’
- reassure the student that they have done the right thing to tell e.g. ‘I am pleased you have told me these things’
- reassure them they are not to blame for the behaviour of others
- provide pastoral support to the student and be aware of the privacy issues involved
- be honest about your responsibility to take action
- make detailed notes.
Do not

- react emotionally or accuse
- seek any more information than is absolutely necessary
- ask leading or probing questions or put words in the student's mouth
- make promises that you cannot keep – particularly about not telling others such as the principal or another Student Protection Contact about the information
- leave the student alone immediately after a disclosure
- discuss the situation with parents, caregivers or others (other than with those designated e.g. principal or other Student Protection Contact).

2.6.2 General advice about handling disclosures

- remember it is not a school staff member's role to investigate a suspicion of sexual abuse/likely sexual abuse or harm/likely harm, from any source, or alleged inappropriate behaviour by another staff member. In cases of sexual abuse/likely sexual abuse and harm/likely harm from any source it is the role of officers of Queensland Police Service and qualified Officers of Department of Communities - Child Safety and Disability Services to investigate and collect evidence. In cases relating to alleged inappropriate behaviour by another staff member it is the role of the principal/area supervisor to assess the alleged behaviour.
- only ask enough questions to help you decide whether you have reasonable grounds to form a suspicion of sexual abuse/likely sexual abuse or harm/likely harm, or inappropriate behaviour by another staff member. Be aware that any questioning beyond this could cause distress and confusion and could interfere with the integrity of any subsequent investigation undertaken by relevant authorities.
- as soon as possible after the disclosure, make detailed relevant notes about any signs, disclosures, injuries, and behaviours that cause you to be concerned for the student’s safety or wellbeing

2.6.3 Taking photographs of injuries

- staff must NOT take photos of injuries to students. If required, this will be done by the Queensland Police Service.

2.6.4 Contact with parents/carers

- when concerns of sexual abuse/likely sexual abuse or harm/likely harm to a student arise in relation to someone in the student's family and/or someone who resides in the student's home, the parents/guardians must not be informed of the concerns by the school or staff member concerned before or after the report is made, without first receiving advice about this from the relevant Statutory Authority (Department of Communities - Child Safety and Disability Services or Queensland Police Service (QPS).
2.7 LEGAL ISSUES

The following points are general guidelines only. Should other issues arise in relation to specific cases it is recommended that further legal advice be sought. Brisbane Catholic Education Office Legal Counsel within Employee Services may be of assistance.

- In reporting cases of sexual abuse/likely sexual abuse or harm/likely harm to a student, school staff reporting to a relevant Statutory Authority are not required to prove the case; they need only report on their reasonable suspicion and their reasons for it.

- School staff should be very careful to report only to the persons or authorities that are mentioned within this document.

- The matter must remain highly confidential and should never become a topic of gossip and should never be spoken about freely with others.

- If you communicate the restricted and confidential report to others, an action for damages for defamation could be taken by the person suspected or a complaint may be made to the Office of the Privacy Commissioner in relation to a breach of the student’s privacy.

- The identity of individuals, who report their concerns about a child to Department of Communities - Child Safety and Disability Services and Queensland Police Service (QPS), is confidential and they are protected from civil liability. Protection from civil liability means that the person is protected from legal action taken against him/her. (s 22 Child Protection Act 1999 and s 366 (5) & (6) Education (General Provisions) Act 2006. However, in some cases staff members may be subpoenaed to attend court as a witness. In this instance the identity of the individual reporting cannot be kept confidential. Brisbane Catholic Education Office Legal Counsel (Employee Services) can be of assistance to a staff member who is subpoenaed to attend court.

- In the unlikely event of civil action being brought against a staff member as a consequence of reporting, Brisbane Catholic Education through the terms and conditions of its insurers’ policy will indemnify (i.e. accept responsibility to defend or settle claims) those staff who have acted conscientiously within the scope of their professional duties.
3.0 STUDENT REPORTING PROCESSES

IMPORTANT INFORMATION

IF YOU BELIEVE A STUDENT IS IN IMMEDIATE DANGER OR IN A LIFE-THREATENING SITUATION, YOU CAN CONTACT THE QUEENSLAND POLICE SERVICE IMMEDIATELY BY DIALLING 000.

Nothing that is written below should prevent a student from reporting any matter of concern to his/her parent(s), to any staff member at a school, or to the police.

If a student has reported a concern according to these processes but does not feel sure that the appropriate action is being taken he/she should contact the Area Supervisor or Senior Manager Professional Services within the Brisbane Catholic Education Office and/or police directly.

Should a student wish to report sexual abuse/likely sexual abuse or harm/likely harm to himself/herself or to any other student, he/she may report this to the principal or other Student Protection Contact at the school.

Should a student consider that the behaviour of a staff member towards him/her or towards another student is or has been inappropriate, he/she may report this to the principal or other Student Protection Contact at the school.

A student may make the report orally, in writing, or through any other means of communication.

A student’s parent or carer may make the report to the principal or other Student Protection Contact on behalf of the student.

Whether or not the staff member receiving the report is a principal or Student Protection Contact, on receiving such a report from or on behalf of a student, the staff member must respond in accordance with processes set down in Section 4 and subsequent sections.
4.0 WHEN AND HOW STAFF SHOULD ACT

INTERVENTIONS TO BE USED IN RELATION TO:

- A reasonable suspicion of sexual abuse/likely sexual abuse of a student by another person (Section 5)
- A reasonable suspicion of harm/likely harm to a student from any source (Section 6)
- A complaint or reasonable suspicion of inappropriate behaviour by a staff member towards a student (Section 8).

IMPORTANT INFORMATION

IF YOU BELIEVE A STUDENT IS IN IMMEDIATE DANGER OR IN A LIFE-THREATENING SITUATION, CONTACT THE QUEENSLAND POLICE SERVICE IMMEDIATELY BY DIALLING 000.

Nothing that is written below should prevent a staff member or any other person from taking immediate action to notify police, particularly if he/she believes that it is essential to act to ensure a student’s safety.

If a staff member has reported a concern according to these processes but does not feel sure that the appropriate action is being taken to ensure a student is safe from harm he/she should contact the Area Supervisor or Senior Manager Professional Services within the Brisbane Catholic Education Office and/or police directly.

Incidents that initially appear to warrant one type of intervention may turn out to be more serious or complex than first thought. If this occurs, the intervention process must be halted and steps taken immediately to escalate the matter to the appropriate level.

4.1 SUMMARY OF A STAFF MEMBER’S RESPONSIBILITIES

A staff member has a responsibility to make a report in any of the situations listed below:

i. If he/she reasonably suspects:
   a. sexual abuse/likely sexual abuse of a student by another person
   b. harm/likely harm to a student from any source
   c. inappropriate behaviour by a staff member towards a student

ii. If a staff member becomes aware of any such allegation against him/her.

4.2 SUMMARY OF REPORTING PROCESSES FOR STAFF

4.2.1 a. Sexual abuse/likely sexual abuse

If a staff member reasonably suspects, in the course of his/her employment at the school, that a student attending the school has been sexually abused or is likely to be sexually abused by another person, the first staff member who reasonably suspects the sexual abuse or likely sexual abuse occurring must, by law, immediately give a written report (See Form A – Section 1) of the matter to the principal or the Director - Employee Services. If the first person is the principal, the principal must immediately give a written report (See Form A - Sections 1, 2, and 3) to a police officer and the Director - Employee Services. Specific details of the reporting processes involved are contained within Section 5.
b. **Harm**

If a staff member reasonably suspects, in the course of his/her employment at the school, that harm or likely harm from any source has been caused to a student, the staff member is compulsorily required by Brisbane Catholic Education to give a written report (See Form B - Section 1) to the principal or another Student Protection Contact at the school without delay. Specific details of the reporting processes involved are contained within Section 6.

c. **Inappropriate behaviour**

If a staff member reasonably suspects, in the course of his/her employment at the school, that a staff member has behaved inappropriately towards a student (not being sexual abuse or likely sexual abuse and not where harm has been caused or is likely to be caused), the staff member is compulsorily required by Brisbane Catholic Education to give a written report (See Form C) to the principal or another Student Protection Contact at the school without delay. Specific details of the reporting processes involved are contained within Section 8.

4.2.2 If a student, parent or other person complains to a staff member about another staff member’s behaviour towards a student that the student or parent considers inappropriate, the staff member must immediately report the matter to the principal or another Student Protection Contact at the school.

4.2.3 If a staff member becomes aware of any such allegation against him/her in relation to his/her alleged inappropriate behaviour, he/she must report the matter to the principal at the school without delay.
4.3 REPORTING FLOWCHART SUMMARY

Reasonable suspicion by a staff member of sexual abuse/likely sexual abuse of a student by another person?

YES: Staff member who first suspects ('first person') must immediately provide a written report to principal or Director - Employee Services

If 'first person' is the principal, the written report must be given to the police and Director - Employee Services. (SEE SECTION 5)

NO: The Person who receives the report (Principal / Director - Employee Services) must immediately send report to police. The principal must also send report to the Director - Employee Services. (SEE SECTION 5)

NO: Staff member who first suspects makes written report to the principal or another Student Protection Contact at the school. If the Student Protection Contact informed is not the principal, he/she informs the principal (or Director - Employee Services if the principal is implicated) (SEE SECTION 6)

Reasonable suspicion of harm or likely harm to a student from any source?

YES: Principal or Area Supervisor assesses nature and/or circumstances of alleged inappropriate behaviour such as to justify disciplinary sanction if substantiated?

YES: Principal or Area Supervisor submits Level 2 report to Director - Employee Services. Director - Employee Services may authorise formal intervention at school level or by a party external to the school. Outcomes are documented by report to Director - Employee Services. (SEE SECTION 9)

NO: School-level intervention (Level 1). Resolved through local guidance/correction/mediation/conciliation. Documented by Level 1 report to Director - Employee Services.

NO: Complaint of or reasonable suspicion of inappropriate behaviour by a staff member towards a student?

YES: Staff member first aware reports to principal or another Student Protection Contact at the school. If the Student Protection Contact informed is not the principal, he/she informs the principal (or Area Supervisor if the principal is implicated). (SEE SECTION 8)

NO: Pastoral support to student and family and / or appropriate referral

Complaint of / or reasonable suspicion of inappropriate behaviour by a staff member towards a student?

YES: Does the principal (or other Student Protection Contact or Director - Employee Services) reasonably suspect that harm has been caused or is likely to be caused? (SEE SECTION 6)

NO: Principal (or other Student Protection Contact or Director - Employee Services) submits Level 2 report to Director - Employee Services. Director - Employee Services may authorise formal intervention at school level or by a party external to the school. Outcomes are documented by report to Director - Employee Services. (SEE SECTION 9)

NO: Reasonable suspicion of harm or likely harm to a student from any source?

YES: Staff member who first suspects makes written report to the principal or another Student Protection Contact at the school. If the Student Protection Contact informed is not the principal, he/she informs the principal (or Director - Employee Services if the principal is implicated) (SEE SECTION 6)

NO: Complaint of or reasonable suspicion of inappropriate behaviour by a staff member towards a student?

YES: Staff member first aware reports to principal or another Student Protection Contact at the school. If the Student Protection Contact informed is not the principal, he/she informs the principal (or Area Supervisor if the principal is implicated). (SEE SECTION 8)

NO: Principal (or Area Supervisor) submits Level 2 report to Director - Employee Services. Director - Employee Services may authorise formal intervention at school level or by a party external to the school. Outcomes are documented by report to Director - Employee Services. (SEE SECTION 9)

No conclusion reached.

The current document (Dated 4 November 2013) replaces and updates Brisbane Catholic Education’s previously entitled document: Student Protection Processes, 9 July 2012.
5.0 SUSPECTED SEXUAL ABUSE/LIKELY SEXUAL ABUSE OF A STUDENT

If you believe a student is in immediate danger or in a life-threatening situation, contact the Queensland Police Service immediately by dialling 000.

5.1 MANDATORY REPORTING

Mandatory reporting is a requirement of the law and a staff member may be prosecuted under criminal law if he/she fails to act, as well as being subject to disciplinary sanctions by their employer and/or their professional body.

The Education (General Provisions) Act 2006 requires that if a staff member (the first person) reasonably suspects, in the course of his/her employment at the school, that a student under 18 years of age attending the school has been sexually abused or is likely to be sexually abused by another person, the first person must immediately give a written report (Form A) to the Principal or the Director - Employee Services who must immediately provide a copy of the report to the police.

If the first person is the principal, the principal must immediately give a written report (Form A) to a police officer and the Director - Employee Services.

5.2 MANDATORY REPORTING RESPONSIBILITIES

5.2.1 Staff members

A staff member (the first person) who in the course of the staff member’s employment at the school, reasonably suspects that a student has been sexually abused or is likely to be sexually abused by another person, must immediately make a written mandatory report (See Form A - Section 1) to the principal.

If the ‘first person’ reasonably suspects sexual abuse or likely sexual abuse of a student by the school principal, or the staff member does not wish to make a report to the principal, the first person must immediately provide the mandatory written report (See Form A - Section 1) to the Director - Employee Services who must immediately provide a copy of the report to the police.

5.2.2 Principal and Director - Employee Services

Following the receipt of a mandatory report, the principal or Director - Employee Services must not conduct an investigation into the suspected sexual abuse/likely sexual abuse. Upon receiving the written report from the ‘first person’ the principal or Director - Employee Services must immediately complete Form A - Section 2 and 3 and immediately forward Form A to the police (See Section 5.3 for how to do this). After providing a mandatory report to the police, the principal must also forward a copy of the form to the Director - Employee Services without delay.

If the principal is the ‘first person’ then he/she must immediately provide a written report to the police by completing Form A - Section 1, 2 and 3 (See Section 5.3 for how to do this).

After providing a mandatory report to the police, the principal must also forward a copy of the form to the Director - Employee Services without delay.
5.3 MAKING AND FOLLOWING UP ON THE MANDATORY REPORT TO POLICE

The principal or Director - Employee Services would normally give a mandatory report to police through a Queensland Police Service district Child Protection & Investigation Unit (CPIU).

Details showing the locations of these units and how to contact them are to be found on the Brisbane Catholic Education Office Student Protection Portal on the K-Web. If unable to contact a Child Protection Investigation Unit (QPS) call Police link on 131 444. After making a report by phone, written reports are then normally transmitted to the CPIU by email or fax.

After sending the mandatory report, the principal or Director - Employee Services should also follow up with a phone call to the CPIU to ensure that the report has been received. This call should also be used to establish communication between the school and the police so that further information can be shared as necessary to assist the school to manage issues as they may arise. Where necessary a Brisbane Catholic Education Office Student Protection Officer is available to assist the principal in liaising with the relevant Statutory Authorities.

5.4 INFORMING DEPARTMENT OF COMMUNITIES - CHILD SAFETY AND DISABILITY SERVICES

There are many cases where alleged sexual abuse should also be reported to the Department of Communities - Child Safety and Disability Services. This will include cases of suspected sexual abuse within families. Suspected sexual abuse from outside the family should also be reported to Department of Communities - Child Safety and Disability Services if there is evidence that the student does not have a parent willing and able to protect him/her, or that other children may also be at risk of abuse. Because of the complexity that is often encountered, schools should seek guidance from a Brisbane Catholic Education Student Protection Officer about whether Department of Communities - Child Safety and Disability Services should be involved.

The initial step in reporting to Department of Communities - Child Safety and Disability Services would be to contact the appropriate Regional Intake Service (RIS) by phone. Details of these Intake Services and how to contact them are on the Brisbane Catholic Education Office Student Protection Portal. Outside normal business hours and on weekends, contact the Department of Communities - Child Safety and Disability Services After Hours Service on 1800 177 135 or 3235 9901; this centre operates 24 hours a day, seven days a week.

When providing information to Department of Communities - Child Safety and Disability Services it is important to inform them that the matter has already been reported to police. Following the initial phone call, provide the Department of Communities - Child Safety and Disability Services with a copy of the completed Form A already supplied to police. Written reports by schools are normally transmitted to the Regional Intake Service by email following the phone contact. Information about the proposed action by the Department of Communities – Child Safety and Disability Services can be requested by the school when making the report.

5.5 WHEN TO INFORM PARENTS

When a mandatory report to police is required, it is important that parents are not contacted before the report is made. Following the provision of the mandatory report to police, in order to assist in the management of the situation at the school level, and to ensure the immediate safety of any students involved, it is advisable for the school to request from the police, and if relevant, Department of Communities - Child Safety and Disability Services, some indication regarding their involvement in the reported case and the possible timing of their intervention. It is important for the school to have this information especially, for example, in cases of student to student sexual behaviour. In these cases, though it is preferable for the parents or caregivers of students involved in such incidents to be advised as soon as
possible after the incident has occurred, contacting parent should not occur until it has been ascertained from the Statutory Authority that informing the parents will not compromise a statutory investigation.

5.6 RISK MANAGEMENT AND CASE MANAGEMENT

The school has a responsibility to proactively case manage ongoing issues relating to the wellbeing of students and staff, and relationships with carers and families. Some steps would include:

- Monitoring the situation, conducting risk assessments, and taking action to minimise/manage risk to students
- Establishing case management roles and responsibilities of relevant staff
- Establishing communication channels with the Officer-in-Charge and/or the investigating officer within Queensland Police Service and Department of Communities - Child Safety and Disability Services so that information may be shared as appropriate. Student Protection Officers within Brisbane Catholic Education are available to provide assistance and support to staff in liaising with Statutory Authorities and managing what can be complex issues
- Establishing communication channels and providing support structures to ensure that those involved receive regular pastoral contact, can access information on the processes being followed, and are connected to potential sources of external support
- Ensuring that all those involved respect the confidentiality of the matter and the privacy of those involved
- Securing relevant evidence and consulting with Legal Counsel at Brisbane Catholic Education Office about protocols around how evidence/information may be made available to police and/or Department of Communities – Child Safety and Disability Services if required.

5.7 ACTION TO BE TAKEN IF THE SUSPECTED SEXUAL ABUSE/LIKELY SEXUAL ABUSE RELATES TO THE BEHAVIOUR OF A STAFF MEMBER, OTHER EMPLOYEE OR VOLUNTEER

5.7.1 Brisbane Catholic Education Office Staff

When a suspicion of sexual abuse/likely sexual abuse is about a staff member, other employee or volunteer, overall case management will be provided by a Professional Services staff member (Professional Standards or Employee Relations) within the Employee Services Directorate, working in association with the principal and Area Supervisor. It is important for the case manager (school or Brisbane Catholic Education Office) to establish communication with the Officer-in-Charge and/or the investigating officer within Queensland Police Service so that information may be shared as appropriate. Student Protection Officers within Brisbane Catholic Education Office are also available to provide assistance and support to students and staff in managing what can be complex issues.

Following the provision of a mandatory report to police, an investigation into the suspected sexual abuse must not be conducted by or on behalf of Brisbane Catholic Education pending the result of police inquiries. However, the Director - Employee Services (or delegate) will take immediate steps to ensure that a risk assessment is undertaken to determine whether the staff member, other employee or volunteer subject to the allegations should continue to be allowed to work in the school. As a result of the risk assessment, and following consultation with police, the staff member, other employee or volunteer may be stood down from his/her duties, or have his/her duties restricted. If the employee is not a staff member of Brisbane Catholic Education, the appropriate steps in this regard will be taken by the Director - Employee Services (or delegate) in association with that person’s employer.

After discussions with police and upon their advice, the Director – Employee Services or delegate will inform the parent(s) or carer(s) of the student/s involved, stressing the confidentiality of the matter, that a report has been made in relation to suspected sexual abuse of the student/s by a staff member, other employee or volunteer.
If the report of suspected sexual abuse/likely sexual abuse by a staff member, other employee or volunteer relates to the behaviour of a member of the student’s family, the Director - Employee Services will not inform the parent(s) or carer of the student concerned without prior consultation with the police. The Director - Employee Services (or delegate) will only inform the parent(s) or carer(s) of the student if on the advice of the police he/she believes that this will not compromise an official investigation.

The Director - Employee Services will keep a copy of the mandatory report in a separate confidential file.

The Director - Employee Services (or delegate) will establish liaison with the Queensland Police Service to assist in the management of the issue.

Upon the commencement of any investigation by Brisbane Catholic Education into an allegation of suspected sexual abuse/likely sexual abuse by a registered teacher, the Director - Employee Services (or delegate) will without delay make a written notification to the Queensland College of Teachers.

If the mandatory report concerns the behaviour of a staff member, other employee or volunteer who is a cleric or religious, or who was a cleric or religious at the time of the alleged behaviour, the Director - Employee Services will inform the Director of Professional Standards (Towards Healing) as soon as possible. The Director – Employee Services after discussion with police and on their advice will also ensure that the relevant church authority is also informed without delay.

5.7.2 Notifying the staff member, employee or volunteer

The Director - Employee Services (or delegate) will seek advice from the police as to when the staff member, other employee or volunteer should be informed of the allegation. As soon as it is deemed appropriate to inform the staff member, other employee or volunteer, a meeting will be held between the staff member, other employee or volunteer and the Director - Employee Services (or delegate). The staff member, other employee or volunteer will be advised that he/she can have a support person at this meeting. At the meeting, the staff member, other employee or volunteer will be informed that a suspicion of sexual abuse/likely sexual abuse has been reported about him/her and that this information has been handed to the police. He/she will also be given the details of a nominated person (normally the Area Supervisor) to contact who will be available to provide information regarding the processes being undertaken and to facilitate the accessing of other support. The information communicated verbally at the meeting will also be provided in writing. If the employee is not a staff member of Brisbane Catholic Education, the appropriate steps in this regard will be taken in association with that person’s employer.

In the case of a staff member being the subject of the report, he/she will be reminded that he/she may access the confidential counselling services available through the Employee Assistance Program.

5.7.3 Standing down from duties

If as the result of a risk assessment it is decided by the Director - Employee Services that the staff member, other employee or volunteer should be stood down from his/her duties, or have them restricted, the police should be consulted to ensure that the timing and circumstances of the person being informed of this does not unnecessarily interfere with their inquiries.

The staff member, employee or volunteer concerned will be informed of the decision to stand him/her down or restrict his/her duties. The basis for this decision will be provided to the staff member, other employee or volunteer in writing following the meeting at which this information has been communicated verbally. He/she will also be given the details of a nominated person (normally the Area Supervisor) to contact who will be available to provide information regarding the processes being undertaken and to facilitate the accessing of other support.
In the case of a staff member being the subject of the report, he/she will be reminded that he/she may access the confidential counselling services available through the Employee Assistance Program.

A staff member will normally continue on full pay during the stand down period unless disqualified or prevented from performing his/her duties by an external authority. The Director - Employee Services (or delegate) will discuss with the person what statement, if any, will be made to staff concerning his/her absence from school. The contents of any such statement may be limited by legislation.

If the employee is not a staff member of Brisbane Catholic Education, the appropriate steps will be taken in association with that person’s employer in this regard.

5.7.4 Pastoral care and support

Pastoral care and support will be offered to the student and his/her family, to the staff member, employee or volunteer against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount and advice will be sought from Brisbane Catholic Education Office Student Protection Services about appropriate support for the student and his/her family.
5.8 REPORTING FLOWCHART - MANDATORY REPORT – SUSPECTED
SEXUAL ABUSE/LIKELY SEXUAL ABUSE

Reasonable suspicion by a staff member
(including the principal) of sexual abuse/likely
sexual abuse of a student by another person
(SEE SECTION 5)

If principal is the ‘first person’, principal
immediately completes
Form A - Sections 1, 2, and 3

Principal immediately reports to Queensland Police Service.
If appropriate, principal also reports to Department of
Communities – Child Safety and Disability Services

Principal sends copy of Form A to Director - Employee Services.

If staff member (not principal) is the ‘first person’, staff member immediately completes
Form A - Section 1

Staff member provides Form A to principal OR
Director - Employee Services.

Form A received by principal.
Principal immediately completes
Form A – Section 2 & 3

Principal follows up with Queensland Police Service / Department of Communities –
Child Safety and Disability Services to seek information on proposed intervention

Form A received by Director - Employee Services. Director - Employee Services immediately completes
Form A – Section 2 & 3

Director - Employee Services follows up with Queensland Police Service / Department of Communities –
Child Safety and Disability Services to seek information on proposed intervention

Director of Employee Services follows up with Queensland Police Service / Department of Communities –
Child Safety and Disability Services to seek information on proposed intervention
6.0 SUSPECTED HARM/LIKELY HARM TO A STUDENT FROM ANY SOURCE (OTHER THAN SUSPECTED SEXUAL ABUSE/LIKELY SEXUAL ABUSE OF A STUDENT BY ANOTHER PERSON)

**IF YOU BELIEVE A STUDENT IS IN IMMEDIATE DANGER OR IN A LIFE-THREATENING SITUATION, CONTACT THE QUEENSLAND POLICE SERVICE IMMEDIATELY BY DIALLING 000.**

6.1 COMPULSORY REPORTING

Compulsory reporting is a requirement of Brisbane Catholic Education and is consistent with Brisbane Catholic Education’s responsibilities under the provisions of the *Education (Accreditation of Non-State Schools) Act 2001* and *Regulation 2001*. A staff member may be subject to disciplinary sanction from the employer if he/she fails to act.

A staff member who, in the course of his/her duties, reasonably suspects that harm has been caused or is likely to be caused to a student from any source is compulsorily required to report this matter to the principal or other Student Protection Contact at the school.

6.2 SITUATIONS INVOLVING HARM HAVING BEEN CAUSED

Harm is considered to have been caused in situations that result in any detrimental effect of a significant nature on a student’s physical, psychological or emotional wellbeing. It does not matter how the harm is caused.

To reasonably suspect physical harm, there will generally be evidence of a student having suffered a physical injury.

To reasonably suspect that psychological or emotional harm has been caused, there must be evidence of a detrimental effect of a significant nature having occurred to the student, such as an inability or major difficulties in handling emotions, difficulties in forming peer relationships, references to self-harm, speech and language delays etc.

To reasonably suspect neglect there will generally be evidence of the failure to provide the student with adequate nutritious food, clothing, shelter, supervision and protection required by the student for the student’s optimal growth and development. Child neglect occurs when a child is harmed by the failure to provide the basic physical and emotional necessities of life.

6.3 SITUATIONS INVOLVING LIKELY HARM

Likely harm is indicated when a reasonable person, given the knowledge that is available to him/her, would come to the conclusion that unless someone intervenes to prevent it, harm is more likely than not to occur in the future.

Factors that would be taken into account would include the frequency, severity and duration of any concerning behaviour, relevant contextual knowledge about family background or socio-economic circumstances, any known concerns of harm in the past, the source of the possible harm, the apparent vulnerability of the child, the willingness and ability of parents or caregivers to protect the child, the availability of support networks both formal and informal and/or the accessibility or apparent use of weapons. If a deadly weapon is used to threaten, this would most likely give rise to a reasonable suspicion that harm has occurred or is likely to occur in the future.
6.3.1 Weapons in Brisbane Catholic Education’s Schools

Situations involving the possession and/or use of weapons by students at school are to be taken seriously and responses should be guided by the Brisbane Catholic Education Student Behaviour Support Regulations and Guidelines and Brisbane Catholic Education Guidelines Management of Weapons in Schools.

6.4 COMPULSORY REPORTING RESPONSIBILITIES

6.4.1 Staff members

A staff member “first person” who reasonably suspects that harm from any source has been caused to a student, or is likely to occur in the future, must not conduct an investigation into the matter but must make a written report (See Form B - Section 1) to the principal, or another Student Protection Contact at the school, and keep appropriate records.

6.4.2 Principal or other Student Protection Contact (or Director - Employee Services)

A principal or other Student Protection Contact who reasonably suspects that harm from any source has been caused to a student, or is likely to occur in the future, must not conduct an investigation into the allegation.

If a compulsory “first person” report, is received by a Student Protection Contact other than the principal, the Student Protection Contact must provide a copy of the report to the principal as soon as practicable and keep appropriate records. In cases where the allegation is made against the principal, the Student Protection Contact must provide a copy of the report received from the first person to the Director - Employee Services.

If the principal or other Student Protection Contact or Director - Employee Services upon receiving a compulsory report (See Form B) believes that it gives rise to a reasonable suspicion that harm has been caused or is likely, he/she must complete and sign the compulsory report to a Statutory Authority (See Form B - Sections 2 and 3) and forward it without delay to the police and/or Department of Communities - Child Safety and Disability Services (See Section 6.5 for how to do this). He/she should also forward a copy of the report to Brisbane Catholic Education Office Student Protection Services without delay.

If the principal or other Student Protection Contact or Director - Employee Services upon receiving a compulsory report (See Form B) believes that it does not give rise to a reasonable suspicion that harm has been caused or is likely in the future, he/she must document this and the reasons for his/her decision not to report. He /she must inform the staff member who has provided the compulsory report of his/her decision. The relevant documentation must be retained in a confidential file at the school. If the report is about a current staff member, the matter must then be dealt with as suspected inappropriate behaviour by a staff member towards a student (See Section 8). If the report is about the behaviour of another student, a volunteer or other member of the school community, or student self-harm, the principal is responsible for ensuring that appropriate steps are taken including minimising the risk of harm to the student concerned and/or others within the school.
6.5 COMPULSORY REPORTING OF SUSPECTED HARM OR LIKELY HARM

6.5.1 Who to report to

As a general rule, harm or likely harm within families, including self-harm, is reported to the Department of Communities - Child Safety and Disability Services. If a possible criminal offence is suspected within the family (for example physical abuse and/or domestic violence) the matter should also be reported to a Queensland Police Service district Child Protection & Investigation Unit (CPIU). Cases of harm or likely harm from outside the family are generally reported solely to the CPIU unless there is evidence that the student does not have a parent willing and able to protect him/her, or that other children may have also been harmed or are likely to be harmed. In those cases a report to both Department of Communities - Child Safety and Disability Services and CPIU (QPS) is required. Because of the complexity that is often encountered (and if unsure), schools should seek guidance about which Statutory Authority to report to from a Brisbane Catholic Education Student Protection Officer.

6.5.2 Reporting of harm or likely harm to police

Reporting to the police would be done through a Queensland Police Service district Child Protection & Investigation Unit (CPIU). Details of the location of these units and how to contact them are to be found on the Brisbane Catholic Education Office Student Protection Portal. If a school is unable to contact a QPS Child Protection Investigation Unit, call Policelink on 131 444. See Section 6.5.4 for the details of what information should be provided over the phone. Reports made by schools are normally transmitted to the CPIU by email or fax following the phone contact.

After sending the email or fax, the person sending it should follow up with a phone call to ensure that the compulsory report has been received. This call should also be used to establish communication between the school and the investigating officer so that further information can be shared as necessary to assist the school to manage issues as they may arise. Where necessary a Brisbane Catholic Education Office Student Protection Officer is available to assist the school in liaising with the relevant state authorities.

6.5.3 Reporting of harm or likely harm to Department of Communities - Child Safety and Disability Services

During normal business hours contact the appropriate Regional Intake Service by phone. Details of these Intake Services and how to contact them are to be found on the Brisbane Catholic Education Office Student Protection Portal. See below for the details of what information should be provided over the phone. Reports are normally transmitted to the Regional Intake Service by email following the phone contact.

Outside normal business hours and at weekends, contact the Department of Communities - Child Safety and Disability Services After Hours Service Centre on 1800 177 135 or 3235 9901. The Service Centre operates 24 hours a day, seven days a week.

6.5.4 Making phone contact with Department of Communities - Child Safety and Disability Services and/or CPIU (QPS)

After deciding which Department of Communities - Child Safety and Disability Services Regional Intake Service and/or CPIU (QPS) is closest to the child’s home address, a phone call should be made and a request made to speak to an “intake officer” and provide the following prepared information. If necessary, a request can be made for the agency to indicate its response to the report to assist with the appropriate management of the case within the school.

The following prepared information should be provided:

- name and position of notifier
The current document (Dated 4 November 2013) replaces and updates Brisbane Catholic Education’s previously entitled document: Student Protection Processes, 9 July 2012.

- name of student/s
- date of birth of student/s
- names of other family members if available e.g. mother, father, guardian, siblings and/or other people living in the house
- address of the family
- relevant concerns e.g. disclosures, physical and/or behavioural signs of harm, dates etc.
- other relevant information such as any court orders known to be in place (e.g. Child Protection, Family Law or Domestic Violence Orders) and any other information that may assist the authority to assess the risk to the student.

If difficulties occur with the telephone reporting process, such as not being able to access a Department of Communities - Child Safety and Disability Services Regional Intake Service or CPIU (police) personnel or being unable to obtain an appropriate response from the Statutory Authority notified, a Brisbane Catholic Education Office Student Protection Officer can assist in liaising with the Statutory Authority involved.

After making the report by phone the principal or Student Protection Contact will complete the reporting form (See Form B - Section 2 and 3). The principal should sign the form.

6.5.5 After the phone contact has been made

The principal or Student Protection Contact will send a copy of the form to the relevant Statutory Authority and then email a scanned copy of the signed form to Brisbane Catholic Education Office Student Protection at the email address in Form B - Section 3.

The form is filed confidentially at school level for accountability and compliance requirements to record and demonstrate that the Student Protection Processes have been followed.

The school has a responsibility to proactively case manage ongoing issues relating to the wellbeing of students and staff, and relationships with carers and families. When a suspicion of harm or likely harm is about a staff member, overall case management will be provided by a Professional Services staff member (Professional Standards or Employee Relations) within the Employee Services Directorate, working in association with the principal and Area Supervisor. It is important for the case manager to establish communication with the relevant personnel within Department of Communities - Child Safety and Disability Services and/or CPIU so that information may be shared as appropriate. Student Protection Officers within Brisbane Catholic Education Office are also available to provide assistance and support in managing what can be complex issues.

6.6 WHEN TO INFORM PARENTS

When a compulsory report is to be given to police and/or Department of Communities - Child Safety and Disability Services, it is important that parents are not contacted before the report is made. Following the making of a report, in order to assist in the management of the situation at the school level, and to ensure the immediate safety of any students involved, it is advisable for the school to request from the police and/or Department of Communities - Child Safety and Disability Services some indication regarding their involvement in the reported case and the possible timing of their intervention. It is important for the school to have this information because it is preferable for the parents or caregivers of students involved in incidents to be advised as soon as possible after the incident has occurred to ensure the best support and protection for their child. However, this should not occur until it has been ascertained from the statutory authority that informing the parents will not jeopardise an investigation.
6.7 RISK MANAGEMENT AND CASE MANAGEMENT

The school has a responsibility to proactively case manage ongoing issues relating to the wellbeing of students and staff, and relationships with carers and families. Some steps would include:

- Risk assessment and action to minimise/manage risk, particularly to students
- Establishing case management roles and responsibilities of relevant staff
- Establishing communication channels with the Officer-in-Charge and/or the investigating officer within CPIU so that information may be shared as appropriate. Student Protection Officers within Brisbane Catholic Education Office are available to provide assistance and support to staff in managing what can be complex issues
- Establishing communication channels and providing support structures to ensure that those involved receive regular pastoral contact, can access information on the processes being followed, and are connected to potential sources of external support
- Communicating clearly the expectation that all those involved respect the confidentiality of the matter and the privacy of those involved
- Securing relevant evidence and consulting with Legal Counsel at Brisbane Catholic Education Office about protocols around how evidence/information may be made available to police and/or Department of Communities - Child Safety Services if required.

6.8 ACTION TO BE TAKEN IF THE SUSPECTED HARM OR LIKELY HARM RELATES TO THE BEHAVIOUR OF A STAFF MEMBER, OTHER EMPLOYEE, OR VOLUNTEER

6.8.1 Brisbane Catholic Education Office Staff

Following the submission to the police of a compulsory report alleging that harm to a student has been caused or is likely in the future as a result of the behaviour of a staff member, other employee or volunteer, an investigation into the matter must not be conducted by or on behalf of Brisbane Catholic Education pending the result of police inquiries. However, the Director - Employee Services (or delegate) will take immediate steps to ensure that a risk assessment is carried out to determine if the staff member, other employee or volunteer subject to the allegations should continue to be allowed to work in the school. As a result of the risk assessment, the staff member, other employee or volunteer may be stood down from his/her duties, or have his/her duties restricted. If the employee is not a staff member of Brisbane Catholic Education, after consultation with and advice from police, the appropriate steps in this regard will be taken by the Director - Employee Services in association with that person’s employer.

The parent(s) or carer of the student about whom a report has been made in relation to suspected or likely harm by a staff member, other employee or volunteer (unless the suspected or likely harm relates to the behaviour of a family member) will be informed by the Executive Director (or delegate) as soon as practicable that a compulsory report has been provided to police, stressing the confidentiality of the matter.

After discussions with police and upon their advice, the Director – Employee Services or delegate will inform the parent(s) or carer(s) of the student involved, stressing the confidentiality of the matter, that a report has been made in relation to suspected harm/likely harm of the student by a staff member, other employee or volunteer.

On receiving a copy of a compulsory report in which the suspected or likely harm arises from the behaviour of a registered teacher, the Director - Employee Services (or delegate) will without delay make a written notification of this to the Queensland College of Teachers.

The Director - Employee Services will keep a copy of the compulsory report in a separate confidential file.

The Director - Employee Services (or delegate) will establish liaison with the Queensland Police Service to assist in the management of the issue.
If the compulsory report concerns the behaviour of a staff member, other employee or volunteer who is a cleric or religious, or who was a cleric or religious at the time of the alleged behaviour, the Director - Employee Services will inform the Director of Professional Standards (Towards Healing) as soon as possible. The Director – Employee Services will after consultation with and upon advice from police ensure that the relevant church authority is also informed without delay.

6.8.2 Notifying the staff member, other employee or volunteer

The Director - Employee Services (or delegate) will seek advice from the police as to when the staff member, other employee or volunteer should be informed of the allegation. As soon as it is deemed appropriate to inform the staff member, other employee or volunteer, a meeting will be held between the staff member, other employee or volunteer and the Director - Employee Services (or delegate). The staff member, other employee or volunteer will be advised that he/she can have a support person at this meeting. At the meeting, the staff member, other employee or volunteer will be informed that a report of suspected harm or likely harm has been made about him/her and that this information has been handed to the police. He/she will also be given the details of a nominated person (normally the Area Supervisor) to contact who will be available to provide information regarding the processes being undertaken and to facilitate the accessing of other support. The information communicated verbally at the meeting will also be provided in writing. If the employee is not a staff member of Brisbane Catholic Education, the appropriate steps will be taken in association with that person’s employer in this regard.

In the case of a staff member being the subject of the report, he/she will be reminded that he/she may access the confidential counselling services available through the Employee Assistance Program.

6.8.3 Standing down from duties

If as the result of a risk assessment it is decided by the Director - Employee Services that the staff member, other employee or volunteer should be stood down from his/her duties, or have them restricted, the police should be consulted to ensure that the timing and circumstances of this does not unnecessarily interfere with their inquiries.

The staff member, other employee or volunteer concerned will be informed of the decision to stand him/her down or restrict his/her duties. The basis for this decision will be provided to the staff member, other employee or volunteer in writing following the meeting at which this information has been communicated verbally. He/she will also be given the details of a nominated person (normally the Area Supervisor) to contact who will be available to provide information regarding the processes being undertaken and to facilitate the accessing of other support.

In the case of a staff member being the subject of the report, he/she will be reminded that he/she may access the confidential counselling services available through the Employee Assistance Program.

A staff member will normally continue on full pay during the stand down period unless disqualified or prevented from performing his/her duties by an external body. The Director - Employee Services (or delegate) will discuss with the person what statement, if any, will be made to staff concerning his/her absence from school. The contents of any such statement may be limited by legislation.

If the employee is not a staff member of Brisbane Catholic Education, the appropriate steps in this regard will be taken by the Director - Employee Services in association with that person’s employer.

6.8.4 Pastoral care and support

Pastoral care and support will be offered to the student and his/her family, staff member, other employee or volunteer against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount and advice will be sought from Brisbane Catholic Education Office Student Protection Services about appropriate support for the student and his/her family.
6.9 REPORTING FLOWCHART – COMPULSORY REPORT – STUDENT HARM / LIKELY HARM by any person who is not another student at the school (NOT INCLUDING SUSPECTED SEXUAL ABUSE/LIKELY SEXUAL ABUSE)

Staff member receives allegation/report or makes observations of concern or has reasonable suspicion of harm/likely harm to student (SEE SECTION 6)

If Principal or other SPC reasonably suspect that harm/likely harm has been caused

If Principal or SPC unsure if harm/likely harm has been caused contact is made with Student Protection Officer

Decision to report to the relevant Statutory Authority (Form B – Section 2 and 3)

Decision not to report to a Statutory Authority (Rationale for non-reporting documented)

Decision to report to relevant Statutory Authority (Form B – Section 2 and 3)

Report to Police and Child Safety. Information is requested regarding what intervention if any will occur.

Principal informs staff member/complainant of decision

Report to Police and Child Safety. Information is requested regarding what intervention if any will occur.

Support for student and family and/or appropriate referral

Staff member together with Principal and Student Protection Contact to monitor student

Support for student and family and/or appropriate referral

Director - Employee Services refers report to Area Supervisor as a matter relating to staff inappropriate behaviour

Support for student and family and/or appropriate referral

NOTE: SHADED AREAS REPRESENT PROCESSES INVOLVING STAFF MEMBERS/EMPLOYEES/VOLUNTEERS
6.10 REPORTING FLOWCHART – STUDENT HARM / LIKELY HARM BY ANOTHER STUDENT (NOT INCLUDING SUSPECTED SEXUAL ABUSE/LIKELY SEXUAL ABUSE)

Staff member has reasonable suspicions of harm or likely harm caused to one student by another

Staff member immediately ensures the safety of all students involved

Staff member reports to the Principal or other SPC and writes a clear account of what they observed or became aware of (Form B – Section 1)

If Principal or SPC reasonably suspects that harm has been caused or is likely to occur, a report is made to the police. (Form B – Section 2 and 3)

(Responses to incidents involving the possession and/or use of weapons by students at school should be guided by the Brisbane Catholic Education Student Behaviour Support Regulations and Guidelines and Brisbane Catholic Education’s Guidelines titled Management of Weapons in Schools)

If there is no reasonable suspicion of harm or likely harm, the Principal should ensure that appropriate people are interviewed and the matter dealt with following the Brisbane Catholic Education Student Behaviour Support Regulations and Guidelines

Where possible, and if appropriate, efforts should be made to reconcile parties involved

Key stakeholders (parents, students, and teachers) should be kept informed

Whole of school strategies to prevent and mediate the incidence of bullying and other student to student issues are adopted

Report to Police and if appropriate Department of Communities (Child Safety and Disability Services). Information is requested regarding what intervention if any will occur.

Support for student and family and / or appropriate referral.

The current document (Dated 4 November 2013) replaces and updates Brisbane Catholic Education’s previously entitled document: Student Protection Processes, 9 July 2012.
6.11 REPORTING FLOWCHART – STUDENT SELF-HARM
(NOT INCLUDING SUSPECTED SEXUAL ABUSE/LIKELY SEXUAL ABUSE)

Staff member receives allegation/report or makes observations leading to concerns or reasonable suspicions of student self-harming behaviour

Staff member ensures the immediate safety of the student

Principal and/or counsellor notifies parents / caregivers if appropriate

Staff Member documents concerns and informs Principal or other SPC. Principal or SPC informs Guidance Counsellor. (Form B – Section 1)

Decision to report to the relevant Statutory Authority (Form B – Section 2 and 3)

Decision not to report to the relevant Statutory Authority
(Rationale for non-reporting documented)

Report to relevant Statutory Authority (Form B – Section 2 and 3)
Information is requested regarding what intervention if any will occur.

Principal and/or counsellor in consultation with parents / caregivers put in place an intervention process and monitor the student’s wellbeing.
7.0 ACTION TO BE TAKEN SUBSEQUENT TO MANDATORY OR COMPULSORY REPORTING OF THE CONDUCT OF A STAFF MEMBER, EMPLOYEE OR VOLUNTEER TO POLICE

After a matter is reported to police there can be one of two outcomes. These can be summarised as follows:

i. Conviction of a criminal offence in a court of law

ii. No conviction. Police may decide not to investigate, to discontinue an investigation or not to lay a charge following an investigation, a prosecution may not go ahead following a charge having been laid, or a matter may go to court but not result in a conviction.

In addition to the scenarios set out above, Brisbane Catholic Education may become aware that a staff member, employee or volunteer has been under investigation or has been prosecuted for an offence against a student in circumstances where a mandatory report has not been made by a Brisbane Catholic Education staff member.

The procedure below will be followed in all the scenarios set out above. Where the matter involves a volunteer or an employee who is not a staff member of Brisbane Catholic Education, action will be taken, with the relevant employer if necessary, to deal with the matter in a manner that is consistent with the procedures outlined in this document as they apply to an employee of Brisbane Catholic Education.

Where the staff member, employee or volunteer concerned is a cleric or religious, or was a cleric or religious at the time of the alleged behaviour, the Director of Professional Standards (Towards Healing) will be informed as soon as possible. The Director – Employee Services will also ensure that the relevant church authority is also informed without delay.

7.1 CONVICTION

If a current staff member, employee or volunteer is convicted in a court of law for an offence against a student that is deemed to be an act of serious professional misconduct, then the Executive Director will proceed to dismiss the staff member, employee or volunteer.

The Executive Director (or delegate) will document the outcome of the court proceedings in the formal communication regarding the termination of the staff member’s, employee’s or volunteer’s employment.

If the staff member, employee or volunteer who is convicted is a teacher, the Executive Director or delegate will inform, in writing, the Queensland College of Teachers.

If the conviction is for a charge that is deemed to be less than serious professional misconduct but is contrary to the Brisbane Catholic Education Code of Conduct, then the Executive Director will proceed to take disciplinary action against the staff member, employee or volunteer.

The pastoral care of student/s and staff involved will be monitored and support offered.

7.2 NO CONVICTION

The failure of a court to record a conviction against the staff member, employee or volunteer against whom a charge has been made or a decision by police not to charge and prosecute, does not necessarily mean that the allegation was unwarranted and that the staff member, employee or volunteer has no case to answer as a staff member, employee or volunteer within a Catholic school. The fact that a staff member, employee or volunteer has been found ‘not guilty’ of an offence does not automatically mean that a matter has been closed.
The standard of proof required for disciplinary action within the employer-employee relationship is ‘on the balance of probabilities’, rather than the criminal standard of ‘beyond reasonable doubt’. In addition, a serious breach of the Brisbane Catholic Education Code of Conduct may not be a criminal offence. For this reason, the matter concerned must still be appropriately dealt with by Brisbane Catholic Education as a disciplinary matter.

When Brisbane Catholic Education becomes aware that a police investigation or prosecution will not proceed, or that a conviction has not been recorded, a risk assessment will be carried out by the Director – Employee Services and a recommendation will be made to the Executive Director in relation to the staff member’s, employee’s or volunteer’s employment. Documents on the public record as a result of court proceedings, and/or materials made available as a result of police investigations may be considered as part of any investigation conducted by or on behalf of Brisbane Catholic Education.
8.0 SUSPECTED INAPPROPRIATE BEHAVIOUR BY A STAFF MEMBER TOWARDS A STUDENT (OTHER THAN SUSPECTED SEXUAL ABUSE/LIKELY SEXUAL ABUSE OR SUSPECTED HARM/LIKELY HARM)

8.1 REPORTING OF INAPPROPRIATE BEHAVIOUR

The reporting of inappropriate behaviour by a staff member towards a student is a requirement of Brisbane Catholic Education. This requirement is in accordance with Brisbane Catholic Education’s responsibilities under the provisions of the Education (Accreditation of Non-State Schools) Act and Regulation 2001. A staff member may be subject to disciplinary sanction from the employer should he/she fail to act.

A staff member who reasonably suspects inappropriate behaviour by another staff member towards a student is required to report this matter to the principal or other Student Protection Contact. (See Form C)

If a staff member reasonably suspects inappropriate behaviour towards a student by another person other than another staff member, he/she is responsible for acting upon this in accordance with school and Brisbane Catholic Education policies and guidelines.

8.2 SITUATIONS INVOLVING INAPPROPRIATE BEHAVIOUR BY A STAFF MEMBER

Inappropriate behaviour includes but is not limited to any behaviour, including words, towards a student that is contrary to what is required of staff members under Brisbane Catholic Education’s Code of Conduct.

If a student, parent or other person makes a complaint in relation to a staff member’s behaviour towards a student that the student or parent considers to be inappropriate, this must be responded to in accordance with the processes detailed within this document.

Such an allegation might constitute inappropriate behaviour of a physical, sexual, emotional or psychological nature.

8.3 INAPPROPRIATE BEHAVIOUR - REPORTING RESPONSIBILITIES

8.3.1 Staff members

A staff member who

- observes or reasonably suspects inappropriate behaviour by a staff member towards a student, which does NOT involve sexual abuse, harm / likely harm; or
- becomes aware of a complaint or allegation in relation to behaviour by a staff member towards a student that a student (or a student’s parent) considers to be inappropriate, but which does NOT involve sexual abuse, harm / likely harm

must make a written report (See Form C) to the school principal or another Student Protection Contact at the school and keep appropriate records.

The fact that a complaint or allegation is not presented formally or in writing is not a valid reason to fail to follow the processes outlined below.
8.3.2 Student Protection Contact (SPC)

If reported to a Student Protection Contact other than the principal, the Student Protection Contact must provide a copy of the report to the principal as soon as practicable and keep appropriate records, unless the allegation of inappropriate behaviour is made against the principal, in which case the Student Protection Contact must provide a copy of the report to the Area Supervisor.

8.3.3 Principal/Area Supervisor

If a principal/Area Supervisor
- observes or reasonably suspects inappropriate behaviour by a staff member/principal towards a student, which does NOT involve sexual abuse/likely sexual abuse, harm / likely harm; or
- becomes aware of a complaint or allegation in relation to a staff member’s/principal’s alleged behaviour towards a student that a student (or a student’s parent) considers to be inappropriate but which does NOT involve sexual abuse/likely sexual abuse, harm / likely harm.

The principal/Area Supervisor must take action in relation to the matter and document it in accordance with the following requirements for a Level 1 or Level 2 intervention.

The fact that a complaint or allegation is not presented formally (See Form C) or provided in writing is not a valid reason to fail to follow the processes outlined below.

8.3.4 Intervention and reporting levels

There are two intervention levels that may be used when responding to alleged inappropriate behaviour by a staff member towards a student:

a) Level 1 – Allegations of minor inappropriate behaviour
b) Level 2 – Allegations of more complex or serious inappropriate behaviour (which do NOT involve sexual abuse/likely sexual abuse, harm / likely harm).

The principal (or Area Supervisor where the allegation is against the Principal) will determine as quickly as possible the level of response required (Level 1 or Level 2 as below) and the appropriate procedures to be followed (See Section 9).
8.4 LEVEL 1 INTERVENTION - SITUATIONS THAT CONSTITUTE MINOR INAPPROPRIATE BEHAVIOUR

Level 1 interventions relate to allegations of minor inappropriate behaviour by a staff member towards a student. A typical incident covered by a Level 1 intervention could include a one-off allegation of inappropriate behaviour by a staff member, where there is no physical injury and there is no suggestion of sexual misconduct or criminal behaviour. A Level 1 intervention must not be undertaken if there is an allegation or reasonable suspicion of sexual abuse of a student or an allegation or reasonable suspicion of harm / likely harm. The appropriate interventions for such situations are covered in Sections 5 & 6.

Level 1 incidents relate to allegations that, if substantiated, may constitute a minor breach of the Code of Conduct. When allegations relate to repeated or multiple possible minor breaches, they may need to be seen differently as explained in Section 8.5.

Examples of minor inappropriate behaviour requiring Level 1 interventions include but are not restricted to:

- using unprofessional language or otherwise inappropriate comments to or in the presence of a student
- making disrespectful personal comments about a student and/or a student’s family to or in the presence of a student
- shaming, humiliating or embarrassing a student
- pushing or grabbing a student (no injury) *
- disclosing inappropriate personal information to a student
- inappropriate questioning of a student about personal and private matters
- unreasonable, unfair and/or unjust disciplinary measures
- failing to follow a school’s behaviour support policy and procedures
- the imposition of manifestly unreasonable expectations
- exerting power over a student through the use of fear, threats, or unwarranted moral pressure.

* Even minor assaults can be criminal offences. The management of these matters will depend on factors like the seriousness and circumstances of the allegation, the wishes of the parties involved, whether the police have become involved, and whether the employee has a previous history of similar conduct. If it is reasonably suspected that harm has been caused the principal must report such a matter to the police as a Compulsory Report (See Section 6).

8.5 LEVEL 2 INTERVENTION - SITUATIONS THAT CONSTITUTE MORE COMPLEX OR SERIOUS INAPPROPRIATE BEHAVIOUR

Level 2 interventions relate to allegations of repeated, more complex or serious inappropriate behaviour by an employee towards a student. Such behaviour, if substantiated, would constitute professional misconduct and would justify a formal disciplinary sanction against the employee. A Level 2 intervention must not be undertaken if there is an allegation or reasonable suspicion of sexual abuse of a student, or an allegation or reasonable suspicion of harm / likely harm to a student. The appropriate interventions for such situations are covered in Sections 5 & 6.

Examples of more complex or serious inappropriate behaviour requiring Level 2 interventions include but are not restricted to:

- repeated behaviour of a kind that has previously been dealt with by a Level 1 intervention(s)
- multiple instances of behaviour, reported at or about the same time, of a type that would normally be dealt with by a Level 1 intervention, but which taken together could justify a formal disciplinary sanction
- inappropriate physical contact causing minor injury *
• harsh verbal (including digitally transmitted) abuse or belittling of students including derogatory language and demeaning names
• significant or repeated victimisation
• exposing or subjecting a student to threats and/or intimidation
• exposing a student to material that is offensive or inappropriate to his/her age/maturity
• verbal (including digitally transmitted) or non-verbal communication that significantly breaches professional boundaries.

* Even minor assaults can be criminal offences. The management and investigation of these matters will depend on factors like the seriousness of any injury, the wishes of the parties involved, whether the police have become involved, and whether the employee has a previous history of similar conduct. If it is reasonably suspected that harm / likely harm has been caused the principal must report such a matter to the police as a Compulsory Report (See Section 6).

8.6 SITUATIONS INVOLVING VOLUNTEERS OR EMPLOYEES WHO ARE NOT STAFF MEMBERS OF BRISBANE CATHOLIC EDUCATION

If the person against whom an allegation of inappropriate behaviour has been made is a volunteer or an employee who is not a staff member of Brisbane Catholic Education, the principal will take appropriate steps, with the relevant employer if necessary, to deal with the matter in a manner that is consistent with the procedures outlined in this document as they apply to an employee of Brisbane Catholic Education.

All staff members are encouraged to report any concerns of inappropriate behaviour towards a student by any person to the principal.
9.0 INAPPROPRIATE STAFF BEHAVIOUR INTERVENTION PROCESSES

9.1 LEVEL 1 INTERVENTION – ALLEGATIONS OF MINOR INAPPROPRIATE BEHAVIOUR

A Level 1 intervention is carried out by the authority of the Principal (or Area Supervisor if the allegation is against the Principal). A documented record of the process followed and of the outcomes is provided to the Director - Employee Services at the end of the intervention process.

Allegations giving rise to a Level 1 intervention are generally resolved through informal resolution processes that are managed locally by the principal and may include such responses as supervisory guidance and correction and in some cases mediation and/or conciliation. If the allegation involves the principal, the response is co-ordinated by the Area Supervisor.

9.1.1 Intervention responsibilities

(a) Principal (or Area Supervisor)

The Level 1 response to an allegation against a staff member will be co-ordinated locally by the school principal (or Area Supervisor where the allegation is against the Principal). The principal (or Area Supervisor) will determine how to best address the allegation with the staff member and how to initiate any consequences that may be determined to be appropriate. This might involve consultation with relevant personnel in the Brisbane Catholic Education Office (e.g. Area Supervisor, Professional Standards or Employee Relations staff).

Where an allegation of minor inappropriate behaviour is made against the principal, the Area Supervisor may request the matter to be carried forward by the Senior Manager Professional Services (or delegate).

Where an allegation of minor inappropriate behaviour is made against a staff member who is a cleric or religious, or who was a cleric or religious at the time of the alleged behaviour, the principal (or Area Supervisor where the allegation is against the principal) will inform the Director - Employee Services as soon as possible. The Director – Employee Services will ensure that the relevant church authority is informed.

The resolution of all minor incidents remains the responsibility of the principal (or Area Supervisor where the allegation is against the principal). The principal will normally seek advice from the Area Supervisor or other relevant staff in Brisbane Catholic Education Office (e.g. Professional Standards or Employee Relations staff) to formulate a plan to address the issue with the staff member. Strict confidentiality shall be maintained regarding the matter.

Should a staff member deny or contest the allegation of inappropriate behaviour towards a student, the principal (or, if the matter involves the principal, the Area Supervisor) must decide whether or not further information gathering at the school level is required or whether management guidance will suffice. The decision regarding whether and how to gather further information will depend on factors such as the seriousness of the allegation, the attitude of the complainant(s), any record of past allegations of inappropriate behaviour on the part of the respondent and the likelihood of an allegation being able to be substantiated given the circumstances.

If, in the opinion of the principal/Area Supervisor, a formal investigation is warranted, the matter must be escalated to a Level 2 intervention and a Level 2 report should be provided to the Director - Employee Services (see below) in order to obtain authorisation for an investigation. A formal investigation (as opposed to information gathering to allow an assessment of the case to be made) must not be undertaken at the school level without the authorisation of the Director - Employee Services.
A staff member may admit inappropriate behaviour. The inappropriate behaviour will then be addressed through documented management guidance and/or correction. Conciliation/mediation may be provided if desired by the complainant.

At the completion of the intervention, the staff member will be formally advised of the outcome. The parent/caregiver of the student/s concerned is to be advised in writing of the outcome unless there are extraordinary reasons why this should not occur, in which case the reasons should be documented. Any other complainants (including students) are also advised of the outcome.

A Level 1 report form (See Form D) should be completed by the Principal (or Area Supervisor), with any relevant details attached. The report should include, as a minimum, the details and circumstances of the allegation, the action taken by the principal (or Area Supervisor) to assess and investigate the allegations, and the outcome. The outcome should also document the staff member’s account of the incident, state whether or not the behaviour alleged has been admitted to by the staff member and should contain clear details of the advice/guidance that has been provided to the staff member. The outcome should also indicate if the behaviour alleged is assessed to be contrary to the Code of Conduct.

The original of the Level 1 report should be kept on a confidential file at school level (or by the Area Supervisor if the allegation concerns the principal). A copy of the Level 1 report is forwarded to the Director - Employee Services for placing in a confidential file and another copy must be provided to the staff member.

(b) Brisbane Catholic Education Office Staff

The Director - Employee Services (or delegate) is responsible for ensuring that Level 1 reports are checked for completeness, accuracy, and relevance, and whether any previous reports have been received concerning the staff member.

Where previous reports have been received concerning the staff member, the Director - Employee Services will determine what further action, if any, needs to be taken.

The Director - Employee Services will receive and keep the Level 1 report in a confidential file and send a copy of the report to the relevant Area Supervisor.

9.1.2 Pastoral care and support

Pastoral care and support will be offered to the student concerned and their family, to the staff member against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount and advice may be sought from Brisbane Catholic Education Office Student Protection Services about appropriate support for the student and his/her family.

9.2 LEVEL 2 INTERVENTION – ALLEGATIONS OF MORE COMPLEX OR SERIOUS INAPPROPRIATE BEHAVIOUR

A Level 2 intervention is carried out under the authority of the Executive Director or delegate. The matter is formally reported to the Director - Employee Services at the commencement and end of the intervention process.

A Level 2 intervention is initiated by the principal (or the Area Supervisor in the case of an allegation against a Principal) formally notifying of the allegation to the Director - Employee Services. The subsequent steps are taken with the authority of the Director - Employee Services or other delegate of the Executive Director, following which a report is provided to the Director - Employee Services.
9.2.1 Intervention responsibilities

(a) Principal (or Area Supervisor)

As soon as the principal (or Area Supervisor) is aware that the allegation is of such a nature as to require a Level 2 intervention, a Level 2 Report (See Form E) must be completed and forwarded to the Director - Employee Services without delay.

Where an allegation is made against a staff member who is a cleric or religious, or who was a cleric or religious at the time of the alleged behaviour, the principal (or Area Supervisor where the allegation is against the principal) will inform the Director - Employee Services as soon as possible. The Director – Employee Services will ensure that the relevant church authority is informed.

(b) Brisbane Catholic Education Office personnel

On receipt of a Level 2 allegation of inappropriate behaviour against a staff member, the Director - Employee Services (or delegate) will assess the matter and determine how it is to be progressed. The Director - Employee Services (or delegate) will consider the details of the allegation and as necessary will clarify it and any issues related to it by consulting with relevant persons such as the principal, Area Supervisor, Legal Counsel, and/or Senior Manager Professional Services. The Director - Employee Services (or delegate) will also consider any previous reports on file of allegations of inappropriate behaviour made against the staff member.

The Director - Employee Services (or delegate) will take immediate steps to ensure that a risk assessment is carried out to determine if the employee subject to the allegations should continue to be allowed to work in the school. As a result of the risk assessment, the staff member may be stood down from his/her duties, or have his/her duties restricted.

If the Director - Employee Services forms the view that the matter involves an allegation or reasonable suspicion of sexual abuse of a student or an allegation or reasonable suspicion that harm has been caused to a student, the Director - Employee Services must immediately make a Mandatory or Compulsory Report (See Sections 5 & 6).

If the Director - Employee Services forms the view that the matter should be handled as a Level 1 intervention, the matter is referred back to the principal (See Section 9.1 above).

If the Director - Employee Services believes that a Level 2 intervention is appropriate, a decision is made as to who should most appropriately conduct an investigation into the allegation. The Director - Employee Services may authorise the principal, a Brisbane Catholic Education Office staff member (e.g. Area Supervisor, or Professional Standards or Employee Relations staff member), or an external party to conduct the investigation.

The Director - Employee Services (or delegate) will inform the parent or carer of the student/s towards whom the inappropriate behaviour is alleged to have occurred in writing that an investigation into the matter has been authorised. The name of a contact person who can provide information about the process being followed will be provided.

9.2.2 Notifying the staff member

As soon as the Director - Employee Services (or delegate) deems it to be appropriate to inform the staff member, a meeting will be held between the staff member and the Director - Employee Services (or delegate). The staff member will be advised that he/she can have a support person at this meeting. At the
meeting, the staff member will be informed that an allegation of inappropriate behaviour has been made against him/her, will be provided with an outline of the allegation(s) and advised that an investigation into the matter has been authorised. The staff member will be reminded that he/she may access the confidential counselling services available to all staff members through the Employee Assistance Program. He/she will also be given the details of a nominated person to contact who will be available to provide support regarding the processes being undertaken and to facilitate the accessing of other support. The information communicated verbally at the meeting will also be provided in writing.

9.2.3 Standing down from duties

As the result of a risk assessment it may be decided that the staff member should be stood down from his/her duties, or have them restricted. In this case, the staff member concerned will be informed of the decision to stand him/her down or restrict his/her duties. The basis for this decision will be provided to the staff member in writing following the meeting at which this information has been communicated verbally. The staff member will be reminded that they may access the confidential counselling services available to all staff members through the Employee Assistance Program. He/she will also be given the details of a nominated person to contact who will be available to provide information regarding the processes being undertaken and to facilitate the accessing of other support.

The staff member will normally continue on full pay during the stand down period unless disqualified or prevented from performing his/her duties by an external body. The Director - Employee Services (or delegate) will discuss with the person what statement, if any, will be made to staff concerning his/her absence from school. Any such statement will be subject to restrictions contained in legislation.

9.2.4 Pastoral care and support

Pastoral care and support will be offered to the student and their family, the staff member against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount and advice should be sought from BCEO Student Protection Services about appropriate support for the student and his/her family.

9.2.5 Investigation process

The investigator shall as soon as possible arrange for a meeting to be held to inform the staff member of the specific nature of the allegation(s). Prior to the meeting, the staff member will be advised that he/she can have a support person at this meeting. A written record of the meeting and outcomes will be provided to the staff member, and he/she will be reminded of the free confidential counselling services available to all staff members through the Employee Assistance Program. In the written record of the meeting with the staff member, the allegation(s) will be listed and the staff member will be asked to reply to the allegation(s) within a reasonable time (normally no more than seven days).

The investigator will contact the parent(s) or carer of the student/s against whom the inappropriate behaviour is alleged to have occurred and the following issues will be discussed:

- that an allegation has been made and is being investigated
- the investigation process
- the provision of parental/carer permission for student/s to be interviewed
- parent/carer views, concerns and support needs
- communication process for the parent/carer to be updated re the investigation and other related issues
- the need for confidentiality.

If the investigator determines that it is desirable for other students (e.g. students named as witnesses) to be interviewed, the above guidelines relating to parents/carers will also be followed in relation to them.
Pastoral care and support will be offered to the student and their family, the staff member against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount.

In conducting the investigation the investigator shall ensure that appropriate confidentiality is maintained.

If during the course of the investigation the investigator forms the view that the matter involves an allegation or reasonable suspicion of sexual abuse/likely sexual abuse of a student or an allegation or reasonable suspicion that harm/likely harm has been caused to a student:

- If the investigator is a staff member of Brisbane Catholic Education, he/she must immediately make a Mandatory or Compulsory report (See Sections 5 & 6).
- If the investigator is not a staff member of Brisbane Catholic Education he/she must immediately make a written report to the Director - Employee Services (or delegate) who will then immediately make a Mandatory or Compulsory report (See Sections 5 & 6).

At the conclusion of the investigation, a written report, outlining the process of investigation, the evidence gathered, and the conclusions reached will be provided to the Director - Employee Services by the investigator. The report will indicate whether, in the investigator’s opinion, the allegation(s) are substantiated on the balance of probabilities and whether the Brisbane Catholic Education Code of Conduct has been breached.

The Director - Employee Services will receive and keep the investigation report in a confidential file and send a copy of the report to the Executive Director.

The Director - Employee Services (or delegate) is responsible for informing the principal and relevant Area Supervisor of the outcome of the investigation. The Director - Employee Services (or delegate) advises the parent/caregiver of the student concerned of the outcome unless there are extraordinary reasons why this should not occur, in which case the reasons should be documented.

9.3 Determination of professional misconduct

If, following the presentation of the investigation report, the Executive Director (or delegate) has determined that allegations of inappropriate behaviour are substantiated and that they constitute professional misconduct, the Executive Director (or delegate) will communicate this in writing to the employee and advise the principal accordingly.

If the Executive Director is not considering terminating the staff member’s employment, the staff member will receive a letter stating the seriousness of the misconduct and containing a warning that further substantiated misconduct may lead to termination of the staff member’s services.

If on the evidence the Executive Director is considering the termination of the staff member’s services then the Executive Director will provide the staff member with a timeframe within which the staff member is given the opportunity to show cause as to why his/her employment should not be terminated. The Executive Director will consider any submission that the staff member chooses to make in response within the timeframe given. Following receipt of the submission from the staff member, the Executive Director will make a decision in relation to the staff member’s employment status and will communicate this in writing to the staff member.

If a staff member whose employment is terminated by the Executive Director is a teacher, and the circumstances of the dismissal, in the opinion of the Executive Director, call into question the teacher’s competency to be employed as a teacher, the Executive Director must give notice of the dismissal to the Queensland College of Teachers within a period of 14 days of the dismissal as per s 78 of the Education (Queensland College of Teachers) Act 2005.
9.3.1 No determination of professional misconduct

If, following the presentation of the investigation report, the Executive Director (or delegate) has determined that the allegations of inappropriate behaviour are not substantiated and therefore no professional misconduct substantiated, the Executive Director (or delegate) will communicate this in writing to the staff member and advise the principal accordingly.

9.3.2 Finalisation

The Director - Employee Services (or delegate) will advise the parent/caregiver of the student concerned of the outcome unless there are extraordinary reasons why this should not occur, in which case the reasons should be documented.

Pastoral care and support will be offered to the student and their family, the staff member against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount.

If the staff member continues to work at the school, the principal will support the pastoral care of the staff member, and the staff member will be reminded of the confidential counselling services available to all staff members through the Employee Assistance Program. Reasonable steps will be taken by the principal to manage risks and to provide appropriate ongoing supervision of, and support for, the staff members.

If the staff member has been stood down during the investigation and returns to work at the school, all reasonable steps will be taken by the principal to assist the staff member to reintegrate into the school community.
10.0 RECORD KEEPING AND SUPPORT

10.1 RECORDING AND RECORD-KEEPING

10.1.1 Making student protection records

The notes/records/reports staff make about student protection concerns are important documents. School staff could be interviewed as part of a statutory investigation, and/or required to attend court. They may need to refer to their notes later or these documents could be subpoenaed. In making any record of concerns about any student protection issue, staff are encouraged to keep in mind the following:

Do

• be as objective as you can and record factual information as soon as possible
• write down exactly what has been observed or heard, noting the date and time
• record accurately the actions you have taken
• always sign and date the record. It should be clear whether the record was made on the same day as the incident, or after.

Do not

• record an opinion about what was observed or heard
• record personal judgements about people
• interpret what you believe was observed or heard
• use emotive language

Student Protection Officers at Brisbane Catholic Education Office are available to give advice as to the type of information that should and should not be documented and Legal Counsel can assist when documents are subpoenaed.

10.1.2 Reporting forms

Copies of the reporting forms to be used are to be found in Section 14. Electronic versions of the forms are available on the Student Protection section of the Employee Services Portal on the K-Web.

Completed Brisbane Catholic Education Office student protection reporting forms should be retained as vital school records demonstrating that the school is following the Brisbane Catholic Education Student Protection Processes and also fulfilling a component of compliance under the Education (Accreditation of Non-State Schools) Regulations 2001. Copies of completed reporting forms should also be provided to Brisbane Catholic Education Office as required.

10.1.3 Storing student protection records

The completed forms with other student protection records should be filed in a confidential file and not be available to staff generally except on a strict need to know basis as established under school protocols and procedures. Keeping the information in a central file apart from individual staff or student files ensures accountability and assists in the continuity of information from year to year. These records may be the subject of a subpoena in court processes.

10.2 SUPPORTING MEMBERS OF THE SCHOOL COMMUNITY

The following suggestions are provided to assist those responsible for the ongoing support of members of the school community.
10.2.1 Ongoing support of students

Specific support intervention for a particular student should be a part of case management and responsibility for it should be allocated to those holding the appropriate roles within the school. Other staff with a need to know should only know what is strictly necessary and understand that their role is only to provide generalised support.

The following suggestions are provided to assist those responsible for the ongoing support of students:

- refer students who have been affected to the Guidance Counsellor
- remind the student of other people who can talk with him/her if required
- employ techniques that help build the student’s self-esteem and sense of security
- caringly guide the student towards healthy relations with others
- do not tolerate negative behaviour; state your expectations clearly and be consistent
- very importantly, do not dwell or continually revisit the issue; discourage the student from allowing it to become a means of getting attention
- assist in preparing the student for any transitions and changes if possible
- continue to observe, monitor and review the student’s behaviour and progress to manage risk and enable the early identification of issues that may arise.

Brisbane Catholic Education Office Student Protection Officers will be available to advise and assist in linking students with appropriate support networks and community agencies if required.

10.2.2 Ongoing support of principal and staff

Taking action in student protection matters can be stressful for all staff involved. Staff need to be aware of their own reactions. They may need support and assistance for their own feelings of anger, fear and helplessness. It is suggested that the principal should ensure that any staff member involved in any student protection incident is provided with opportunities for support and debriefing. Principals are also strongly encouraged to debrief with an appropriate person. Brisbane Catholic Education Office Student Protection Officers will be available to support staff involved in student protection incidents and to assist in the linking of those involved with supportive networks if required. Staff in the Employee Services Directorate within Brisbane Catholic Education Office are available to provide or to arrange group or individual support and advice in areas such as student protection information, student protection legislation and other legal matters, organisational health and wellbeing, and professional standards. For psychological support, the Brisbane Catholic Education Employee Assistance Program can be contacted by ringing 1300 699 344.
11. STUDENT PROTECTION CONTACTS (SPCs)

11.1 RELEVANT REQUIREMENTS

The Education (Accreditation of Non-State Schools) Regulation 2001 (s 10) requires Non-state schools in Queensland to nominate at least two stated staff members to whom a student can report behaviour of another staff member that the student considers inappropriate.

In Brisbane Catholic Education schools, the principal is to be nominated as one Student Protection Contact. It is the responsibility of the principal to ensure that there is at least one other staff member nominated as Student Protection Contact and that all Student Protection Contacts are aware of their role and responsibilities.

The names and identities of the Student Protection Contacts must be made known to staff, students and parents, and must be prominently displayed in areas frequented by staff and by students. Students must also be made aware of the process for the reporting of inappropriate behaviour by a staff member to a Student Protection Contact. The principal is responsible for ensuring that this information is made available in a variety of ways including through the display of posters provided by Brisbane Catholic Education Office.

11.2 SELECTION OF STUDENT PROTECTION CONTACTS (SPCs)

Principals are advised to give serious consideration as to who is selected as a Student Protection Contact in the school. While there is a requirement to have at least two Student Protection Contacts it may be appropriate to nominate more than two in larger schools such as P – 12 Colleges, taking into account the age and diversity of students. In the general selection of a staff member for this role some other considerations should be:

1. The staff member’s personal attitudes, experiences and beliefs
   • someone who is non-judgemental and with the capacity to be objective when managing sensitive issues
   • someone who is calm and resilient
   • someone who demonstrates a high degree of integrity, discretion and respect for confidentiality

2. The staff member’s role within the school
   • someone whose role reflects professional standing, seniority and experience in working with complex student and family issues
   • the person’s preparedness to assume the responsibilities of the role in addition to their other duties
   • someone whose role enables them to be readily available and accessible

3. The staff member’s personal profile within the school for example
   • approachable
   • someone whom students trust
   • someone whom staff trust
   • someone willing and able to respond personally and sensitively

N.B. It is important to note that unfortunately many of the positive characteristics mentioned here are also evident in the ‘grooming’ behaviours used by child sex offenders towards children, families, colleagues and an organisation. The potential for this dynamic to exist necessitates caution when assessing an employee’s profile within the school community and makes it important not to rely solely on this one aspect of suitability.
4. The staff member’s willingness and capacity to work in a proactive partnership with the principal and any other Student Protection Contact at the school

5. Gender balance issues

6. A willingness and ability to make effective and objective student protection records and reports

7. A willingness and ability to attend student protection professional learning opportunities when offered.

11.3 RESPONSIBILITIES OF STUDENT PROTECTION CONTACTS

- To fully understand and embrace their obligations in the role.
- To receive a report of behaviour of a staff member towards a student that a student or another person considers is inappropriate and to inform the principal of the report (or the Area Supervisor if the allegation/complaint involves the principal).
- To receive a report of harm/likely harm to a student and to inform the principal of the report (or the Director - Employee Services if the allegation/complaint involves the principal).
- To report harm/likely harm to a student to a relevant Statutory Authority if appropriate.
- If informed by a staff member of suspected sexual abuse/likely sexual abuse of a student by another person, to immediately advise that staff member to make a mandatory report to the principal or the Director - Employee Services as required by law.
- If informed by anyone else of suspected sexual abuse/likely sexual abuse of a student by another person, to immediately make a mandatory report to the principal or the Director - Employee Services as required by law.
- To make and keep appropriate Student Protection records.
- To assist the principal in the management of student protection incidents if requested.
- To assist the principal in the support of students and staff when appropriate.
- To seek advice and support from Brisbane Catholic Education Office Student Protection Officers as appropriate.
12.0 COMPLIANCE AND ACCOUNTABILITY MEASURES

12.1 ENSURING THAT THE STUDENT PROTECTION PROCESSES THAT APPLY IN THE SCHOOL ARE KNOWN BY STUDENTS AND STAFF

Principals are responsible for:

12.1.1 Ensuring that the Student Protection processes that apply in the school are made known to students and staff members.

Each principal is responsible for ensuring that:
- the documents stipulating the Student Protection processes are freely available to staff members, students and their families.
- Staff members and students are aware of the Student Protection processes including the names of the school’s Student Protection Contacts.
- she/he can demonstrate to Brisbane Catholic Education Office how the Student Protection processes are being implemented within the school.

12.1.2 Ensuring that the documents stipulating Student Protection processes are freely available to staff members and students

- The principal will ensure that an up-to-date hard copy of the documents will be placed in the school library and will be freely available for inspection by staff member, students and parents during school hours.
- The principal will ensure that school makes an electronic copy of the documents readily available to students and parents through the school’s internet site/intranet.
- Brisbane Catholic Education Office will publish an electronic copy of the documents on the Brisbane Catholic Education intranet so that they are freely available to staff members.

12.1.3 Ensuring that staff members are aware of the Student Protection processes

Principals are responsible for ensuring that:
- All new staff members are made aware of the requirements of the Code of Conduct and the documents that stipulate Brisbane Catholic Education Student Protection processes as part of their induction.
- The names of the school’s Student Protection Contacts are made known to staff members, employees and volunteers and displayed in the staffroom, and in the staff handbook and/or the school’s intranet site.
- All new staff members undertake Mandatory Student Protection training during their initial period of employment.
- All staff members receive reminders about their Student Protection responsibilities on at least an annual basis.
- Other employees understand their Student Protection responsibilities as appropriate
- All volunteers complete Student Protection training and receive a copy of the Volunteer Code of Conduct.
- He/she appoints at least one other suitable staff member to fulfil the role of Student Protection Contact for the school.

Brisbane Catholic Education Office is responsible for ensuring that:
- As part of induction all new principals receive Student Protection training that is appropriate to their roles and responsibilities.
- Suitable Student Protection programs and training materials are made available and delivered to staff.
- Student Protection brochures are made available to schools for distribution.
• Specialised Student Protection training is made available and delivered to principals, other Student Protection Contacts and Guidance Counsellors.
• Specialised Student Protection expertise is available to staff members through the work of Student Protection Officers and other staff within Brisbane Catholic Education Office.

12.1.4 Ensuring that students are aware of the Student Protection processes
Principals are responsible for ensuring that:
• ‘Feeling safe’ Student Protection posters are displayed prominently in areas of the school frequented by students.
• The names of the school’s Student Protection Contacts are made known to students and parents in a variety of ways and publicised in the school community, for example by posters, assemblies, handbooks, the school newsletter, the school’s internet site/intranet and parent information sessions.
• Students and parents are made aware of the processes for reporting to a Student Protection Contact the behaviour of any staff member that a student considers is inappropriate, for example by posters, assemblies, handbooks, the school newsletter, the school’s internet site/intranet and parent information sessions.
• Students and parents are made aware that a hard copy of the documents stipulating Student Protection processes are in the school library and freely available for inspection during school hours.
• Students and parents are made aware that electronic copies of the documents stipulating Student Protection processes are available through the school’s internet site/intranet.
• Student Protection brochures are made available to students and their families.

Brisbane Catholic Education Office is responsible for ensuring that:
• Suitable Student Protection brochures are made available in hard copy and electronic formats for distribution by schools
• Student Reporting Process Posters are supplied as required

12.2 Ensuring that the principal can demonstrate to Brisbane Catholic Education Office how the Student Protection processes are being implemented within the school

The principal must:
• Keep and make available on request by relevant personnel records and other evidence that demonstrate that the Student Protection processes are being implemented within the school, and how they are being implemented.
• Keep updated the names of the school’s Student Protection contacts in the proforma Form F in the school’s copies of this document.
• Inform Brisbane Catholic Education Office of the names of the school’s Student Protection Contacts for placing on a centralised register, and of any changes that occur from time to time.
• Demonstrate the school’s compliance with Student Protection requirements as part of School Cyclical Review – Priority 8.2: Accountability.
13.0 SOURCES/REFERENCES

This document specifying the processes required of Catholic schools administered by Brisbane Catholic Education complements the processes developed by the National Committee for Professional Standards entitled Towards Healing – Principles and Processes in Responding to Complaints of Abuse Against Personnel of the Catholic Church in Australia (2010). The National Committee for Professional Standards was established by the Australian Catholic Bishops’ Conference and the Australian Conference of Leaders of Religious Institutes. The document is also in harmony with the principles and behavioural standards contained in the National Committee for Professional Standards resource document Integrity in the Service of the Church (2011).

The current document also incorporates key requirements of Queensland legislation in relation to the protection of students:

- The Education (Accreditation of Non-State Schools) Act 2001 and Regulation 2001
- The Education and Training Legislation Amendment Act 2011
- The Education Legislation Amendment Act 2012
- The Education (General Provisions) Act 2006 and Regulation 2006
- The Education (Queensland College of Teachers) Act 2005
- The Commission for Children and Young People and Child Guardian Act 2000
- The Child Protection Act 1999


Further, there are a number of other documents/resources that outline how Brisbane Catholic Education will respond to various types of issues in relation to student protection which arise in schools it operates. These include:

- Acting Against Student Bullying (2004) (Currently under review)
- Catholic Education Council Student Protection Policy Statement (2011)
- Code of Conduct (2008)
- Conditions of Use of BCE ICT Resources
- Digital communication, staff conduct and student safety - Guidance to employees in interpreting the requirements of the Code of Conduct
- Student Behaviour Support - Policy (August 2008)
- Student Behaviour Support - Regulations and Guidelines (2011)
- Management of Weapons in Schools (September 2012)
- Student Protection Mandatory In-service DVD (2010)
- Student Protection Mandatory In-service Employee Guide (2011)
- Student Protection Mandatory In-service Employee Workbook (2011)
- Student Protection Mandatory In-service Facilitator’s Guide (2010)
14.0 FORMS INDEX

MANDATORY REPORT - SUSPECTED SEXUAL ABUSE/LIKELY SEXUAL ABUSE

FORM A – SECTION 1 - “First person” report to be completed by the staff member who is the first person to form a reasonable suspicion of sexual abuse/likely sexual abuse of a student by any person and given to the principal or Director - Employee Services.

FORM A – SECTIONS 2 AND 3 - To be completed by the principal or Director - Employee Services and given to the police and if appropriate to the Department of Communities - Child Safety and Disability Services.

Note: All sections of Form A are to be completed by the principal if the principal is the first person to suspect sexual abuse/likely sexual abuse of a student by any person.

COMPULSORY REPORT - HARM/LIKELY HARM

FORM B – SECTION 1 – “First person” report to be completed by the staff member who is the first person to form a reasonable suspicion of harm/likely harm to a student by any person and given to the principal or Student Protection Contact (SPC).

FORM B – SECTIONS 2 AND 3 - To be completed by the principal, Student Protection Contact (SPC) or Director - Employee Services (if the harm/likely harm is by the principal) and given to the police and if appropriate to the Department of Communities - Child Safety and Disability Services.

Note: All sections of Form B are to be completed by the principal or Student Protection Contact (SPC) if the principal or Student Protection Contact (SPC) is the first person to suspect harm/likely harm of a student by any person.

INAPPROPRIATE STAFF BEHAVIOUR

FORM C - Report to be made by the staff member who first suspects inappropriate behaviour, or receives a complaint of inappropriate behaviour, and given to the principal or another Student Protection Contact or the Area Supervisor (if the report is about the principal).

FORM D – Level 1 - Documenting the Level 1 intervention process to be completed by the principal or Area Supervisor (if inappropriate behaviour by principal).

FORM E – Level 2 - Report from Principal/Area Supervisor (in the case involving a principal) to Director - Employee Services about an allegation of inappropriate behaviour by a staff member that if substantiated could justify disciplinary action being taken and therefore may require a formal investigation to be conducted.

PROFORMA FOR INCLUSION IN STUDENT PROTECTION PROCESSES AT SCHOOL LEVEL

FORM F - Student Protection Contacts and School Authority details to be completed by principal and attached to school copies of Student Protection Processes.
FORM A - Mandatory report of sexual abuse/likely sexual abuse

MANDATORY REPORT (Suspected Sexual Abuse/Likely Sexual Abuse) TO STATUTORY AUTHORITY

**Legal Name of student(s) concerned:**

**Date of Birth:**

**Date of Report:**

### SECTION 1: FIRST PERSON REPORT

This section is to be completed (to the best of their knowledge) by the staff member (the ‘first person’) who suspects sexual abuse/likely sexual abuse of a student by another person.

### DETAILS OF SCHOOL

**School:**

**School Phone:**

**Fax No:**

### DETAILS OF STUDENT(S)

<table>
<thead>
<tr>
<th>Full Name Student 1 (Incl. “known as”):</th>
<th>Year Level:</th>
<th>☐ Male</th>
<th>☐ Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Known details of disability:</td>
<td>☐ Yes</td>
<td>☐ No</td>
<td>☐ Verified</td>
</tr>
<tr>
<td>Cultural background:</td>
<td>☐ Aboriginal</td>
<td>☐ Torres Strait Islander</td>
<td>☐ Other (please specify)</td>
</tr>
</tbody>
</table>

**Student 1 Residential Address:**

<table>
<thead>
<tr>
<th>Full Name Student 2 (Incl. “known as”):</th>
<th>Year Level:</th>
<th>☐ Male</th>
<th>☐ Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Known details of disability:</td>
<td>☐ Yes</td>
<td>☐ No</td>
<td>☐ Verified</td>
</tr>
<tr>
<td>Cultural background:</td>
<td>☐ Aboriginal</td>
<td>☐ Torres Strait Islander</td>
<td>☐ Other (please specify)</td>
</tr>
</tbody>
</table>

**Student 2 Residential Address:**

### DETAILS OF FIRST PERSON

**Full Name:**

**Position:**

**Contact Number:**

**Date/time first person reasonably suspected sexual abuse/likely sexual abuse:**

### DETAILS OF PERSON(S) ALLEGEDLY RESPONSIBLE FOR SUSPECTED SEXUAL ABUSE/LIKELY SEXUAL ABUSE

**Full Name (including aliases):**

**DOB / approx. age:**

**Relationship to student:**

**Telephone number:**

**Does the report relate to suspected sexual abuse/likely sexual abuse of a student by a staff member / employee / volunteer?**

| ☐ Yes | ☐ No |

### DETAILS OF SUSPECTED SEXUAL ABUSE/LIKELY SEXUAL ABUSE (attach extra pages if necessary)

The following information must be included (as per Regulation 68, Education (General Provisions) Regulations 2006 (Qld)):

- The basis for the first person reasonably suspecting the student has been sexually abused or is likely to be sexually abused;
- Details of the suspected sexual abuse/likely sexual abuse of the student (e.g. time and date of alleged incident, source of information)

Other relevant information, e.g. other harm (if known)

**Name of any other person whom the first person thinks may have information about the suspected sexual abuse/likely sexual abuse:**

### FIRST PERSON REPORT PROVIDED TO (one of the following):

- ☐ Principal
- ☐ Director Employee Services

- **Date:**
- **Time:**

### OR

- **Emailed to:** mandatoryreports@bne.catholic.edu.au
- **Faxed to:** 07 3033 7715

**Signature of First Person:**
<table>
<thead>
<tr>
<th>Legal Name of student(s) concerned:</th>
<th>Date of Report:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Birth:</td>
<td></td>
</tr>
</tbody>
</table>

### SECTION 2:
**TO BE COMPLETED BY PRINCIPAL OR DIRECTOR - EMPLOYEE SERVICES**

#### SOURCE OF SUSPECTED SEXUAL ABUSE/LIKELY SEXUAL ABUSE
- [ ] Adult Family member
- [ ] Child Family member
- [ ] Other adult (not Staff Member/Employee/Volunteer)
- [ ] Student/Other child
- [ ] Staff Member / Employee / Volunteer
- [ ] Unknown

#### DETAILS OF FAMILY (if more than one family, attach additional information)
<table>
<thead>
<tr>
<th>Parent/caregiver 1:</th>
<th>Relationship to student:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address (if different from student):</td>
<td></td>
</tr>
<tr>
<td>Phone: (H) (W) (M)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parent/caregiver 2:</th>
<th>Relationship to student:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address (if different from student):</td>
<td></td>
</tr>
<tr>
<td>Phone: (H) (W) (M)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Is the student in out of home care:</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Yes</td>
</tr>
</tbody>
</table>

#### OTHER HOUSEHOLD MEMBERS: (include all known names of children, family and significant others).
<table>
<thead>
<tr>
<th>Name</th>
<th>Age</th>
<th>Date of Birth</th>
<th>Sex</th>
<th>Relationship to Student</th>
<th>School</th>
</tr>
</thead>
</table>

#### OTHER KNOWN INFORMATION
*Please include: Other information about the incident; source of information; physical appearance of any injury; immediate and ongoing safety concerns; any previous incidents of suspected sexual abuse/likely sexual abuse and/or harm/likely harm; behavioural indicators of harm or likely harm; sexual abuse/likely sexual abuse; presence of any medical needs or developmental delays; any family law, child protection or domestic violence orders. Family circumstances/relationships; parental mental health issues; substance use; disabilities; family stresses; mobility (frequent school/family relocations); level of access of any person suspected to have sexually abused or is likely to sexually abuse has to the child.*

#### Details of any known previous involvement by police / child safety:

#### Other services or supports currently in place for the student (if known) e.g. contact name and contact details of other professionals/support persons.

**Protective Factors** – e.g. Presence of a protective caregiver; a child’s ability to seek external help; positive family relationships.

#### Additional information provided as an attachment:
- [ ] Yes
- [ ] No
  
- Number of pages

#### Principal:
<table>
<thead>
<tr>
<th>Signature:</th>
<th>Date:</th>
<th>Time:</th>
</tr>
</thead>
<tbody>
<tr>
<td>OR</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Director - Employee Services:
| Principal’s email address: | |
|---------------------------| |
| OR                        | |

#### Director - Employee Service’s fax / email
| 07 3033 7715 / mandatoryreports@bne.catholic.edu.au | |

The current document (Dated 4 November 2013) replaces and updates Brisbane Catholic Education’s previously entitled document: Student Protection Processes, 9 July 2012.
## Legal Name of student(s) concerned: 

## Date of Report: 

## Date of Birth: 

### SECTION 3: CHECKLIST 

TO BE COMPLETED BY PRINCIPAL OR DIRECTOR - EMPLOYEE SERVICES 

### ACTION TO BE TAKEN BY PRINCIPAL OR DIRECTOR - EMPLOYEE SERVICES 

<table>
<thead>
<tr>
<th>Proposed Action</th>
<th>Principal to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Fax or email this form to Queensland Police Service</td>
<td></td>
</tr>
<tr>
<td>- Fax or email this form also to Department of Communities (Child Safety Services) - only if source of the suspected sexual abuse/likely sexual abuse is a family member of the student or there are concerns about capacity of parent/s to protect the student</td>
<td></td>
</tr>
<tr>
<td>- Fax or email to the Director - Employee Services</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Proposed Action</th>
<th>Director of Employee Services to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Fax or email this form to Queensland Police Service</td>
<td></td>
</tr>
<tr>
<td>- Fax or email this form also to Department of Communities (Child Safety Services) - only if source of the suspected sexual abuse/likely sexual abuse is a family member of the student or there are concerns about capacity of parent/s to protect the student</td>
<td></td>
</tr>
<tr>
<td>- Fax or email to the Director - Employee Services</td>
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</tbody>
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<tr>
<th>Proposed Action</th>
<th>Principal to:</th>
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<tbody>
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<td>- Fax or email this form to Queensland Police Service</td>
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</tr>
<tr>
<td>- Fax or email to the Director - Employee Services</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location</th>
<th>Name of Authorised Officer report made to:</th>
<th>Reported via:</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Queensland Police Service - CPIU</td>
<td>☐ Fax ☐ Email</td>
<td></td>
</tr>
<tr>
<td>☐ Department of Communities (Child Safety Services) - RIS</td>
<td>☐ Fax ☐ Email</td>
<td></td>
</tr>
<tr>
<td>☐ Director - Employee Services: 07 3033 7715 / <a href="mailto:mandatoryreports@bne.catholic.edu.au">mandatoryreports@bne.catholic.edu.au</a></td>
<td>☐ Fax ☐ Email</td>
<td></td>
</tr>
</tbody>
</table>

Principal or Director - Employee Services should confirm receipt by Statutory Authorities of faxed or emailed form and ensure original Form A is stored in a secure location along with any other documentation collected for the purpose of this report.

Reported under: 

The Education (General Provisions) Act 2006 Section 366 and of the Education (Accreditation of Non-State Schools) Regulation 2001 Section 10
REPORT OF SUSPECTED HARM / LIKELY HARM TO STATUTORY AUTHORITY

<table>
<thead>
<tr>
<th>Legal Name of student(s) concerned:</th>
<th>Date of Report:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Date of Birth:  

SECTION 1:  
This section is to be completed (to the best of their knowledge) by the staff member (the ‘first person’) who first becomes aware of harm / likely harm to the student.

### DETAILS OF SCHOOL

<table>
<thead>
<tr>
<th>School:</th>
<th>School Phone:</th>
<th>Fax No:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>School Address:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

### DETAILS OF STUDENT(S)

#### Full Name Student 1 (Incl. “known as”):  
Year Level:  
<table>
<thead>
<tr>
<th>☐ Male</th>
<th>☐ Female</th>
</tr>
</thead>
</table>

Does the student have a disability:  
| ☐ Yes | ☐ No |

Known details of disability:  
| ☐ Verified |

Cultural background:  
| ☐ Aboriginal | ☐ Torres Strait Islander | ☐ Other: (please specify) | ☐ Interpreter required |

Student 1 Residential Address:  

#### Full Name Student 2 (Incl. “known as”):  
Year Level:  
<table>
<thead>
<tr>
<th>☐ Male</th>
<th>☐ Female</th>
</tr>
</thead>
</table>

Does the student have a disability:  
| ☐ Yes | ☐ No |

Known details of disability:  
| ☐ Verified |

Cultural background:  
| ☐ Aboriginal | ☐ Torres Strait Islander | ☐ Other: (please specify) | ☐ Interpreter required |

Student 2 Residential Address:  

### DETAILS OF STAFF MEMBER (FIRST PERSON)

<table>
<thead>
<tr>
<th>Full Name:</th>
<th>Position:</th>
<th>Contact Number:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Date/time first person reasonably suspected harm / likely harm:  

### DETAILS OF PERSON/S ALLEGEDLY RESPONSIBLE FOR HARM / LIKELY HARM

<table>
<thead>
<tr>
<th>Full Name (including aliases):</th>
<th>DOB / approx. age:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Relationship to student:  
<table>
<thead>
<tr>
<th>Telephone number:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

Does the report relate to suspected harm / likely harm of a student by a staff member / employee / volunteer?  
| ☐ Yes | ☐ No |

### DETAILS OF SUSPECTED HARM / LIKELY HARM (attach extra pages if necessary)

Please include the following information:
- Details of the basis for the first person reasonably suspecting harm / likely harm to the student;
- Details of the suspected harm / likely harm to the student (e.g. time and date of alleged incident, source of information);
- Other relevant information

Name and contact details of any other person whom the first person thinks may have information about the harm / likely harm

FIRST PERSON REPORT PROVIDED TO (one of the following):

<table>
<thead>
<tr>
<th>☐ Principal OR ☐ SPC</th>
<th>Date:</th>
<th>Time:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OR

<table>
<thead>
<tr>
<th>☐ Director Employee Services (if harm by a Principal)</th>
<th>Date:</th>
<th>Time:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

☐ Faxed to: 07 3033 7715

Signature of First Person:
## SOURCE OF HARM / LIKELY HARM

- [ ] Adult Family member
- [ ] Child Family member
- [ ] Other adult (not Staff Member/Employee/Volunteer)
- [ ] Student/Other child
- [ ] Staff Member / Employee / Volunteer
- [ ] Unknown

## CAUSE OF HARM / LIKELY HARM

- [ ] Physical
- [ ] Likely Sexual
- [ ] Self-Harm
- [ ] Emotional
- [ ] Neglect
- [ ] Domestic Violence

## DETAILS OF FAMILY

### Parent/caregiver 1:
- Relationship to student: 
- Address (if different from student):  
- Phone: (H) (W) (M)

### Parent/caregiver 2:
- Relationship to student: 
- Address (if different from student):  
- Phone: (H) (W) (M)
- Is the student in out of home care: [ ] Yes [ ] No

### OTHER HOUSEHOLD MEMBERS:

<table>
<thead>
<tr>
<th>Name</th>
<th>Age</th>
<th>Date of Birth</th>
<th>Sex</th>
<th>Relationship to Student</th>
<th>School</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### OTHER KNOWN INFORMATION

Please include the following: physical appearance of any injury; immediate and ongoing safety concerns; any disclosures made by student, any previous incidents of suspected sexual abuse/likely sexual abuse and/or harm/likely harm; behavioural indicators of harm or likely harm; presence of any medical needs or developmental delays; any family law, child protection or domestic violence orders.

Family circumstances/relationships; parental mental health issues; substance use; disabilities; family stresses; mobility (frequent school/family relocations); level of access person suspected responsible for harm / likely harm has to the child.

## Details of any known previous involvement by police / child safety:

## Other services or supports currently in place for the student

(if known) e.g. contact name and contact details of other professionals/support persons.

### Protective Factors
- Presence of a protective caregiver; a child’s ability to seek external help; positive family relationships.

### Additional information provided as an attachment:
- [ ] Yes
- Number of pages
- [ ] No

## Principal:

Signature: 
Date: 
Time: 

### OR 

Director - Employee Services:

Principal’s email address: 

### OR 

Director - Employee Service’s fax

07 3033 7715

### Information about proposed action by Statutory Authority required by school:
- [ ] Yes
- [ ] No
### SECTION 3: CHECKLIST

**TO BE COMPLETED BY PRINCIPAL / STUDENT PROTECTION CONTACT (SPC) / DIRECTOR - EMPLOYEE SERVICES**

<table>
<thead>
<tr>
<th>ACTION TO BE TAKEN BY PRINCIPAL / SPC / DIRECTOR - EMPLOYEE SERVICES</th>
<th></th>
</tr>
</thead>
</table>
| **Harm / Likely Harm Not by Principal** | Principal or SPC to:  
- Fax or email this form to Queensland Police Service  
- Fax or email this form also to Department of Communities (Child Safety Services) - *only if* source of the harm / likely harm is a family member of the student or there are concerns about capacity of parent/s' to protect the student  
- Fax or email to BCEO Student Protection |
| **Harm / Likely Harm by a Principal** | Director - Employee Services to:  
- Fax or email this form to Queensland Police Service |

**REPORT PROVIDED TO:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Name of Authorised Officer report made to</th>
<th>Reported via</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Queensland Police Service - CPIU</td>
<td>☐ Fax ☐ Email</td>
<td></td>
</tr>
<tr>
<td>☐ Department of Communities (Child Safety Services) - RIS</td>
<td>☐ Fax ☐ Email</td>
<td></td>
</tr>
<tr>
<td>☐ BCEO – Student Protection: 07 3033 7715 / <a href="mailto:spreports@bne.catholic.edu.au">spreports@bne.catholic.edu.au</a></td>
<td>☐ Fax ☐ Email</td>
<td></td>
</tr>
</tbody>
</table>

*Principal / SPC / Director - Employee Services should confirm receipt by Statutory Authorities of faxed or emailed form and ensure original Form B is stored in a secure location along with any other documentation collected for the purpose of this report.*

Reported under:

The *Education (Accreditation of Non-State Schools) Regulation 2001 Section 10*
Staff Reporting Form

Alleged or suspected INAPPROPRIATE BEHAVIOUR towards a student by a staff member, volunteer or other employee

For an allegation or reasonable suspicion of inappropriate behaviour by a staff member, volunteer or other employee towards a student (OTHER THAN SEXUAL ABUSE OR LIKELY SEXUAL ABUSE, HARM OR LIKELY HARM)

To be completed by the staff member who first becomes aware of the allegation or reasonably suspects the inappropriate behaviour.

Please complete the details below and hand to the principal or other Student Protection Contact at the school. If the allegation is about the Principal, please hand to the Area Supervisor.

| School Name: | |
| Principal/Acting Principal Name: | |
| Staff member making this report: | Name: Role: Phone contact: |
| Employee against whom the behaviour to a student is alleged or suspected: | Name: Role: |
| Student(s) concerned: | Name: Year level: |
| Summary of incident/allegation: | Time: Date: Details: |
| Details of the basis for reasonably suspecting inappropriate behaviour: | |
| Any other relevant information including the name of anyone else who may have information about this allegation / reasonable suspicion: | |
| Signature of staff member making this report: | Signature: - - - - - - - - - - - - - - - - Date: Time: |

Name of the person to whom this form has been passed:
Level 1 Reporting Form

For an allegation or reasonable suspicion of INAPPROPRIATE BEHAVIOUR by a staff member towards a student

A completed copy MUST be submitted by the Principal/ Area Supervisor after a Level 1 matter is dealt with. Fax or email to the Director - Employee Services.

email: DirectorEmployeeServices@bne.catholic.edu.au  Fax number: 3033 7715

<table>
<thead>
<tr>
<th>School Name:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal/Acting Principal Name:</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Allegation or suspicion reported by:</th>
<th>Name:</th>
<th>Address:</th>
<th>Contact Number:</th>
<th>Date:</th>
<th>Time:</th>
<th>Relationship to Student:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff member against whom inappropriate behaviour to a student is alleged or suspected:</td>
<td>Name:</td>
<td>Role:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student(s) concerned</td>
<td>Name:</td>
<td>Date of Birth:</td>
<td>Year level:</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Summary of incident/allegation</th>
<th>Time:</th>
<th>Date:</th>
<th>Details:</th>
</tr>
</thead>
</table>

How this allegation or reasonable suspicion became known to the principal:

Action taken by principal as part of the Level 1 intervention process:

Staff member’s response to allegation (please attach if provided in writing)

Outcome relating to those involved including steps taken to ensure that inappropriate behaviour does not occur in the future:

Action checklist:

☐ Parent/caregiver advised in writing of outcome
☐ Staff member given a copy of this form (date)
☐ Original of this form placed on school file
☐ Form C attached
☐ Staff member’s written response to allegation attached (if provided by staff member)
☐ Copy of this form forwarded to the Director - Employee Services

Signature of Principal:  

<table>
<thead>
<tr>
<th>Signature:</th>
<th>Date:</th>
<th>Time:</th>
</tr>
</thead>
</table>

The current document (Dated 4 November 2013) replaces and updates Brisbane Catholic Education’s previously entitled document: Student Protection Processes, 9 July 2012.
## Level 2 Reporting Form

For an allegation or reasonable suspicion of INAPPROPRIATE BEHAVIOUR by a staff member towards a student that if substantiated could justify disciplinary action being taken and therefore may require a formal investigation to be conducted

A completed copy MUST be submitted by the Principal/Area Supervisor immediately once aware of the Level 2 matter.

Fax or email to the Director - Employee Services  
Email: DirectorEmployeeServices@bne.catholic.edu.au  Fax number: 3033 7715

<table>
<thead>
<tr>
<th>Field</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>School Name:</td>
<td></td>
</tr>
<tr>
<td>Principal/Acting Principal Name:</td>
<td></td>
</tr>
<tr>
<td>Allegation or suspicion reported by:</td>
<td>Name:</td>
</tr>
<tr>
<td></td>
<td>Address:</td>
</tr>
<tr>
<td></td>
<td>Contact Number:</td>
</tr>
<tr>
<td></td>
<td>Date:</td>
</tr>
<tr>
<td></td>
<td>Time:</td>
</tr>
<tr>
<td></td>
<td>Relationship to Student:</td>
</tr>
<tr>
<td>Student(s) concerned:</td>
<td>Name:</td>
</tr>
<tr>
<td></td>
<td>Date of Birth:</td>
</tr>
<tr>
<td></td>
<td>Year level:</td>
</tr>
<tr>
<td>Staff Member against whom inappropriate behaviour to a student is alleged or suspected:</td>
<td>Name:</td>
</tr>
<tr>
<td></td>
<td>School:</td>
</tr>
<tr>
<td></td>
<td>Role:</td>
</tr>
<tr>
<td>Summary of allegation/incident:</td>
<td>Time:</td>
</tr>
<tr>
<td></td>
<td>Date:</td>
</tr>
<tr>
<td></td>
<td>Details:</td>
</tr>
<tr>
<td>How this allegation or reasonable suspicion became known to the principal:</td>
<td></td>
</tr>
<tr>
<td>Other relevant Information:</td>
<td></td>
</tr>
<tr>
<td>Action requested/recommended:</td>
<td></td>
</tr>
<tr>
<td>Action checklist:</td>
<td>☐ Original of this form placed on school file</td>
</tr>
<tr>
<td></td>
<td>☐ Copy of this form forwarded to the Director - Employee Services</td>
</tr>
<tr>
<td>Signature of Principal:</td>
<td>Signature:</td>
</tr>
<tr>
<td></td>
<td>Date:</td>
</tr>
<tr>
<td></td>
<td>Time:</td>
</tr>
</tbody>
</table>
School proforma
Student Protection Contacts and School Authority details

A current completed copy of this proforma must be kept at the school and be freely available to staff, students and parents. A current completed copy must also be given to each Student Protection Contact.

<table>
<thead>
<tr>
<th>NAME OF SCHOOL/COLLEGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concerns about inappropriate behaviour of staff members at this school may be reported to the Student Protection Contacts whose names appear below:</td>
</tr>
<tr>
<td>(There must be at least two staff members at the school who are appointed as Student Protection Contacts by the Principal. One must be the Principal.)</td>
</tr>
<tr>
<td>(Name and position)</td>
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<tr>
<td>(Name and position)</td>
</tr>
</tbody>
</table>

THE STUDENT PROTECTION OFFICERS WITHIN THE BRISBANE CATHOLIC EDUCATION OFFICE MAY BE CONTACTED ON 3033 7409.

The Catholic School authority for this school is known as:
Catholic Education, Archdiocese of Brisbane

For which the Governing Body is:
The Corporation of the Trustees of the Roman Catholic Archdiocese of Brisbane

The sole Director of the School’s Governing Body is:
The Catholic Archbishop of Brisbane
IMPORTANT INFORMATION

Although staff members are required to follow the Student Protection processes laid down by Brisbane Catholic Education, this does not limit the freedom of any person to take immediate action to notify police of any complaint or concern about the safety of a student, particularly if he/she believes that it is essential to ensure a student’s safety.
15.0 STUDENT PROTECTION POSTERS

Primary:

BE A HERO WHEN IT COMES TO YOUR SAFETY

SPEAK UP!

BE SMART ONLINE

BE ALERT

RECOGNISE WHEN YOU FEEL UNSAFE

HAVE A PLAN

RECOGNISE REACT REPORT
You should always feel safe and be safe at home, at school, online and in the community.

If you’re feeling unsafe talk to:
You're in control when it comes to your safety

You could be confronted by an unsafe situation at anytime, anywhere. If you're in control and aware of what is safe and unsafe, you can deal with it in the right way.

For assistance you can talk to: