



# St Philomena School



## Child Risk Management Strategy

Updated Nov 2022

<b>Purpose:</b>	The purpose of this strategy is to eliminate and minimise risk to student safety to ensure the safety and wellbeing of all students.	
<b>Scope:</b>	Students and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements.	
<b>Status:</b>	Approved	<b>Supersedes:</b> April 2022
<b>Authorised by:</b>	School Governing Body Director & School Principal	<b>Date of Authorisation:</b> Nov 2022
<b>References:</b>	<ul style="list-style-type: none"> <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) Regulation 2020 (Qld)</a></li> <li>• <a href="#">Child Protection Act 1999 (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="#">Education (General Provisions) Act 2006 (Qld)</a></li> <li>• <a href="#">Education (General Provisions) Regulation 2017 (Qld)</a></li> <li>• <a href="#">Education Services for Overseas Students (ESOS) Act 2000 (Cth)</a></li> <li>• <a href="#">Education (Overseas Students) Regulation 2014 (Qld)</a></li> <li>• <a href="#">Education (Queensland College of Teachers) Act 2005 (Qld)</a></li> <li>• <a href="#">Education and Care Services National Law (Queensland)</a></li> <li>• <a href="#">Education and Care Services National Regulations</a></li> <li>• <a href="#">Criminal Code Act 1899 (Qld)</a></li> <li>• Blue Card Services <a href="#">Child and Youth Risk Management Strategy Toolkit</a></li> <li>• <a href="#">Restricted Person Declaration Form</a></li> </ul>	
<b>Review Date:</b>	Annually	<b>Next Review Date:</b> Nov 2023
<b>Policy Owner:</b>	School Governing Body	

## **1. Statement of Commitment**

St Philomena School is committed to taking all reasonable steps to promote the safety and wellbeing of students enrolled at the school and their protection from foreseeable harm. <sup>1</sup> In practice, St Philomena School is committed to acting in accordance to the *Working with Children (Risk Management and Screening) Act 2000* (Qld) (“the Act”) to promote the safety and wellbeing of students means that it will implement the measures outlined below in points.

## **2. Code of Conduct**

At St Philomena School we expect our employees to conduct themselves as follows:

School employees are expected to always behave in ways that promote the safety, welfare and well-being of our students. Employees must actively seek to prevent harm to students, and to support those who have been harmed.

Specific responsibilities include:

- Employees should avoid situations where they are alone in an enclosed space with a student.
- When physical contact with a student is a necessary part of the teaching/learning experience, employees must exercise caution to ensure that the contact is appropriate and acceptable. Employees must always advise the student of what they intend doing and seek their consent.
- Employees must not develop a relationship with any student that is, or that can be interpreted as having a personal rather than a professional interest in a student.
- Employees must not have a romantic or sexual relationship with a student.

This commitment is evidence of St Philomena School’s fulfilment of the requirements of Schedule 1 s.2(2).

## **3. Recruitment, Selection, Training and Management Procedures**

St Philomena School is committed to recruiting, selecting, training and managing employees in such a way that limits risks to students. In particular, St Philomena School will:

- Ensure that its recruitment and selection procedures act to reduce the risk of harm to children from employees via:
  - Accurate position descriptions, including whether the successful applicant must be a teacher registered with the Queensland College of Teachers (who has been subject to relevant police and other safety checks), whether a Blue Card is necessary for the successful applicant, the responsibilities and supervision associated with the position, the nature and environment of the service provided to students, and the experience and qualifications required by the successful applicant.
  - Advertising the position with a clear statement about the school’s commitment to safe and supportive work practices and identifying that candidates will be subject to a teacher registration check or Blue Card screening, a police check, referee checks, identification verification and the requirement to disclose any information relevant to the candidates’ eligibility to engage in activities including children.
  - A selection process that includes assessing the application via an interview process and referee and other checks (as identified above) based on the accurate position description.

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<sup>1</sup> *Working with Children (Risk Management and Screening) Regulation 2020* (Qld) sch 1 s.2(1)

- A probationary period of employment, which allows the school to further assess the suitability of the new employee and to act as a check on the selection process.
- Ensure that its training and management procedures act to reduce the risk of harm to students from employees via:
  - Management processes that are consistent, fair and supportive.
  - Performance management processes to help employees to improve their performance in a positive manner.
  - Supportive processes for staff when they are experiencing challenges, such as mentoring, mediation, conflict resolution, coaching, additional training, and external support and counselling services.
  - An induction program which thoroughly addresses the school's policies and procedures, particularly its expectations regarding student risk management and to assist employees to understand their role in providing a safe and supportive environment for students.
  - Training new and existing staff on an ongoing basis to enhance skills and knowledge and to reduce exposure to risks, as follows:
    - the school's policies and procedures
    - identifying, assessing and minimising risks to students
    - handling a disclosure or suspicion of harm to a child.
  - Keeping a record of the training provided to employees.
  - Exit interviews to assist the school to identify broader issues of concern that may impact on the safety and wellbeing of students at the school.

This commitment is evidence of St Philomena School's fulfilment of the requirements of Schedule 1 s.2(3).

#### **4. Handling Disclosures or Suspicions of Harm**

Any of the types of concerns or reports below should be reported and managed under the St Philomena School Child Protection Policy and the Child Protection Procedure, as follows:

- all staff with concerns about sexual abuse or likely sexual abuse or a child sexual offence committed by an adult
- teachers, nurses and early childhood education and care professionals with concerns of sexual or physical abuse
- all staff who have received a report of inappropriate behaviour by another staff member.

To report any type of harm, all staff members should use the Report of Suspected Harm or Sexual Abuse Form in Appendix 2 of this document.

Furthermore, and in accordance with section 76 of the *Education (Queensland College of Teachers) Act 2005*, the Principal of St Philomena School will report to the Queensland College of Teachers any investigations into allegations of harm caused, or likely to be caused, to a student because of the conduct of a relevant teacher at the school.

Any report made under this section or the St Philomena School Child Protection Policy will fulfill the reporting obligations of all adults under the *Criminal Code Act 1899*.

This commitment is evidence of St Philomena School's fulfilment of the requirements of Schedule 1 s.2(4).

## **5. Managing Breaches of this Child Risk Management Strategy**

St Philomena School is committed to appropriately managing breaches of this Child Risk Management Strategy in accordance with its other relevant policies as appropriate in the circumstances, such as its Child Protection Policy, Employee Code of Conduct, Complaints Handling Policy and Procedures and Enterprise Bargaining Agreement or equivalent, and this is evidence of fulfilment of the requirements of Schedule 1 s.2(5).

### **6.1 Implementing and Reviewing the Child Risk Management Strategy**

This Strategy in its entirety and its related policies and procedures are evidence of fulfilment of the requirements of Schedule 1 s.2(6)(a) relating to implementation.

The introduction to this Child Risk Management Strategy and the “Compliance and Monitoring” section below state St Philomena School’s commitment to reviewing the Strategy annually and are evidence of fulfilment of the requirements of the Schedule 1 s.2(6)(a) relating to review.

### **6.2 Blue Card Policies and Procedures**

St Philomena School is committed to acting in accordance with chapters 7 and 8 of the Act relating to the screening of employees in such a way that limits risks to children. In particular, St Philomena School will:

- Require relevant prospective or current employees, volunteers, trainee students and school board members to have working with children authority, and check the validity and appropriateness of any currently held notices, in accordance with St Philomena School’s position descriptions and the Act prior to the commencement of their engagement.
- Not allow a person to continue to work with children if their working with child authority is cancelled or suspended or a negative notice is received after a change of police information.
- Have all relevant prospective employees and volunteers engaging in Restricted Employment acknowledge and sign a [Restricted Person Declaration Form](#) declaring they are not a restricted person prior to commencing their engagement.
- Not allow a person relying on an exemption to continue to work with children if they become a restricted person.
- Link and unlink individuals as they commence and conclude their engagement with the school.
- Appoint a school contact person who will be responsible for managing the working with child screening process and all related documentation and records.
- Keep written records of all the above actions, decisions and outcomes, including the dates of expiry for working with children authority.
- Ensure that all information in relation to working with children authority is kept confidential.
- Act to remind employees to keep their working with children authority up to date and apply for a renewal prior to expiry.
- Take appropriate action if an employee, volunteer, trainee student or school board member fails to submit a renewal application prior to their working with children authority expiring.

This commitment is evidence of St Philomena School’s fulfilment of the requirements of Schedule 1 s.2(6)(b).

## **7. High Risk Management Plans**

St Philomena School is committed to identifying risks, assessing risks, eliminating and minimising risks and the monitoring of risk to the safety of students on an ongoing basis. St Philomena School will utilise various risk management tools to assist it in this process and will keep appropriate records of decisions made and actions taken in relation to risks to children.

This commitment is evidence of St Philomena School's fulfilment of the requirements of Schedule 1 s.2(7).

## **8. Strategies of Communication and Support**

St Philomena School's commitment to making this Child Risk Management Strategy available to students, parents and employees via its enrolment package, employee handbook, school intranet site is evidence of fulfilment of the requirements of Schedule 1 s.2(8)(a).

St Philomena School is committed to training employees in relation to risks to students and will conduct this training regularly via annual formal training events, informal updates at staff meetings and regular discussions between managers and their staff, and this is evidence of fulfilment of the requirements of Schedule 1 s.2(8)(b).

## **Responsibilities**

St Philomena School is responsible for developing and implementing this Child Risk Management Strategy and related policies and procedures to ensure it fulfils its obligations.

All employees at St Philomena School are responsible for acting in compliance with this Child Risk Management Strategy and related policies and procedures.

## **Compliance and Monitoring**

St Philomena School is committed to the annual review of this Strategy. St Philomena School will also record, monitor and report to the school board, the Senior Executive Team and others regarding any breaches of the Strategy.

In addition, St Philomena School is committed to other various compliance and monitoring arrangements made under relevant policies and procedures.

## **Related Documents**

- St Philomena School Blue Card Policy
- St Philomena School Blue Card Register
- St Philomena School Child Protection Policy
- St Philomena School Child Protection Procedures
- St Philomena School Complaints Handling Policy
- St Philomena School Complaints Handling Procedures
- St Philomena School Employee Code of Conduct
- St Philomena School Performance Management System
- St Philomena School Professional Learning Policy
- St Philomena School Recruitment Policy
- St Philomena School Restricted Person Declaration Form
- St Philomena School Risk Management Framework

## Helpful Links

- Independent Schools Queensland's [Child Protection Decision Support Trees](#)
- Department of Child Safety, Youth and Woman [Child Protection Guide](#) resource
- [Blue Card Services resources](#)

## Appendices

- Appendix 1 – Summary of Reporting Harm
- Appendix 2 – Report of Suspected Harm or Sexual Abuse Form
- Appendix 3 – Restricted Person Declaration Form

# Appendix 1

## Summary of Reporting Harm

Who	What abuse	Test	Report to	Legislation
<b>All staff</b>	Sexual	Awareness or a suspicion  Sexually abused or likely to be sexually abused	Principal, through to police immediately	EGPA sections 366 and 366A
<b>Teacher</b>	Sexual and physical	Significant harm: & Parent may not be willing and able	Confer with principal, report to Child Safety	CPA sections 13E and 13G
<b>All staff</b>	Physical, psychological, emotional, neglect, exploitation	Significant harm: & Parent may not be willing and able	Principal, through to Child Safety	Accreditation Regulation section 16
<b>All staff</b>	Any	Not a level that is otherwise reportable to Child Safety, refer with consent	Principal, through to Family and Child Connect	CPA Sections 13B and 159M
<b>Principal</b>	Any	Not a level that is otherwise reportable to Child Safety, refer without consent	Family and Child Connect	CPA Sections 13B and 159M
<b>Employing authority (Principal/Board)</b>	Harm or likely harm due to the conduct of a teacher	When you start to deal with an allegation; &  When you finish dealing with an allegation	Queensland College of Teachers	QCT sections 76 and 77
<b>Any member of the public</b>	Any	Significant harm: & Parent may not be willing and able	Child Safety	CPA section 13A
<b>Any adult</b>	A child sexual offence against a child by an adult	Gains information that causes the adult to believe on reasonable grounds, or ought reasonably to cause the adult to believe, that a child sexual offence is being or has been committed and  (b) at the relevant time, the child is or was—  (i) under 16 years; or  (ii) a person with an impairment of the mind.	Police	Criminal Code section 229BC

## Appendix 2

### Private and Confidential

#### Report of Suspected Harm or Sexual Abuse

Date:
School:
School Phone:
School Email:

DETAILS OF STUDENT/CHILD HARMED OR AT RISK OF HARM/ABUSE:	
Legal Name:	Preferred Name:
DOB:	Gender:
Year Level:	Cultural Background:
Primary language spoken:	
Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Aboriginal and Torres Strait Islander <input type="checkbox"/>	
Does the student have a disability verified under EAP: Yes <input type="checkbox"/> No <input type="checkbox"/>	Disability Category:
Student's Residential Address:	Phone:
	Student's Personal Mobile:

FAMILY DETAILS	
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 <input type="checkbox"/> No <input type="checkbox"/>	
Are there any Family Court or Domestic Violence orders in place? Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown <input type="checkbox"/>	

PERSON ALLEGED TO HAVE CAUSED THE HARM OR ABUSE		
<input type="checkbox"/> Adult family member	<input type="checkbox"/> Child family member	<input type="checkbox"/> Other adult
<input type="checkbox"/> Student/other child	<input type="checkbox"/> Unknown	



**PROVIDE ALL INFORMATION YOU HAVE WHICH LED TO THE SUSPICION OF HARM OR ABUSE** (Attach extra pages if necessary).

**Details of any harm and/or sexual abuse to the student** – please include: Time and date of the incident; location of the incident, source of information; details of person alleged to have caused the harm or sexual abuse; physical appearance of any injury; immediate and ongoing safety concerns; any disclosures made by student; any previous incidents of harm; behavioural indicators of harm; presence of any medical needs or developmental delays; and if the information relates to an unborn child, the alleged risk to the unborn child.

Please indicate the identity of anyone else who may have information about the harm or abuse

Additional information provided as an attachment YES  NO

Name of staff member making report if not the Principal:

Position:	Signature:	Date:
Principal:	Signature:	Date:

Principal's email address:

Response requested by school:

**ACTION TAKEN**

Form was emailed to (please tick which agencies the form was sent to):	<input type="checkbox"/>	Queensland Police Services (QPS)
	<input type="checkbox"/>	Department of Children, Youth Justice and Multicultural Affairs (Child Safety Services)
	<input type="checkbox"/>	Family and Child Connect
	<input type="checkbox"/>	Queensland College of Teachers

(Adapted from EQ SP-4 Report of Suspected Harm or Risk of Harm)

Confirm receipt of emailed form and ensure original is stored in a secure location along with any other documentation collected for the purpose of this report.

## Appendix 3

### Private and Confidential

#### Restricted Person Declaration Form

St Philomena School has a responsibility to ensure that all commencing and continuing individuals, working or volunteering with children, at St Philomena School are not a *restricted person*.

As of the 31 August 2020, Blue Card Services have made changes which mean certain individuals are no longer able to rely on the current exemptions to work or volunteer with children.

The amended legislation introduced 2 new terms - *restricted person and restricted employment*. It is now an offence for a restricted person to commence or continue working or volunteering in restricted employment.

A *restricted person* is a person who:

- has been issued a negative notice, or
- has a suspended blue card, or
- is a disqualified person, or
- has been charged with a disqualifying offence which has not been finalised.

*Restricted employment* refers to the situations or exemptions that allow a person to work with children without a blue card. These include:

- a volunteer parent;
- a volunteer who is under 18;
- paid or unpaid staff who work in child regulated employment for not more than 7 days in a calendar year.

If you are a *restricted person* it is an offence for you to commence or continue working or volunteering at St Philomena School. The maximum penalty is \$66,725 (500 penalty units) or 5 years in prison. It is also an offence for St Philomena

School to engage or continue to engage a restricted person. The maximum penalty is \$26,690 (200 penalty units) or 2 years in prison.

If you become a ***restricted person*** whilst working or volunteering at St Philomena School you must cease all child related work **immediately** and notify the School Principal you are no longer able to work or volunteer for St Philomena School.

### **Declaration**

Which one of the restricted employment exemptions are you relying on to work or volunteer for St Philomena School?

- a volunteer parent
- a volunteer who is under 18
- child-related engagement for not more than 7 days in a calendar year

I declare:

1. I am not a restricted person.
2. I understand it is an offence to start or continue working or volunteering in restricted employment if I am currently, or become, a restricted person.
3. I will cease all child related work **immediately** and notify St Philomena School if my circumstances change.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_