

# Reporting Concerns of Harm or Abuse Policy

<b>Purpose:</b>	<p>The purpose of this policy is to provide written processes about –</p> <ul style="list-style-type: none"> <li>(a) how the school will respond to harm, or allegations of harm, to students under 18 years; and</li> <li>(b) the appropriate conduct of the school’s staff and students</li> </ul> <p>to ensure the safety and wellbeing of young people at Jabiru Community College and to comply with accreditation requirements.</p>	
<b>Scope:</b>	<p>Directors, students and staff. Staff includes: full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements at Jabiru Community College.</p>	
<b>Status:</b>		<b>Supersedes:</b> 2025 Child Protection Policy
<b>Authorised by:</b>	CLL Board of Directors	<b>Date of Authorisation:</b> 18/02/2026
<b>References:</b>	<ul style="list-style-type: none"> <li>• <a href="#">Child Safe Organisations Act 2024 (Qld)</a></li> <li>• <a href="#">Child Protection Act 1999 (Qld)</a></li> <li>• <a href="#">Education (General Provisions) Act 2006 (Qld)</a></li> <li>• <a href="#">Education (General Provisions) Regulation 2017 (Qld)</a></li> <li>• <a href="#">Education (Accreditation of Non-State Schools) Act 2017 (Qld)</a></li> <li>• <a href="#">Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</a></li> <li>• <a href="#">Working with Children (Risk Management and Screening) Act 2000 (Qld)</a></li> <li>• <a href="#">Working with Children (Risk Management and Screening) Regulations 2020 (Qld)</a></li> <li>• <a href="#">Criminal Code Act 1899 (sections 229BB and 229BC)</a></li> </ul> <p>The updated version of the following Policy or Procedure can be read and acknowledged in your <b>Employment Hero</b></p> <ul style="list-style-type: none"> <li>• JCC Complaints Handling Policy</li> <li>• JCC Complaints Handling Procedure</li> <li>• JCC Student Safety and Wellbeing Policy</li> <li>• JCC Work Health and Safety Policy (for the <i>Work Health and Safety Act 2011</i> (Qld))</li> <li>• JCC Child Protection Reporting Forms located in Sentral</li> </ul>	
<b>Review Date:</b>	Annually	<b>Next Review Date:</b> 18/02/2027
<b>Policy Owner:</b>	CLL Board of Directors	

## Definitions

- **Section 8 definition of a child is:** an individual under 18 years.
- **Section 9 of the *Child Protection Act 1999* - “Harm”,** to a child is:
  - (1) Harm, to a child, is any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing.
  - (2) It is immaterial how the harm is caused.
  - (3) Harm can be caused by—
    - (a) physical, psychological or emotional abuse or neglect; or
    - (b) sexual abuse or exploitation.
  - (4) Harm can be caused by—
    - (a) a single act, omission or circumstance; or
    - (b) a series or combination of acts, omissions or circumstances.
- **Section 10 of the *Child Protection Act 1999* - A “child in need of protection”** is a child who—
  - a) has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and
  - b) does not have a parent able and willing to protect the child from the harm.
- **A reportable suspicion under section 13E(2) is:** a reasonable suspicion that the child
  - a) has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse; and
  - b) may not have a parent able and willing to protect the child from the harm.
- **Section 364 of the *Education (General Provisions) Act 2006* - “Sexual abuse”,** in relation to a relevant person, includes sexual behaviour involving the relevant person and another person in the following circumstances—
  - (a) the other person bribes, coerces, exploits, threatens or is violent toward the relevant person;
  - (b) the relevant person has less power than the other person;
  - (c) there is a significant disparity between the relevant person and the other person in intellectual capacity or maturity.

## Health and Safety

The school has written processes in place to enable it to comply with the requirements of the *Work Health and Safety Act 2011* (Qld) and the *Working with Children (Risk Management and Screening) Act 2000* (Qld).

## Responding to Reports of Harm

When the school receives any information alleging 'harm'<sup>1</sup> to a student (other than harm arising from physical or sexual abuse) it will deal with the situation compassionately and fairly so as to minimise any likely harm to the extent it reasonably can. This is set out in the school’s Student Safety and Wellbeing Policy . Information relating to physical or sexual abuse is handled under obligations to report set out in this policy<sup>2</sup>.

## Conduct of Staff and Students

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<sup>1</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(7)*: the definition of 'harm' for this regulation is the same as in section 9 of the *Child Protection Act 1999 (Qld)*

<sup>2</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)*

All staff, contractors and volunteers must ensure that their behaviour towards and relationships with students reflect proper standards of care for students. Staff, contractors and volunteers must not cause harm to students<sup>3</sup>.

## Reporting Inappropriate Behaviour

If a student considers the behaviour of a staff member to be inappropriate, the student should report the behaviour to:

- Liza Page, Co-Principal;
- Cassy Ciantar, Co-Principal;

## Dealing with Report of Inappropriate Behaviour

A staff member who receives a report of inappropriate behaviour must report it to a co-principal. Where a co-principal is the subject of the report of inappropriate behaviour, the staff member must inform a member of the school's governing body<sup>4</sup>. Reports will be dealt with under the school's Complaints Handling Policy.

## Reporting Sexual Abuse<sup>5</sup>

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

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

then the staff member must give a written report about the abuse or suspected abuse to a co-principal or to a director of the school's governing body immediately.

The school's principal or the director must immediately give a copy of the report to a police officer.

If the first person who becomes aware or reasonably suspects sexual abuse is the school's co-principal, the first person must give a written report about the abuse, or suspected abuse to a police officer immediately and must also give a copy of the report to a director of the school's governing body immediately.

A report under this section must include the following particulars:

- a) the name of the person giving the report (the **first person**);
- b) the student's name and sex;
- c) details of the basis for the first person becoming aware, or reasonably suspecting, that the student has been sexually abused by another person;
- d) details of the abuse or suspected abuse;
- e) any of the following information of which the first person is aware:
  - i. the student's age;

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<sup>3</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)*

<sup>4</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)*

<sup>5</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*

- ii. the identity of the person who has abused, or is suspected to have abused, the student;
- iii. the identity of anyone else who may have information about the abuse or suspected abuse<sup>6</sup>.

## Reporting Likely Sexual Abuse <sup>7</sup>

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

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

then the staff member must give a written report about the suspicion to a co-principal or to a director of the school's governing body immediately.

The school's co-principal or the director must immediately give a copy of the report to a police officer.

If the first person who reasonably suspects likely sexual abuse is the school's co-principal, the first person must give a written report about the suspicion to a police officer immediately and must also give a copy of the report to a director of the school's governing body immediately.

A report under this section must include the following particulars:

- a) the name of the person giving the report (the **first person**);
- b) the student's name and sex;
- c) details of the basis for the first person reasonably suspecting that the student is likely to be sexually abused by another person;
- d) any of the following information of which the first person is aware:
  - i. the student's age;
  - ii. the identity of the person who is suspected to be likely to sexually abuse the student;
  - iii. the identity of anyone else who may have information about suspected likelihood of abuse<sup>8</sup>.

## Reporting Physical and Sexual Abuse <sup>9</sup>

Under Section 13E (3) of the *Child Protection Act 1999*, if a doctor, a registered nurse, a teacher or an early childhood education and care professional forms a 'reportable suspicion' about a child "in the course of their engagement in their profession", they must make a written report.

A **reportable suspicion** about a child is a reasonable suspicion that the child:

- a) has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse; and
- b) may not have a parent able and willing to protect the child from the harm.

The doctor, nurse, teacher or early childhood education and care professional must give a written report to the Chief Executive of the Department of Families, Seniors, Disability Services and Child Safety. The doctor,

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<sup>6</sup> *Education (General Provisions) Regulation 2017 (Qld) s.68*

<sup>7</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*

<sup>8</sup> *Education (General Provisions) Regulation 2017 (Qld) s.69*

<sup>9</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16 (2)(d)*

nurse, teacher or early childhood education and care professional should give a copy of the report to the co-principal.

A report under this section must include the following particulars:

- a) the basis on which the person has formed the reportable suspicion<sup>10</sup>;
- b) the child's name, age and sex descriptor;
- c) details of how to contact the child;
- d) details of the harm to which the reportable suspicion relates;
- e) particulars of the identity of the person suspected of causing the child to have suffered, suffer, or be at risk of suffering, the harm to which the reportable suspicion relates;
- f) particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates<sup>11</sup>.

The local Regional Intake Service can be phoned during business hours (9am to 5pm) on 1800 177 135

Other local intake service phone numbers are available from

<https://www.dcsds.qld.gov.au/contact-us/department-contacts/child-family-contacts/child-safety-service-centres/regional-intake-services>.

Outside of these hours, you can contact the Child Safety After Hours Service Centre on phone freecall 1800 177 135 (Queensland only).

## Responsibilities under Criminal Code Act 1899 (Qld)

The *Criminal Code Act 1899* includes two offences that pertain to the failure to report a child sexual offence and the failure to protect a child against a child sexual offence. A child sexual offence is an offence of a sexual nature by an adult against a child under 16 years or a person with an impairment of the mind.

### Failure to Report<sup>12</sup>

Under section 229BC of the Code, all adults must report sexual offences against a child by another adult to police as soon as reasonably practicable after the belief is, or ought reasonably to have been, formed. Failure to make a report, without a reasonable excuse, is a criminal offence. This offence applies to all adults inclusive of students 18 years or older, as well as parents/guardians and volunteers at the school. A reasonable excuse not to make a report under the *Criminal Code Act 1899* includes that a report has already been made under the *Education (General Provisions) Act 2006* (reporting sexual abuse or likely sexual abuse) and the *Child Protection Act 1999* (reporting significant harm or risk of significant harm) as per this policy.

### Failure to Protect<sup>13</sup>

Under section 229BB of the Code, all adults in positions of power or responsibility within institutions to reduce or remove the risk of child sexual offences being committed must take reasonable steps to protect children in their care from a child sexual offence. A failure to protect is an offence.

## Awareness

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<sup>10</sup> *Child Protection Act 1999 s.13G (2)(a)*

<sup>11</sup> See *Child Protection Regulation 2023 (Qld) s.4 "Information to be included in reports"*

<sup>12</sup> *Criminal Code Act 1899 (Qld) s.229BC*

<sup>13</sup> *Criminal Code Act 1899 (Qld) s.229BB*

The school will inform staff, students and parents of its processes relating to the health, safety and conduct of staff and students in communications to them and it will publish these processes on its website<sup>14</sup>.

Printed copies of the school's Child Protection Policies will also be available from reception upon request. Additional awareness strategies that the school will undertake are:

- Including the policy on our website and parent portal
- Annual posts on our blog and social media pages alerting students and parents to the processes.
- Posters alerting students and staff to the processes will be placed around the campus.
- Enrolment interviews
- School Assemblies (Town Hall)
- The beginning of one Community Group Learning Session per term will be devoted to informing students about the processes and how they can make use of them.
- All new staff will receive an induction which will inform them of the school's child protection policies and procedures.
- All staff will receive annual training in child protection that will include specific focus on the school's child protection processes.

## Accessibility of Processes

Processes relating to the health, safety and conduct of staff and students are accessible on the school website and will be available on request from the school administration<sup>15</sup>.

## Training

The school will train its staff in processes relating to the health, safety and conduct of staff and students on their induction and will refresh training annually<sup>16</sup>. Records of this training will be stored in the Compliance section of an individual staff's Employment Hero file.

## Implementing the Processes

The school will ensure it is implementing processes relating to the health, safety and conduct of staff and students by auditing compliance with the processes annually<sup>17</sup>.

## Complaints Procedure

Suggestions of non-compliance with the school's processes may be submitted as complaints under Jabiru Community College's Complaints Handling Policy.<sup>18</sup>

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<sup>14</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(a)*

<sup>15</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(b)*

<sup>16</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(c)*

<sup>17</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(d)*

<sup>18</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(5) and s.16(6)*

## Reporting Forms

### Reports to JCC Principals or Chairperson of the Board:

Reports can be made using the following digital forms. All forms collect the particulars outlined above which are required for reports under each section of this policy.

- **Suspected physical or sexual harm report** For reporting to the College Principal suspected physical or sexual harm caused by any person to a child. To be documented on Sentral directly into a student's file

Wellbeing>Incident reports>Type: Suspected Physical or Sexual Harm

Sentral is available on all staff devices including phones

- **Physical or sexual harm caused by a College Co-Principal form** For reporting to the Chairperson of CLL suspected physical or sexual harm allegedly **caused by a College Co-Principal** towards a child.

<https://docs.google.com/a/jcc.qld.edu.au/forms/d/e/1FAIpQLScEI2oxNqI1BF-d0bMTQIW9b-6mNvevDv8LICQUUSR7FF7g9w/viewform>

This form is available from any internet connected device. Please note that access to form submission results are restricted to the Chairperson of Community Learning Ltd. To maintain confidentiality this form will not be moved to Sentral as Co-Principals have vision of all reports in Sentral.

### Reports to External Authorities

- **Report of Suspected Sexual Abuse to QLD Police form** To be used **only by the College Principal or Director** to report suspected Sexual abuse to the Police.

<https://docs.google.com/document/d/12K-mYWn8ZNRxJSUAsXgBtgZISq9Gq7rLr2YS8CORwr8/edit?usp=sharing>

This form is only for Co-Principals or Directors use This form needs to be downloaded, completed and then emailed to [cpju.northbrisbane@police.qld.gov.au](mailto:cpju.northbrisbane@police.qld.gov.au). The completed form to be scanned and uploaded to student's Sentral file. StudentName>Documents>Confidential

- **DCSYW Form: To be used by any member of college staff to report suspected physical or sexual abuse directly to the Chief Executive of the Department of Children, Youth Justice and Multicultural Affairs (or other department administering the Child Protection Act 1999).**

<https://secure.communities.qld.gov.au/cbir/ChildSafety#>

This form is managed and hosted by the Department. Once submitted **the completed form to be scanned and uploaded to student's Sentral file. StudentName>Documents>Confidential** If for any reason these forms are unavailable (e.g. internet/network failure) reports can be made in writing to the relevant member of staff or external authority. In such cases, ensure that the relevant particulars (as outlined above) are included in the written report and a **copy of the form to be scanned and uploaded to Young Person's Sentral file. StudentName>Documents>Confidential**