



FILE COPY

6 April 2004

Pastor Malcolm Potts
Secretary
Seventh-day Adventist Schools (South Queensland) Ltd
19 Eagle Terrace
BRISBANE QLD 4000

Dear Pastor Potts

I am writing to you as the nominated contact for Seventh-day Adventist Schools (South Queensland) Ltd, the governing body of the following schools under the *Education (Accreditation of Non-State Schools) Act 2001*, to advise you of an initiative commenced by the Non-State Schools Accreditation Board (the "Board") and to seek your assistance in providing the Board with copies of particular documents and other related information.

Brisbane Adventist College	Ipswich Adventist School
Bundaberg Adventist School	Noosa Christian College
Darling Downs Christian School	Northpine Christian College
Gold Coast Adventist School	

I wrote to all non-State school governing bodies on 3 December 2003 to give advance notification of new legislation in relation to student protection at non-State schools and an outline of the planned follow-up action in 2004 by the Accreditation Board.

By way of a brief overview, new legislation is being enacted dealing with the mandatory reporting to police of actual or suspected sexual abuse of students by employees of State and non-State schools.

The *Education (General Provisions) Act 1989* has been amended to include a new section 146B, which details the obligation to report sexual abuse of a student under 18 years attending a non-State school (see Attachment A). State schools are similarly covered by section 146A.

The *Education (General Provisions) Regulation 2000* has been amended to include a new section 76AA, which sets out the particulars that must be included in a report about sexual abuse (see Attachment B).

The present section 10 (Health, safety and conduct of staff and students) of the *Education (Accreditation of Non-State Schools) Regulation 2001* has been amended to reorganise and simplify the current wording in various places, and to include a new subsection 10(5)(a), which is a statutory reference to reporting sexual abuse or suspected sexual abuse in compliance with section 146B of the *Education (General Provisions) Act 1989* (see Attachment C).

The new and amending legislation mentioned above will come into force on 19 April 2004.

Since the beginning of 2002, section 10 has placed an obligation on schools to have certain written processes in place about the **conduct of staff and students**, and required schools to be able to demonstrate that they are complying with the written processes. As a result of the student protection initiatives detailed above, the Board expects that schools will need to make some adjustments to their current written processes.

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Queensland 4002 Australia
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As foreshadowed in my 3 December 2003 letter, the Board has now commenced a program involving all non-State schools to establish the extent of conformity with the statutory requirement to have in place and operational specific written processes about the conduct of staff and students (as amended to include mandatory reporting).

Accordingly, the Board requests that for any school under your governance, after the school's written processes about the conduct of staff and students have been adjusted to include mandatory reporting matters, you provide the Board with the documents and information described below:

- (a) A copy of the written processes about the conduct of staff and students mandated by subsection 10(2) and further regulated by subsections 10(3) to 10(8) of the *Education (Accreditation of Non-State Schools) Regulation 2001*.
- (b) A description of how the governing body is complying with subsection 10(6) of the *Education (Accreditation of Non-State Schools) Regulation 2001*.
- (c) A description of how the school is implementing the written processes [subsection 10(7) of the *Education (Accreditation of Non-State Schools) Regulation 2001* refers].

If any of the requested material is embedded in a document containing a range of other related or unrelated information, it is open to you to send that larger document. If you do send it in that form, however, it would be appreciated if you would tag and mark clearly the requested information with cross references to the relevant sections of the legislation to enable the material to be readily identified and located by Board Members.

The Board would appreciate this material **as soon as possible**, but no later than **28 May 2004**.

Please note that the Board is not requiring the written processes about health and safety of staff and students mentioned at subsection 10(1) of the *Education (Accreditation of Non-State Schools) Regulation 2001*.

I have attached a copy of the relevant sections of the legislation for your assistance. Also, a copy of the legislation referred to in this letter may be found on the Queensland Parliamentary Counsel's web site at <http://www.legislation.qld.gov.au> or a copy may be purchased from Goprint, the Government Bookshop, by telephoning (07) 3246 3399 or Toll Free 1800 679 778.

The Board notes that, even though schools will already have written processes in place and be implementing them, some effort may still be required by governing bodies and school staff to include these legislated student protection initiatives into the processes. Members of the Board would like to thank you and relevant school staff in advance for assistance with this important matter, and look forward to receiving the requested material as soon as possible.

I invite you to contact Ms Debbie Tanzer of the Board's office on telephone (07) 3237 9947 if you require further information about this matter.

Yours sincerely



Emeritus Professor Roy Webb AO
Chairperson

Enc

Education (General Provisions) Act 1989

Amendments to section 2 — Proclaimed to commence on 19 April 2004

New section 146B — Proclaimed to commence on 19 April 2004

2 Interpretation

(1) In this Act

“employee”, of a non-State school or State school, means a person engaged to carry out work at the school for financial reward.

“principal”, of a non-State school with no position by that name, means a person responsible for the school's day-to-day management.

“reasonably suspects” means suspects on grounds that are reasonable in the circumstances.

146B Obligation to report sexual abuse of student under 18 years attending non-State school

(1) Subsection (2) applies if a staff member of a non-State school (the “first person”) becomes aware, or reasonably suspects, that a student under 18 years attending the school has been sexually abused by someone else who is an employee of the school.

(2) The first person must give a written report about the abuse, or suspected abuse, to the school's principal or a director of the school's governing body

(a) immediately; and

(b) if a regulation is in force under subsection (3), as provided under the regulation.

Maximum penalty—20 penalty units.

(3) A regulation may prescribe the particulars the report must include.

(4) A non-State school's principal or a director of a non-State school's governing body must immediately give a copy of a report given to the principal or director under subsection (2) to a police officer.

Maximum penalty—20 penalty units.

(5) A person who makes a report under subsection (2), or gives a copy of a report under subsection (4), is not liable, civilly, criminally or under an administrative process, for giving the information contained in the report to someone else.

(6) Without limiting subsection (5)—

(a) in a proceeding for defamation, the person has a defence of absolute privilege for publishing the information; and

(b) if the person would otherwise be required to maintain confidentiality about the given information under an Act, oath, rule of law or practice—the person does not contravene the requirement by giving the information.

(7) In this section—

“director”, of a non-State school's governing body, means—

(a) if the governing body is a company under the Corporations Act—a person appointed as a director of the governing body; or

(b) otherwise—a person who is, or is a member of, the executive or management entity, by whatever name called, of the governing body.

Education (General Provisions) Regulation 2000

New section 76AA — To commence on 19 April 2004

76AA Report about sexual abuse—Act, ss 146A and 146B

A report under section 146A or 146B of the Act 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 an employee of the school;
 - (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;
 - (ii) the identity of the employee 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.
-

Education (Accreditation of Non-State Schools) Regulation 2001

Existing section 3 — Not amended

Amendments to section 10 — To commence on 19 April 2004

3 What is “harm” caused to a student under 18

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

10 Health, safety and conduct of staff and students

- (1) A school must have written processes about the health and safety of its staff and students, that accord with relevant workplace health and safety legislation.
- (2) Also, the school must have written processes about the appropriate conduct of its staff and students, that accord with legislation applying in the State about the care or protection of children.
- (3) Without limiting subsection (2), the processes must include—
 - (a) a process for the reporting by a student to a stated staff member of behaviour of another staff member that the student considers is inappropriate; and
 - (b) a process for how the information reported to the stated staff member must be dealt with by the stated staff member.
- (4) For the process mentioned in subsection (3)(a), there must be stated at least 2 staff members to whom a student may report the behaviour.
- (5) Also, without limiting subsection (2), the processes must include the following—
 - (a) a process for reporting sexual abuse or suspected sexual abuse in compliance with the *Education (General Provisions) Act 1989*, section 146B;
 - (b) a process for—
 - (i) the reporting by a staff member, to the school’s principal or another person nominated in the process, of harm that—
 - (A) the staff member is aware or reasonably suspects has been caused to a student who, when the harm was caused or is suspected to have been caused, was under 18 years; and
 - (B) is not harm to which the process mentioned in paragraph (a) applies; and
 - (ii) the reporting by the principal or other person, to a relevant State authority, of the harm or suspected harm if the principal or other person also is aware or reasonably suspects the harm has been caused.
- (6) The processes must—
 - (a) be readily accessible by the staff and students; and
 - (b) provide for how the staff and students are to be made aware of the processes.
- (7) The school’s governing body must be able to demonstrate how the school is implementing the processes.
- (8) In this section—

“relevant State authority”, means—

 - (a) the chief executive, or another officer, of the department in which the *Child Protection Act 1999* is administered; or
 - (b) an authorised officer under the *Child Protection Act 1999*; or
 - (c) a police officer.

2004 NSSAB COMPLIANCE PROGRAM REGARDING
CHILD PROTECTION PROCESSES

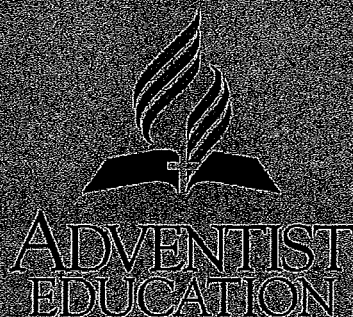
**SEVENTH DAY ADVENTIST
SCHOOLS [STH QLD] LTD**

FOR

**BRISBANE ADVENTIST
COLLEGE**

Board Approval Date: 7 October 2004

Board Minutes Number: 10/04



SEVENTH-DAY ADVENTIST SCHOOLS (SOUTH QUEENSLAND) LTD

CHILD PROTECTION

A HANDBOOK FOR SCHOOLS

CHILD PROTECTION POLICY
to comply with the *Education
(Accreditation of Non-State Schools)
Act 2001*

ADOPTED BY THE
BRISBANE ADVENTIST COLLEGE
on: 27 April 2004

INTRODUCTION

This Handbook has been adapted from a document prepared by The Association of Independent Schools of Queensland (AISQ). The policy outline here in is a requirement of the *Education (Accreditation of Non-State Schools) Regulation 2001*.

Contents

Section 1 Model School Policy

Part A	Principles and Guidelines
Part B	Dealing with Allegations of Harm
Part C	Procedures for Reporting of Harm
Part D	Policy on Bullying
Part E	Policy for the Prevention of Harm to Students from People Outside of the School
Part F	Policy on Preventing Student Self Harm

Section 2 Sample Information Leaflets for Parents and Students

Important Notes

- This Handbook is current at March 2004. Updates will be issued as required by changes in legislation or other circumstances.
- This Handbook has been prepared with assistance from AISQ's legal advisors.

The information contained in this Handbook is to the best of our knowledge and belief correct at the date of publication. No warranty or guarantee is or can be given and no liability is or can be accepted for any loss or damage resulting from any person relying on or using the information contained in this publication.

SECTION 1

Brisbane Adventist College Child Protection Policy

PURPOSE OF THIS POLICY: To provide written processes about the appropriate conduct of Brisbane Adventist College staff and students that accord with legislation applying in Queensland about the care and protection of children.

SCOPE: Applies to all staff and students at Brisbane Adventist College.

REFERENCES: *Commission for Children and Young People Act 2000*
Education (General Provisions Act) 1989
Education (Teacher Registration Act) 1988
Education (Accreditation of Non-State Schools) Regulation 2001

DEFINITIONS:

A *child* is a person under 18 years of age.

Harm is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by:

- Physical, psychological or emotional abuse or neglect;
- Sexual abuse or exploitation; or
- Domestic or family violence.

A *student* is any person regardless of age who is enrolled at the school

USEFUL CONTACTS:

Commission for Children and Young People, telephone 07 3247 5525
Board of Teacher Registration, telephone 07 3377 4777
Police (3364 3102 Upper Mt Gravatt Station)

PART A - PRINCIPLES AND GUIDELINES

PRINCIPLES:

Brisbane Adventist College will uphold the following principles under this Policy:

- Protecting students from harm and the risk of harm is fundamental to maximising their personal and academic potential.
- Brisbane Adventist College recognises that people who are subjected to abuse are harmed by it.
- At Brisbane Adventist College, the welfare and best interests of the child will always be a primary consideration.
- Brisbane Adventist College expects its students to show respect to our staff and volunteers and to comply with safe practices.
- All employees must ensure that their behaviour towards and relationships with students reflect proper standards of care for students, and are not unlawful.
- Sexual acts by an adult employee or volunteer with a student who is a child will always be sexual abuse.
- Brisbane Adventist College will respond diligently to a report of suspected or actual harm, or risk of harm to a student.
- Reprisals against students or others making a complaint will not be tolerated.
- Student management practices will be administered with respect and in a manner which maintains the student's dignity.
- Brisbane Adventist College will act fairly and reasonably towards an employee or volunteer who is the subject of allegations of improper conduct.
- Brisbane Adventist College will support an employee or volunteer who is the subject of a proven false allegation of causing harm to a student.
- Anybody within Brisbane Adventist College who becomes aware or reasonably suspects that a student is being harmed must report it to the School in accordance with the School's Procedures for Reporting Harm.
- Brisbane Adventist College will take disciplinary action against employees who harm others, and appropriate action against volunteers who harm others.
- Brisbane Adventist College will not permit people to work in a position if the school believes on the basis of all information available that, if the allegations against them were wholly or partly true, there would be an unacceptable risk that others might be harmed.
- Brisbane Adventist College will cooperate with state authorities in resolving allegations of harm.

GUIDELINES

In complying with these principles, Brisbane Adventist College will be guided by the following.

Natural Justice

The principles of natural justice will apply to decisions to be made under this Policy. The two fundamental principles of natural justice are:

- That those making a decision are not biased.
- That nobody should be condemned unless they are given prior notice of the allegations against them and they have a fair opportunity to be heard.

Process

It is important to make the lodging of a complaint easy.

Confidentiality

Each person who has access to information regarding suspected or disclosed harm has an obligation to observe appropriate confidentiality. Brisbane Adventist College is unable to promise absolute confidentiality since its policies will require disclosing, internally and externally, certain details involved in responding to any complaint. State authorities can compel people to give evidence about actions under the Policy and to produce documents.

Criminal Law

Where there are allegations of criminal misconduct, the allegations should be referred to the police. The Principal must refer all allegations of paedophilia to the police, including those from the past, except where the alleged perpetrator is deceased.

Defamation

A person providing information about harm in good faith to a person who needs to know that information is generally excused from liability for defamation.

Promptness

All steps under the Policy should be carried out promptly. The school will keep the victim and the alleged perpetrator informed of progress.

Protection

The Principal will ensure that the following are undertaken in order to reduce the chance of abuse occurring:-

- Ensure that each staff member understands and fulfils their obligations under this Policy.
- Ensure that there is an acceptable reference for each staff member engaged since the commencement of this protocol, from their previous employer.
- Ensure that each non-teaching staff member and volunteer who has contact with children has a current positive suitability notice issued by the Commissioner for Children and Young People¹.
- Ensure that each teaching staff member is a Registered Teacher.

Support

The school will provide support for the victim through professional counselling if it is requested, even if any allegation is not yet proved or disproved. The school will support the respondent of a complaint with professional counselling if it is requested until the matter has been resolved.

Interviews

There will be two representatives of the school present at interviews, where practical. In cases of allegations of serious harm it is best not to interview a student who is a child unless a properly qualified person conducts the interview.

Teachers

If a respondent to an allegation is a registered teacher, the school will give notification to the Board of Teacher Registration, if required to do so under the *Education (Teacher Registration) Act 1988* and the *Education and other Legislation (Student Protection) Amendment Act 2003*.

¹ Note: in relation to positive suitability notices for non-teaching staff, the Commission for Children and Young People Act currently only requires non-teaching staff employed after commencement of the Act (1 May 2001) to have suitability notices. The Government has notified its intention to amend the Act to require all non-teaching staff at schools employed prior to 1 May 2001, to have suitability notices. It is therefore a decision of the school as to whether or not non-teaching staff employed prior to 1 May 2001 should have suitability notices.

Further, the Act currently exempts volunteers who are parents of children at the school from the requirement to have suitability notices. It is therefore a decision for the school as to whether all volunteer parents should have suitability notices. The Government is currently reviewing this provision of the Act.

Public Relations

The Principal will ensure that the school is able to react quickly to allegations of harm so that accurate and relevant information is available for staff members, students and their families and for the media.

Police Action

It will usually be necessary to wait until the police have decided whether to charge the respondent before taking any internal disciplinary proceedings. If the police do charge the respondent, it will be necessary to wait until the charges have been dealt with in the courts before commencing internal enquiries or disciplinary proceedings. This does not preclude the Principal from seeking advice from police regarding the duty of care to existing students which may involve the standing down of a staff member during an investigation. The police are not required to inform the school about their investigation. Some of their material may be acquired under a Freedom of Information request when their work on the case is finished.

Insurer

The College will keep its insurer informed about developments.

Publication

The Principal will ensure that this policy is published:-

- to staff members generally, at least once each year
- to each new staff member, on induction
- by reference to it in the school newsletter, at least twice each year
- by display on at least one noticeboard in the school, always

The Principal will ensure that a copy of the policy is always available from the school's administration

Review

The College will ensure that this Policy is reviewed at least once every two years.

PART B - DEALING WITH ALLEGATIONS OF HARM

The following actions should be taken in any cases relating to harm or suspected harm against a child:

1. Record details of the allegations. Be careful not to taint the evidence of the student or the respondent.
2. Decide whether the allegation should be reported to authorities: see *Procedures for Reporting Harm*. If so, report it.
3. Provide details of the allegations to the respondent.
4. If there is unacceptable risk, stand down the respondent. In extreme cases, dismiss them summarily.
5. Offer counselling to the student and the respondent.
6. Inform the student's parents. *footnote re: s.15 child Protection Act*
7. Inform the College's governing body.
8. Inform the College's insurers.
9. Investigate the allegations. Note: if the allegations have been reported to police, do not begin the investigations until the prosecution is complete and the police inform you they have decided not to charge the respondent.
10. Attend to public relations.
11. Take disciplinary action against the respondent if the circumstances require it.
12. Keep the student and the respondent informed as the matter proceeds.

PART C - PROCEDURES FOR REPORTING HARM

Staff members at Brisbane Adventist College are expected to reflect the highest standards of care in their behaviour towards and relationships with students.

Employees of Brisbane Adventist College must not under any circumstances engage in physical or emotional abuse or engage in sexual contact of any nature with a student of the school. It is irrelevant whether the conduct is consensual or non-consensual, or condoned by parents or caregivers. The age of the student is also irrelevant.

Failure to behave in an appropriate manner may result in criminal proceedings and/or disciplinary action, including dismissal.

The following Table outlines the procedures for reporting harm which will apply in Brisbane Adventist College.

Where a reference is made to **PROVIDING A WRITTEN REPORT** in the below procedures, the following matters are to be included in the written report:

1. name of the person giving the report;
2. name, sex and (if known) age of the child victim;
3. details of the basis for the maker of the report becoming aware, or reasonably suspecting, that the child has been sexually abused;
4. details of the actual or suspected sexual abuse;
5. particulars of the identity of the alleged perpetrator of the abuse (if known); and
6. particulars of the identity of any other person who may be able to give information about the abuse (if known).

PROCEDURES FOR REPORTING HARM	
SCOPE:	applies to: • harm of any student of this school who was under 18 years at the time the harm was caused; and • behaviour of a staff member that a student considers is inappropriate.
DEFINITION:	"harm":- • is any detrimental effect of a significant nature on a student's physical psychological or emotional well being, however caused • can be caused by - physical, psychological or emotional abuse or neglect; or - sexual abuse or exploitation.

ACTIONS REQUIRED:

Subject	If	Then
Reporting Harm (Accreditation Regulation s.10)	You as a student are aware or reasonably suspect that harm has been caused by anyone to a student of the school who was under 18 at the time	report it to any staff member, including appointed contact officers.
	You are a staff member and you are aware or reasonably suspect that harm has been caused by anyone to a student of the school who was under 18 at the time	report it to the Principal or to the relevant Campus Head. keep a written record of your actions
	You are:- the Principal or the Campus Head and you receive a report of harm or suspected harm to a student of the school; and you are aware of the harm having been caused or you reasonably suspect the harm to have been caused	report it to the police or the Department of Families keep a written record of your actions
Reporting Inappropriate Behaviour (Accreditation Regulation s.10)	You are a student and you wish to report behaviour by a staff member that you consider inappropriate	report the behaviour to The Principal or Campus Head ✓
	You, the Principal or Campus Head receive the report under the preceding step	interview the student interview the staff member named in the report interview any other person who may be able to provide useful information report your findings to the Principal, if you are the Campus Head, with your recommendation for action to be taken as Principal take action on the basis of the report
Reporting Sexual Abuse (Education (General Provisions) Act s.146B)	You are:- • a staff member; and • aware or you reasonably suspect that an employee of the school has sexually abused a student of the school who was under 18 at the time	give a written report about the abuse to the Principal or a member of the Board of Directors immediately contents of the written report are prescribed by regulation made under the Education (General Provisions) Act
	You, the Principal, receive a report under the preceding step	give a copy of the report to a police officer immediately

Policy on Bullying

The College has a responsibility to ensure that the rights of its students are safeguarded. These include the right to a learning environment free from discrimination and harassment.

All schools must take reasonable steps to ensure that students learn in a safe, supportive and caring environment without fear of being bullied, discriminated against or harassed.

By definition bullying is repeated oppression, psychological or physical, of a less powerful person or group by a more powerful person or group of persons. It may be manifested in many ways e.g. harassment (verbal, sexual or psychological), victimisation, alienation, coercion, intimidation, exclusion, ostracism, discrimination.

In any form bullying is not acceptable behaviour and results in hurt, fear, loss of self-esteem and decreased social effectiveness for the victim. Within the context of the (name of school) bullying is entirely contrary to the ideals of the school. In accordance with the school's Mission statement therefore this policy seeks to:

- develop in students respect and concern for others, of all races and creeds;
- develop in students an understanding that they must take responsibility for their own behaviour;
- develop in students critical and effective thinking and problem solving skills;
- develop in students life skills related to healthy life styles; and
- develop an environment that nurtures and promotes student self-esteem and self confidence.

Implementation

The following steps are a guide to dealing with reports of bullying.

1. If bullying is suspected or reported, the incident should be dealt with immediately by the member of staff who has been approached, to ensure the student's safety. It is *never* acceptable to turn a blind eye to bullying.
2. A clear account of the incident should be recorded and given to the Principal or delegate.
3. The Principal or delegate will then work through the school's anti-bullying policy (see The Personal Power Program below).

Students

Students who have been bullied will be supported by:

- offering an immediate opportunity to discuss the experience with a member of staff of their choice;
- reassuring the student;
- offering continuous support; and
- providing encouragement to form and maintain friendships with non-bullying students.

Students who have bullied will be helped by:

- discussing what happened;
- discovering why the student became involved;
- establishing the wrong doing and the need to change; and
- enlisting the support of parents/caregivers to help change the behaviour and attitude of the student, where appropriate.

Within the curriculum the school will raise the awareness of the nature of bullying through inclusion in assemblies and subject areas, in an attempt to eradicate such behaviour.

Policy for the Prevention of Harm to Students from People Outside of the School

Over 85% of children are harmed by someone they know and trust – a parent, sibling, other relative, family friend or care provider. Employees should be aware of the physical, emotional and behavioural indicators of risk of student harm, and actual harm. These indicators are more significant if they are severe and/or consistent over time.

Indicators of harm

Physical abuse and excessive punishment

- student presents with bruises, burns or fractures at a frequency which is inconsistent with normal activity;
- students offer explanations for an injury which appear inconsistent with that injury;
- student or another person advise that he/she has been subjected to or threatened with physical harm;
- reluctance/refusal to participate in swimming or other activities where getting changed or wearing more revealing clothes may show signs of harm;
- excessive absenteeism.

Emotional abuse and/or deprivation

- poor peer relationships/withdrawn;
- inclined to seek adult company and/or students who are older or younger;
- avoiding going home on a regular basis;
- learning difficulties, including poor concentration;
- attention seeking behaviour such as stealing, lying, running away, disrupting classes repeatedly.

Physical neglect and/or inadequate supervision or care

- students appear underweight for age and body type;
- inadequate clothing;
- asking other students for food or money or not bringing food to school;
- excessive absences from school and/or high frequency of illness/infection;
- student often arrives at school early and/or leaves late.

Sexual abuse

- bruises, bite marks or other injuries to breasts, buttocks, arms, lower abdomen or thighs;
- bruises, scratches or other injuries not consistent with accidental injury;
- difficulty walking or sitting;
- persistent headaches or recurrent abdominal pain;
- unexplained pain in genital area;
- torn, stained or bloodied underwear;
- itching, soreness, discharge or unexplained bleeding;
- painful and recurrent urination;
- recurrent urinary tract infections;
- signs of sexually transmitted diseases;
- pregnancy in adolescents where the identity of the father is vague or secret.

Where an employee has concerns or is unsure whether or not observations should be cause for concern, it is mandatory that they report their concerns to the Principal.

The Principal will contact the Department of Families to discuss, in the first instance, the fact there is a concern and to seek advice as to the appropriateness of formally reporting the matter.

If it is deemed, after this discussion, that further investigation is warranted, then the Principal, on behalf of the employee who made the original observation, will report the matter to the Queensland Police Service. Reporting to the police is mandatory where harm caused to a child indicates a criminal offence may have taken place, such as a sexual assault. At this time the employee concerned must be available to give a first hand account of the situation.

It should be noted that the role of the employee is not an investigative one. Staff must not undertake investigations beyond satisfying themselves that they have reasonable grounds to suspect that a student has been, or is at risk of harm. Neither the employee nor the Principal is obliged to obtain proof, establish the cause of harm or assess its severity.

Once a report has been made, the employee is not required to take further action, beyond the requirement to exercise a duty of care.

Evidence

The investigation of these matters is a complex and sensitive process. In the course of an investigation, officers from the child protection agencies may request permission to interview the student concerned. In most cases, in order to ensure the interests of the child are protected, the student may be interviewed before the matter is discussed with the parent/caregiver.

The responsibility for informing parents/caregivers of notifications and any interviews rests with the investigating child protection agency officers, not with the Principal. For this reason, any person making an inquiry or complaint concerning an investigation or an interview must be promptly referred to the Principal who will refer the enquirer to the appropriate department with the explanation that it is the responsibility of that department to answer such inquiries or complaints.

Confidentiality

The identity of the person reporting the matter must not be revealed to any person or officer of any department without that person's consent.

Child protection agencies operate under strict laws of confidentiality. This means they do not divulge the identity of the person reporting the matter except to others requiring the information to perform duties under the *Child Protection Act 1999*, neither do they divulge information about their investigations to the person reporting the matter.

Section 22 of the *Child Protection Act 1999* provides for the protection from civil liability for persons who, acting honestly, notify or give information about suspected harm to a child. It also states that merely because the person gives the notification, the person cannot be held to have breached any code of professional etiquette or ethics, or departed from accepted standards of professional conduct. Furthermore, Section 146B (5) of the *Education and Other Legislation (Student Protection) Act 2003* provides similar protection with respect to reports of sexual abuse.

Support for the Student

The school has a responsibility to offer a long-term, supportive environment for all students. The following are suggested as ways to support a student who may be in need of protection:

- Treat the student with respect and dignity.
- Be sensitive to the student's needs, feelings and concerns.
- Monitor the situation.
- Maintain confidentiality as far as is practicable.
- Immediately notify the Principal if, after the initial report, any further incidents of harm are suspected.

Policy on Preventing Student Self Harm

During their schooling, some students may be at risk of harming themselves. This harm may occur with or without suicidal intent; or may be symptomatic of, or associated with, a known medical condition or intellectual disability.

Self-harm with suicidal intent

Youth suicide rates in Australia are among the highest in the industrialised world. Common risk factors include:

- previous attempts at suicide (most powerful risk predictor);
- depression;
- drugs and alcohol abuse;
- conduct disorder;
- disruptive and unsupportive family background;
- relationship conflicts;
- poor coping skills;
- psychiatric illnesses;
- ready availability of lethal means to commit suicide;
- copycat behaviour after an incident of self-harm by another person.

Other risk factors include:

- recent bereavement;
- chronic physical illness;
- anniversary phenomenon (of past losses or major life events);
- early loss experiences;
- school failure;
- perfectionism and overachievement as a result of students having high expectations of themselves.

Threats of self-harm by a student should be taken seriously and reported to the school counsellor and Principal immediately. It is much safer to be cautious and act on the concern, than to do nothing.

An employee who becomes aware of, or suspects, a student is experiencing significant psychological distress, should consult the school counsellor, or school based nurse (where applicable) for further advice and report the information to the Principal.

In the case of an acutely distressed student, the immediate safety of the child is paramount. An employee should ensure the immediate safety of the student, arrange for an adult to be with the student at all times and then report concerns to the Principal and the school counsellor. Employees should note, that while it is important to support a student, they should be careful not to substitute support for professional help.

Following a report, the school counsellor will meet with the distressed student, **on the day of the report**, to conduct an initial assessment and determine an appropriate course of action. In cases of serious concern, the Principal, or counsellor under the direction of the Principal, will notify the student's parents and make arrangements for access to professional assistance.

Self-harm without suicidal intent

Not all cases of self-harm relate to suicidal intent. Students may engage in a variety of high risk behaviours, such as alcohol/substance abuse; drug-taking; unsafe promiscuity; cutting/burning oneself.

All school employees are expected to act to prevent all high risk behaviours occurring within the school, and support any other interventions undertaken to reduce the risk of such behaviours occurring outside the school.

Employees who are aware that a student is engaging in, or is at risk of engaging in, high risk activities should consult with the school counsellor for further advice and report their concerns to the Principal.

Following a report, the Principal will consult with the student counsellor to determine what course of action should occur. Possible actions include:

- contacting parents
- arranging professional assistance
- consulting with the local office of the Department of Families
- contacting the police, where appropriate.

Self-harm as a symptom of a medical condition or intellectual disability

Where it is known that a student has a propensity to engage in self harm that is symptomatic or associated with a known medical condition or intellectual disability, the school Principal, in cooperation with other qualified school staff and external treating professionals (where applicable) will devise an individual program of management to prevent or reduce the likelihood of the student engaging in self-harm at school.

The program will complement any other management procedures adopted outside the school setting to address the self harm behaviour.

The program of management will be monitored on an on-going basis and modified as appropriate to maximise socially adaptive behaviour.

SECTION 2

Child Protection at Brisbane Adventist College

Brisbane Adventist College recognises that protecting students from harm and the risk of harm is fundamental to maximising their personal and academic potential. For this reason the welfare and best interests of the children within our College will always be a primary consideration.

We expect our students to show respect to our staff and volunteers and to comply with safe practices and we expect all employees to ensure that their behaviour towards and relationships with students reflect proper standards of care for students, and are not unlawful. The College will respond diligently to a report of suspected or actual harm, or risk of harm to a student.

What does the College mean by harm?

Recent Queensland legislation defines "harm" as:

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

- Physical, psychological or emotional abuse or neglect;
- Sexual abuse or exploitation; or
- Domestic or family violence.

How does the College protect students from harm?

The College has a comprehensive Child Protection Policy, which covers the actions to be taken if a member of staff or a parent of the College becomes aware or reasonably suspects that harm has been done to a student of the College by other staff, people outside the College or by other students.

What should you do if you become aware or reasonably suspect that harm has been caused to a student of the College by a member of staff, someone outside of the College or by other students?

You should report your concerns to the Principal or Deputy Principal or to any other member of College staff.

What will happen next?

If you report your concerns to a member of staff other than the Principal, the member of staff will report it to the Principal immediately, or if the subject of the complaint is the Principal then the member of staff will report to the Chief Executive Officer of the Board of Directors or his designate.

What will the Principal or the Chairman of the College Council do?

If the Principal or Chairman of the College Council receives a report of harm or suspected harm to a student of the College; and he/she becomes aware of the harm having been caused or reasonably suspects the harm to have been caused then it will be reported to police immediately if the harm relates to sexual abuse; or to the Department of Families if appropriate; or it may be dealt with internally if the matter does not require mandatory reporting to an outside body.

What happens about confidentiality?

Your report will be treated in a confidential manner and with respect. Knowledge of it will be limited to the Principal and those directly involved. The Chairman of the College Council may also need to be informed. It

is the College's policy that confidentiality between the College and parents will be respected as much as possible and any concerns raised by parents will not rebound adversely on their children.

Each person who has access to information regarding suspected or disclosed harm has an obligation to observe appropriate confidentiality. However, the College is unable to promise absolute confidentiality since the steps of the Policy will require disclosing, internally and externally, certain details involved in responding to the report. State authorities can compel people to give evidence about actions under the Policy and to produce documents. You would be fully informed if information you provided were to be passed on to a third party.

Any action, which needed to be taken under staff disciplinary procedures as a result of an allegation not requiring police intervention, would be handled confidentially within the College.

How will the College help my child?

The Principal will ensure that the following things are done to reduce the chance of harm occurring:

- Ensure that each staff member understands and fulfils their obligations under this Policy and the Policy for reporting abuse.
- Ensure that there is an acceptable reference for each staff member engaged since the commencement of this protocol, from his or her previous employer.
- Ensure that each staff member and volunteer who has contact with children has a current positive suitability notice issued by the Commissioner for Children and Young People.

If the Principal receives a report of harm to your child, he/she will support the child by:

- responding rapidly and diligently to the report;
- reassuring the student;
- protecting the child's confidentiality as much as possible;
- offering continuous support; and
- providing counselling if requested.

What should I do if I require more information?

The College's complete Child Protection Policy is available at the College Administration Office and Campus Offices. Parents and students may have access to this policy at any time. You may also make an appointment to discuss the policy with the Principal if you wish to clarify any matters.

A possible leaflet for students is outlined below.

Child Protection - Students

Every student has the right to feel safe and free from harm while at Brisbane Adventist College. We expect you to respect your teachers and other students and we expect that you will receive the same respect in return. You should **never** allow yourself to feel unsafe without reporting it to someone you trust.

Who should I tell if I am not feeling safe at school or at home?

Anyone on staff. If you do not feel like talking to a member of staff you may like to write him or her letter.

What will happen if I report what is happening to a member a staff?

If the concern is worrying you but not causing you immediate harm, then the member of staff will discuss with you ways to solve your problem. If the concern is serious and the member of staff believes that you are being harmed or in danger of being harmed, he or she will report it to the Principal.

What if I don't want the member of staff to tell the Principal?

The member of staff will try to keep your concerns confidential as much as possible. However, if the member of staff is aware or reasonably suspects that harm has been caused by anyone to a student of the College then the law says that the matter must be reported to the Principal and it may have to be reported to the Police. If the staff member has no choice about reporting what you have told them to some-one else he or she will explain to you exactly what will happen next.

Remember the most important thing is that you feel safe and free from harm. You must tell someone if you are being harmed or afraid that you will be harmed.

26 May 2004

Pastor Malcolm Potts
Secretary
Seventh-Day Adventist Schools (South Queensland) Ltd
19 Eagle Terrace
BRISBANE QLD 4000

Dear Pastor Potts

Thank you for your letter received on 25 May 2004 in response to the Non-State Schools Accreditation Board's request for information and documents concerning the school's written processes about the conduct of staff and students at Brisbane Adventist College, Bundaberg Adventist School, Darling Downs Christian School, Gold Coast Adventist School, Ipswich Adventist School, Noosa Christian College and Northpine Christian College.

Your response is currently being considered and the school's governing body will be contacted again in due course.

Thank you for your assistance to date.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P.M. Parsons', followed by a checkmark-like flourish.

Mr P M Parsons
Director

15 July 2004

Pastor Malcolm Potts
Secretary
Seventh-Day Adventist Schools (South Queensland) Ltd
19 Eagle Terrace
BRISBANE QLD 4000

Dear Pastor Potts

I refer to previous correspondence in relation to the Non-State Schools Accreditation Board's request for information and documents concerning the schools' written processes about the conduct of staff and students at Brisbane Adventist College, Bundaberg Adventist School, Darling Downs Christian School, Gold Coast Adventist School, Ipswich Adventist School, Noosa Christian College and Northpine Christian College.

Staff of the Accreditation Board's Office have now carried out an initial assessment of the information and documents provided by you prior to the material being considered by the Board. I am writing to you to advise of some concerns the Office has in relation to the schools' Child Protection Policies.

The following issues relate to all schools -

1. The definition of "harm" appearing in Section 1 of the policies, under heading "Definitions", is inconsistent with the definition appearing in Part C of the policies. The section 1 definition has been extended beyond the definition contained in section 3 of the *Education (Accreditation of Non-State Schools) Regulation 2001*. Although, both definitions fall within the ambit of the Regulation, I believe the definition should remain consistent throughout the policy and associated documentation. In this respect, I note that the definition of harm also appears in the pamphlet to parents.
2. Item 6 in Part B of the policy requires clarification. This point presently states that in any case of harm or suspected harm, action should be taken to inform the student's parents. My Office has recently discussed this point with the AISQ. Section 15 of the *Child Protection Act 1999* provides that when harm to students is suspected from people outside the school, the responsibility for informing parents/caregivers rests with the investigating child protection agency officers, not with the school. I note that this point is discussed in Part E of the school policy under the heading "Evidence". However, when point 6 is read in isolation, it is not clear that in some cases of reports of harm or suspected harm, it is not the school's responsibility to inform parents. I understand that the AISQ has amended its Information Manual on Child Protection Policies recently and incorporated a footnote to point 6 to this effect.

3. I have been advised that the Department of Child Safety will be fully operational by December 2004 and that this department will provide services to children and families where child abuse or neglect has been alleged or identified. Therefore, the references in your policies to the Department of Families will require amendment.

Now I will address the additional issues of concern regarding each school's individual policy –

Brisbane Adventist School

The pamphlet to parents on page 15 and the pamphlet to students on page 17 of the policy contain introductory text which will require either amendment, or deletion, for the final version of the document.

Bundaberg Adventist School

1. On page 2 of the policy, under the heading "*Useful Contacts*", the contact number for police should be listed.
2. The pamphlet to parents on page 16 of the policy contains introductory text which will require either amendment, or deletion, for the final version of the document.

Darling Downs Christian School

The pamphlet to parents on page 16 and the pamphlet to students on page 18 of the policy contain introductory text which will require either amendment, or deletion, for the final version of the document.

Gold Coast Adventist School

1. On page 4 of the policy, under the heading "*Useful Contacts*", the contact number for police should be listed.
2. The pamphlet to parents on page 16 and the pamphlet to students on page 18 of the policy contain introductory text which will require either amendment, or deletion, for the final version of the document.

Ipswich Adventist School

1. On page 3 of the policy, under the heading "*Useful Contacts*", the contact number for police should be listed.
2. The pamphlet to parents on page 15 and the pamphlet to students on page 17 of the policy contain introductory text which will require either amendment, or deletion, for the final version of the document.

Noosa Christian College

1. On page 3 of the policy, under the heading "*Useful Contacts*", the contact number for police should be listed.
2. It appears that the sample Information Leaflets for Parents and Students have not been attached to the policy.

Northpine Christian College

1. On page 3 of the policy, under the heading "Useful Contacts", the contact number for police should be listed.
2. It appears that the sample Information Leaflets for Parents and Students have not been attached to the policy.

Furthermore, it appears that only Noosa Christian College has provided the information requested by the Board in relation to the requirements of s.10(7) of the *Education (Accreditation of Non-State Schools) Regulation 2001*. Therefore, would you please provide your further advice whether the staff members of Brisbane Adventist College, Bundaberg Adventist School, Darling Downs Christian School, Gold Coast Adventist School, Ipswich Adventist School and Northpine Christian College have been made aware of the processes for reporting harm and also, please provide details concerning the accessibility of the policy to students, eg. where is it located/displayed.

I would appreciate your response to these matters as soon as possible. If you have any queries, about this matter please do not hesitate to contact Ms Debbie Tanzer on telephone (07) 3237 9947.

Thank you for your assistance to date.

Yours sincerely



Mr Laurie Vogler
Director

10 September 2004

Dr G Watson
Chief Executive Officer
Seventh-Day Adventist Schools (South Queensland) Ltd
19 Eagle Terrace
BRISBANE QLD 4000

Dear Dr Watson

Thank you for your letter received on 27 August 2004 in response to the Non-State Schools Accreditation Board's request for information and documents concerning the written processes about the conduct of staff and students at Brisbane Adventist College, Bundaberg Adventist School, Darling Downs Christian School, Gold Coast Adventist School, Ipswich Adventist School, Noosa Christian College and Northpine Christian College.

I have noted the changes made to the school's Child Protection Policies and associated documents in response to my earlier letter, and advise that the information you have provided has been assessed by the Office as compliant with the statutory requirements.

Accordingly, your full response to the Board's request for information and documents concerning the school's written processes about the conduct of staff and students will now be referred to the Board for its consideration.

Thank you for your assistance to date. The school's governing body will be contacted again in due course.

Yours sincerely



Mr Laurie Vogler
Director

FILE COPY

7 October 2004

Pastor Malcolm Potts
Secretary
Seventh-day Adventist Schools (South Queensland) Ltd
19 Eagle Terrace
BRISBANE QLD 4000

Dear Pastor Potts

I refer to the written processes about the conduct of staff and students (and certain related information), as regulated by section 10(2) to (8) of the *Education (Accreditation of Non-State Schools) Regulation 2001*, recently submitted to the Non-State Schools Accreditation Board by Seventh-day Adventist Schools (South Queensland) Ltd in respect of the following schools –

Brisbane Adventist College
Bundaberg Adventist School
Darling Downs Christian School
Noosa Christian College
Northpine Christian College

The Accreditation Board considered the written processes and related information at its meeting held on 7 October 2004 and is satisfied that the written processes meet the legislative requirements as set out in section 10(2) to (6) of the Regulation, and is satisfied that the governing body has demonstrated that these schools are implementing the processes as required by section 10(7).

The Accreditation Board would like to thank you for your cooperation during the program involving all non-State schools to establish the extent of conformity with the statutory requirements as outlined.

Yours sincerely



Emeritus Professor Roy Webb AO
Chairperson