

Student protection reporting obligations for the EGPA and CPA

Required under section 16 of the Education (Accreditation of Non-State Schools) Regulation 2017

Queensland Government
Non-State Schools Accreditation Board

Take all necessary actions to protect the student/s from any immediate risk of harm. In case of an emergency call 000.

**or delegate (if delegation of director's reporting functions is exercised under s366B of the EGPA)*

Education (General Provisions) Act 2006 (EGPA), [sections 366 and 366A](#)

Obligation for **all staff members** to report sexual abuse, reasonable suspicion of sexual abuse, or likely sexual abuse of a student under 18 years attending the school

(includes kindergarten aged children registered in kindergarten learning programs at the school and persons with a disability below compulsory school age being provided with special education at the school and not enrolled in prep at the school)

Staff member is the first person to become aware or reasonably suspects sexual abuse has occurred; or reasonably suspects sexual abuse is likely to occur

Staff member must immediately give a written report to the school's principal or a director* of the school's governing body

The principal or director* of the governing body must **immediately** give a copy of the written report received from the staff member to a police officer (**Queensland Police Service**)

Information that must be included in the written report is detailed in the Education (General Provisions) Regulation 2017:

- [section 68](#) – report about sexual abuse
- [section 69](#) – report about suspicion of likely sexual abuse

(Reporting particulars can be viewed via the above links)

Principal is the first person to become aware or reasonably suspects sexual abuse has occurred; or reasonably suspects sexual abuse is likely to occur

Principal must immediately give a written report to a police officer (**Queensland Police Service**)

Principal must also **immediately** give a copy of the written report to a director* of the school's governing body

Child Protection Act 1999 (CPA), [section 13E](#)

Obligation for **relevant persons** to report a reportable suspicion

(includes but not limited to teachers and registered nurses)

Teacher, registered nurse or other relevant person (detailed in s13E) forms a reasonable suspicion that a child has suffered, is suffering, or is at unacceptable risk of suffering significant harm caused by physical or sexual abuse; **and** may not have a parent willing and able to protect the child from harm

The relevant person must give a written report to the chief executive of department responsible for **child safety**

Information that must be included in the written report is detailed in [section 13G](#) of the *Child Protection Act 1999*, and [section 4](#) of the *Child Protection Regulation 2023*.

(Reporting particulars can be viewed via the above links)

Note: additional requirements for student protection processes apply under the Education (Accreditation of Non-State Schools) Regulation 2017 sections 16 and section 15(a) (*Child Safe Organisations Act 2024*). While not compliance requirements under the Regulation, under the *Education (Queensland College of Teachers) Act 2005*, a prescribed school's employing authority must notify the QCT when it starts (section 76) or stops (section 77) addressing an allegation of harm to a child caused, or likely caused, by a teacher's conduct. Under the *Criminal Code Act 1899*, all adults, including school staff, parents, guardians, and students over 18, must report any belief of a child sexual offence (section 229BC). Additionally, accountable persons (e.g., adults associated with a school, excluding regulated volunteers) are required to take reasonable steps to protect children from child sexual offences (section 229BB). Failure to meet these obligations can lead to legal consequences.

Key concepts

Sexual abuse includes any sexual act or behaviour involving a child and another person who uses coercion, threats, exploitation or where there are significant power or maturity differences. It also includes grooming or creating and sharing child exploitation material. Sexual abuse can be physical, verbal, or emotional, including acts such as inappropriate touching, making obscene remarks or sending obscene messages to a child, exposing a child to sexual content (including deepfakes) or forcing them to engage in sexual acts.

Likely sexual abuse refers to a situation where there is a reasonable belief that a child is at significant risk of being sexually abused unless action is taken to prevent it. This suspicion may arise from observing grooming behaviours or other interactions that feel inappropriate or concerning. Reporting likely sexual abuse is essential to stop it from occurring.

Physical abuse involves the intentional use of physical force against a child that results in injury or serious harm to the child. This may include hitting, kicking, shaking, smothering, throwing, choking, burning, biting, poisoning or using physical restraints. Physical abuse does not always leave visible marks or injuries.

Emotional abuse occurs when a child is treated in a way that harms their social, emotional, or intellectual development. It can include rejection, name-calling, teasing, bullying, yelling, constant criticism, isolating a child for long periods, or exposing them to domestic and family violence. It may also involve imposing expectations that are not appropriate for the child's age or development, being overly protective or restricting a child's ability to explore and learn.

Neglect happens when a child's basic needs are not provided for, which can harm their health and development. These needs include proper food, housing, clothing, personal hygiene, clean living conditions, medical care and adequate supervision.

Immediately means to progress the report without unreasonable delay once a reasonable suspicion of sexual abuse or likely sexual abuse has been formed.

Reasonable suspicion is a belief formed on reasonable grounds in the given circumstances. Factors to consider when forming a reasonable suspicion include whether there are current or likely future detrimental effects on the child's physical, psychological or emotional wellbeing, the severity and likelihood of these effects continuing and the child's age. This suspicion can be based on observations of the child, knowledge about their situation or the relevant experience and training of the person forming the suspicion.

Parent able and willing to protect the child from harm is a parent with both the ability and the willingness to ensure the safety, wellbeing and best interests of the child. A parent's ability and willingness may be evident in their statements and direct or indirect actions.

Significant harm has more than a minor impact on a child. It is a substantial and serious impact on a child's physical, psychological or emotional wellbeing, which must be observable in their body, behaviour or functioning.

Cumulative harm occurs when a child experiences multiple harmful incidents over time, which together create significant harm, even if individual events may not meet reporting thresholds. It can result from recurring adverse events, different types of abuse or repeated exposure to domestic violence, often leading to complex trauma.

Indicators of abuse can appear in a child's behaviour, emotions or physical appearance although some children may not show any visible signs at all.

Learn more about [child abuse](#), how to [recognise signs of abuse](#), [protecting children](#) and other [child safety information](#).