Catholic Education
Diocese of Rockhampton

Student Protection Processes for Catholic Education (Diocese of Rockhampton)

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IMPORTANT INFORMATION

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

Nothing that is written in these processes prevents a staff member or any other person from taking immediate action to notify Queensland Police Service and/or the Department of Child Safety, Youth and Women particularly if he/she believes that it is essential to act to ensure a student's safety.

If a staff member has any doubts about the fulfillment of their obligations under these processes he/she should contact the Assistant Director: Schools or Student Protection Coordinator within Catholic Education, Diocese of Rockhampton. If a staff member believes that it is essential to act to ensure a student's safety they should contact the police and/or the Department of Child Safety, Youth and Women directly.

Incidents that initially appear to warrant one type of intervention may turn out to be more serious or complex than first thought and may require escalation. All incidents remain subject to a continuing obligation to make mandatory reports to the police and/or the Department of Child Safety, Youth and Women should they meet the relevant threshold for reporting.

Preface

These processes have been developed by the *Queensland Catholic Education Commission* (QCEC), in consultation with Catholic School Authorities, in order to assist Catholic School Authorities to meet legislative and procedural processes for responding to, and reporting, abuse, harm and behaviour of a staff member that a student considers is inappropriate.

Nothing that is written in these processes below prevents a staff member or any other person from taking immediate action to notify Queensland Police Service and/or the Department of Child Safety, Youth and Women, particularly if he/she believes that it is essential to act to ensure a student's safety.

Effective Date

These processes are effective from 26 February 2018.

Review Schedule

These processes shall be reviewed every year, or when necessary as required by changes to legislation, policy or procedure.

The Governing Body

The Governing Body is the Roman Catholic Trust Corporation for the Diocese of Rockhampton.

The Directors of the Governing Body for Rockhampton Catholic Education are the Bishop (as Chairman of the Committee of the Roman Catholic Trust Corporation for the Diocese of Rockhampton) and the other members of the Committee of the Roman Catholic Trust Corporation for the Diocese of Rockhampton.

Delegation

Pursuant to s 366B of the *Education (General Provisions) Act 2006*, the Directors of the Roman Catholic Trust Corporation for the Diocese of Rockhampton have delegated to the person performing the duties of the Diocesan Director of Catholic Education (Diocese of Rockhampton) their obligations under s366 and 366A of the *Education (General Provisions) Act 2006* and more particularly the obligations of the Directors of a non-State school's governing body of receiving a report and giving a copy of the report to a police officer.

Student Protection Contacts

Under the *Education (Accreditation of Non-State Schools) Regulation 2017* (Regulation 16(3)), Schools administered by Catholic Education (Diocese of Rockhampton) have at least two nominated staff members to whom a student can report behaviour of another staff member that the student considers inappropriate. The names of these Student Protection Contacts are made known to staff, students and parents and the names/positions/contact details of stated staff members for the school are maintained on a central register, updated regularly.

At , the Student Protection Contacts are:

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Complaints Procedure

Under the *Education (Accreditation of Non-State Schools) Regulation 2017* (Regulation 16(5)), Schools administered by Catholic Education (Diocese of Rockhampton) have a written complaints procedure to address allegations of non-compliance with student protection processes. Information about the complaints procedure is available from Catholic Education (Diocese of Rockhampton) and http://www.rok.catholic.edu.au/catholic-schools/student-protection/ .

COMPLAINTS PROCEDURE TO ADDRESS ALLEGATIONS OF NON- COMPLIANCE WITH CATHOLIC EDUCATION STUDENT PROTECTION PROCESSES

The Principal must:

- ensure that a link to the complaints procedure to address allegations of non-compliance with Catholic Education Student Protection Processes is available on the school's website/intranet; and
- train appropriate staff in assisting people who wish to make a complaint.

Awareness and Implementation

If staff members, parents or students require further information in relation to any of the processes described in this document and/or other student protection compliance requirements, advice should be obtained from the Principal, the school's Student Protection Contacts or Catholic Education (Diocese of Rockhampton).

Catholic Education (Diocese of Rockhampton) is responsible for ensuring that:

- this document is freely available to staff members, students and parents;
- staff members, students and parents are made aware of the student protection processes;
- staff are trained in implementing the processes; and
- the processes are being implemented within the school.

This is achieved by:

CATHOLIC EDUCATION RESPONSIBILITIES

Catholic Education will publish an electronic copy of the Student Protection Processes on the Catholic Education Staff Portal and Catholic Education public website so that they are readily accessible by staff, students and parents. Catholic Education is also responsible for ensuring that:

- as part of induction, all new Principals receive student protection training that is appropriate to their role and responsibilities;
- suitable student protection programs and training materials for staff are made available;
- specialised student protection training is made available and delivered to, for example, Principals, other Student Protection Contacts and Counsellors;
- Student Protection brochures are made available to schools for distribution to families;
- Student Protection Posters are supplied as required;
- specialised student protection expertise is available to school, college or early learning and care services and Catholic Education Office staff through the work of Student Protection Coordinator and other specialist staff within Catholic Education;
- school, college or early learning and care services successfully fulfil relevant requirements under the School Review and Improvement Processes; and
- a complaints procedure to address allegations of non-compliance with Catholic Education Student Protection Processes is made available on the Catholic Education public website.

SCHOOL PRINCIPAL RESPONSIBILITIES

The Principal is responsible for ensuring that:

- the Catholic Education Student Protection Processes are readily accessible by staff, students and parents by -
    - placing an up-to-date hard copy of the document in the school library which is readily accessible for viewing by staff members, students and parents during school hours; and
    - making available a link to an electronic copy of the document to staff, students and parents through the school's website/intranet.
- staff members are made aware of the Catholic Education Student Protection Processes and trained in implementing these processes by making sure that -
    - all new staff members as part of their induction are made aware of the requirements of the Catholic Education Code of Conduct and the documents that stipulate Catholic Education Student Protection Processes;
    - the names of the school's Student Protection Contacts are made known to staff members, employees and volunteers and the information displayed in the staffroom, and provided in the staff handbook and/or on the school's intranet site;
    - all new staff members undertake Catholic Education's Student Protection training during their initial period of employment;
    - all staff members receive two (2) hours further training about their Student Protection responsibilities on at least an annual basis;
    - other employees understand their student protection responsibilities as appropriate;
    - all volunteers complete student protection training and receive a copy of the Volunteer Code of Conduct; and
    - he/she appoints at least one other suitable staff member to fulfil the role of Student Protection Contact for the school.

- students and parents are aware of the Catholic Education Student Protection Processes by making sure that -
    - Student Protection Posters are displayed prominently in areas of the school frequented by students;
    - the names of the school's Student Protection Contacts are made known to students and parents in a variety of ways and publicised in the school community, for example by posters, at assemblies, in handbooks, in the school newsletter, on the school's website/intranet and provided at parent information sessions;
    - students and parents are made aware of the processes for reporting to a Student Protection Contact, the behaviour of any staff member that a student considers is inappropriate, for example by posters, at assemblies, in handbooks, in the school newsletter, on the school's website/intranet and at parent information sessions;
    - students and parents are made aware that a hard copy of the Catholic Education Student Protection Processes are in the school library and readily accessible during school hours;
    - students and parents are made aware that electronic copies of the Catholic Education Student Protection Processes are available through a link on the school's website/intranet;
    - students and parents are made aware that a link to the complaints procedure to address allegations of non- compliance with Catholic Education Student Protection Processes is available through the school's website/intranet; and
    - Student Protection brochures are made available to students and their families.

ENSURING THAT THE PRINCIPAL CAN DEMONSTRATE TO CATHOLIC EDUCATION HOW THE STUDENT PROTECTION PROCESSES ARE BEING IMPLEMENTED WITHIN THE SCHOOL

The Principal must:

- keep and make available on request by relevant personnel, records and other evidence that demonstrate that the Student Protection Processes are being implemented within the school;
- keep updated the names of the school, college or early learning and care services' Student Protection Contacts in the school's documents;
- demonstrate the school's compliance with student protection requirements as part of the School Review and Improvement Schedule (School Cyclical Review);
- ensure compliance with mandatory training of two (2) hours per year as outlined in the Student Protection Policy. Any variation to this requirement must be authorised by the Student Protection Coordinator.

This document should be read in conjunction with the Student Protection Guidelines for Queensland Catholic Schools.

1. Our responsibilities

Catholic Education (Diocese of Rockhampton) is committed to creating and maintaining safe environments for students. A critical area of importance is how to respond to, and report abuse, harm and the behaviour of a staff member that a student considers is inappropriate. This document sets out the responsibilities for staff members in schools where they have a concern for the protection of a student, including addressing processes required by law:

- processes for how Catholic Education (Diocese of Rockhampton) will respond to harm, or allegations of harm, to students;
- 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;
- a process for how the information reported to the stated staff member must be dealt with by the stated staff member;
- a process for reporting sexual abuse or suspected sexual abuse in compliance with the *Education (General Provisions) Act 2006*, section 366; and a suspicion of likely sexual abuse in compliance with the *Education (General Provisions) Act 2006*, section 366A; and
- a process for reporting a reportable suspicion under the *Child Protection Act 1999*, section 13E.

These processes apply to all staff members employed by Catholic Education (Diocese of Rockhampton).

2. Reporting Processes

This section of the processes sets out a summary of the actions that must be taken if a staff member has concerns or suspicions, or makes allegations about abuse of, or harm to, a student or if there is a report of behaviour by a staff member that a student considers is inappropriate. Further detail around these key child protection concepts are contained within the Student Protection Guidelines.

In general terms the process for responding to and reporting student protection concerns is as follows:

Identify	Identify student protection concerns through recognising the signs of abuse and harm, and through disclosures or receipt of information;
Confer	Seek guidance and support – if necessary, confer with the Principal or appropriate colleagues, or use resources such as the Child Protection Guide to establish whether a 'reasonable suspicion' has been formed;
Report	Where a reasonable suspicion of abuse, harm or inappropriate behaviour is formed – report the concerns according to the specific processes outlined in this document;
Support	Remain focussed on the support needs of the student and liaise with the Principal around any planning or actions that are required.

2.1 Conferral with colleagues and accessing support

Engaging in appropriate consultation processes is an important element of responding to concerns around the safety and well-being of students, in order that any decision making process is fully informed.

Staff members may confer with colleagues, for example the Principal or Student Protection Contacts, in order to establish whether the information to hand may constitute a reasonable suspicion of abuse, harm or inappropriate behaviour. This process is encouraged as a means of ensuring the best possible response to a student concern.

Confidentiality is an important element of conferral processes, where information sharing should be limited to appropriate persons and to the extent necessary to respond to the safety and well-being of a student and to give effect to the processes outlined in this document. The Student Protection Guidelines contain further detail around confidentiality and information sharing.

Again, the purpose of the conferral process is to assist a staff member in determining whether there is a reasonable suspicion of abuse, harm or inappropriate behaviour. A Principal, for example, may have additional information about a student or their family, not known by the staff member that:

- Provides greater context to the concerns identified by the staff member
- Changes the seriousness of the concerns, particularly as to whether harm to a student is "significant"
- Provides greater clarity around whether there is a parent able and willing to protect the student.

In addition to conferring with colleagues, a number of practical tools and resources exist to support staff members in their decision making, including the **Queensland Child Protection Guide** – an online decision support guide that has been developed to assist professionals to appropriately report or refer families to Department of Child Safety, Youth and Women (Child Safety) or other service providers in a timely manner.

The Queensland College of Teachers offers a range of professional standards resources that may assist in understanding and responding to inappropriate behaviour by a staff member.

Staff members can also access the Diocesan Student Protection Coordinator for advice.

2.2 Requirement to report sexual abuse or likely sexual abuse to the Queensland Police Service

In accordance with sections 366 and 366A of the *Education (General Provisions) Act 2006*, if a staff member becomes aware or reasonably suspects in the course of the staff member's employment at the school that a student has been sexually abused or is likely to be sexually abused by another person, the staff member must immediately provide a written report using the **Student Protection Reporting Form** to the Principal or the Diocesan Director of Catholic Education (Diocese of Rockhampton.) The Principal or the Diocesan Director of Catholic Education (Diocese of Rockhampton) is required by law to immediately forward a copy of the **Student Protection Reporting Form** to the Queensland Police Service. See Flowchart 1.

Where the first person is the Principal of the School, the Principal must immediately make a written report of the concerns directly to the Queensland Police Service and the Diocesan Director of Catholic Education (Diocese of Rockhampton) using **Student Protection Reporting Form** See Flowchart 2.

Where the reasonable suspicion of sexual abuse or likely sexual abuse is against the **Principal**, the **Student Protection Reporting Form** must be submitted by the first person to the Diocesan Director of Catholic Education (Diocese of Rockhampton), who must immediately forward a copy of the completed **Student Protection Reporting Form** to the Queensland Police Service.

The Principal or Director of the Governing Body must, as a matter of urgency, advise the first person that the report has been forwarded to Police. This advice should be in writing where possible.

NOTE: If a reasonable suspicion of sexual abuse or likely sexual abuse is formed a report to the Queensland Police Service is to be made even if there is a parent able and willing to protect the child from harm.

Whilst the legislation relating to the mandatory reporting of sexual abuse and likely sexual abuse as outlined above relates only to students under 18 years of age, these processes extend the meaning to include students who are 18 years of age or above.

In addition, whilst the legislation limits the mandatory reporting of sexual abuse or likely sexual abuse of a student to reasonable suspicions formed in the course of the staff member's employment at the school, it is the policy of Catholic Education (Diocese of Rockhampton) that all reasonable suspicions of sexual abuse or likely sexual abuse of students, regardless of when they are formed, are reported to Queensland Police in accordance with these processes.

2.3 Reporting significant harm or risk of significant harm to a student where there may not be a parent able and willing to protect the student from harm

Mandatory reporting responsibilities for approved teachers

Approved teachers have a **mandatory reporting** obligation under section 13E of the *Child Protection Act 1999* to make a report to the Department of Child Safety, Youth and Women when a teacher forms a 'reportable suspicion' about a child.

A reportable suspicion is a **reasonable suspicion**:

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

A teacher fulfils this mandatory reporting obligation by:

- Making a written report using the **Student Protection Reporting Form** to their Principal of the reportable suspicion (or if the allegation is against the Principal to the Diocesan Director of Catholic Education (Diocese of Rockhampton) and as a matter of urgency receiving written confirmation from the Principal or the Diocesan Director of Catholic Education (Diocese of Rockhampton) of the date and time that the report was submitted to the Department of Child Safety, Youth and Women; or

- Making a report directly to the Department of Child Safety, Youth and Women via the online reporting form.

When the Principal or the Diocesan Director of Catholic Education (Diocese of Rockhampton) receives a report, where a teacher has formed a 'reportable suspicion', they **must,** as a matter of urgency, forward the report to the Department of Child Safety, Youth and Women.

Where a Principal themselves forms a 'reportable suspicion', they must make a report directly to the Department of Child Safety, Youth and Women.

Teachers are encouraged to make mandatory reports to the Department of Communities Child Safety and Disability Services through their Principal (as described above). However, if a teacher forms a 'reportable suspicion' about a student, the teacher **must** satisfy themselves, as a matter of urgency, that the Principal has provided a report to the Department of Communities Child Safety and Disability Services.

If the teacher does not reasonably suppose that the Principal has provided the report to the Department of Communities Child Safety and Disability Services, the teacher **must, as a matter of urgency,** make the report directly to the Department of Communities Child Safety and Disability Services. Teachers are encouraged to confer with Catholic Education (Diocese of Rockhampton) Student Protection Coordinator for support in making the mandatory report themselves.

Again, the *Child Protection Act 1999* limits the mandatory reporting of reportable suspicions to those formed in the course of the teacher's engagement at the school. However, it is the policy of Catholic Education (Diocese of Rockhampton) that all reasonable suspicions that student has suffered, is suffering or is at unacceptable risk of suffering significant harm and may not have a parent able and willing to protect them from the harm, regardless of when they are formed, are reported to the Department of Communities, Child Safety and Disability Services in accordance with these processes.

Where a staff member reasonably suspects a student has suffered, is suffering or is at unacceptable risk of suffering significant harm, due to sexual, physical, emotional/psychological abuse or neglect *and may not have a parent able and willing to protect the student from the harm*, then the staff member must make a written report of the concerns to the Principal using the **Student Protection Reporting Form** who in turn must immediately forward the **Student Protection Reporting Form** to the Department of Child Safety, Youth and Women - Regional Intake Service. See Flowchart 3.

Where the allegation is against the **Principal**, the staff member must submit the **Student Protection Reporting Form** to the relevant Assistant Director: Schools (except where Mandatory Reporting under the *EGPA* applies) who in turn must immediately forward the **Student Protection Reporting Form** to the Department of Child Safety, Youth and Women - Regional Intake Service.

The Principal or Director of the Governing Body or delegate must, as a matter of urgency, advise the staff member that the report has been forwarded to the Department of Child Safety, Youth and Women. This advice should be in writing where possible.

Where a Principal themselves reasonably suspects a student has suffered, is suffering or is at unacceptable risk of suffering significant harm, due to sexual, physical, emotional/psychological abuse or neglect and may not have a parent able and willing to protect the student from the harm, they must make a report directly to the Department of Child Safety, Youth and Women.

Copies of all student protection reports are submitted to the Rockhampton Catholic Education Office.

2.4 Requirement to respond to harm or allegations of harm to students

In accordance with section 16 (1) of the *Education (Accreditation of Non-State Schools) Regulation 2017*, a school must have written processes to respond to harm or allegations of harm to a student. Therefore, in addition to the requirements outlined in sections 2.2 and 2.3 above, staff members must respond to any reasonable suspicion in accordance with the required processes that a child has suffered, is suffering or is at unacceptable risk of suffering, significant harm caused by emotional abuse, neglect, self-harm, or harm caused by others - for example, by other students or by other persons in the community.

2.4.1 Harm or risk of harm to a student caused by self-harm

Where a staff member forms a reasonable suspicion that a student has self-harmed or is at risk of self-harm, the first priority is the immediate safety of the student, and determining whether the self-injury or risk of self-injury is significant, for example an injury requiring medical attention. The priority in cases of significant self-harm is therefore meeting the immediate medical and psychological needs of the student, which may require the administration of first aid and/or immediate contact with emergency services or mental health services.

The staff member then raises the concern of self-harm with the Principal, and contact should be made with the student's parent/care-provider, unless doing so places the student at further risk of harm.

Where the staff member forms a reasonable suspicion that a student has suffered, is suffering or is at unacceptable risk of significant harm, as a result of self-harming behaviour AND may not have a parent able and willing to protect the student from harm, (for example refusing to support the student in accessing medical or psychological care), then a written report must be made in accordance with the reporting processes detailed in section 2.3 as a concern of neglect.

2.4.2 Harm or risk of harm to a student caused by another student

Where a staff member forms a reasonable suspicion that a student has been harmed or is at risk of being harmed by another student, the first priority is the immediate safety of the student, which will include determining whether the effect on the student is significant, for example, an injury requiring medical attention.

Where there is a significant injury or immediate risk of significant injury to a student, the priority is meeting the medical and safety needs of the student, which may require the administration of first aid, immediate contact with emergency services and contacting the student's parent(s) or care-provider(s).

Behaviour between students is managed in accordance with Catholic Education (Diocese of Rockhampton) written processes for the conduct of students, or relevant behaviour support guidelines. In cases where criminal offences have been alleged, for example the serious assault of a student by another student over the age of 10 years, parents and care-providers should be made aware of the option to pursue action through the Queensland Police Service. Catholic Education (Diocese of Rockhampton) will cooperate with any resulting investigation.

Allegations of bullying behaviours, including online behaviours, are managed in accordance Catholic Education (Diocese of Rockhampton) bullying procedures.

Where a staff member forms a reasonable suspicion that a student has suffered, is suffering or is at unacceptable risk of significant harm, as a result of student to student behaviours AND may not have a parent able and willing to protect the student from harm, (for example an inability to provide supervision for the student), then a written report must be made in accordance with the reporting processes detailed in section 2.3.

2.4.3 Responding to student sexual behaviour

Sexual behaviours of various kinds may be evident in children, particularly in the early years. Some forms of sexual behaviour may be considered developmentally appropriate for the child's age and stage of development. Other behaviours may indicate that the child could have been exposed to inappropriate material or experiences (for example, reports of very young children knowing about and experimenting with oral sex). Resources such as those published by the Department of Child Safety, Youth and Women can assist in identifying age inappropriate sexual behaviour.

Suspicion that a student has been sexually abused may also be formed in some circumstances where a student exhibits concerning sexual behaviour. In these circumstances, a report to the Queensland Police Service is required as outlined in section 2.2 and an assessment of the requirement to report made under section 2.3 is also required.

2.4.4 Harm or risk of harm to a student caused by a person not associated with the school or family

There may be some circumstances where a staff member becomes aware of a concern that a student has been harmed, or is at risk of harm, by a person not associated with the school or family. As with the broader responses to harm, consideration must first be given to whether the harm or risk of harm is significant and whether there is a parent able and willing to protect the student from harm.

In circumstances where there is a parent able and willing to protect the student from harm, then the parents must be notified of the concerns as soon as possible. Where there is not a parent able and willing to protect the student and there is a reasonable suspicion of significant harm or risk of harm, then the reporting process detailed in section 2.3 must be followed.

Where the risk is immediate, for example the abduction of a student walking to school, then the Queensland Police Service must be contacted immediately.

2.5 Responding to concerns that do not meet the threshold for reporting

A staff member may identify concerns regarding a student that ultimately do not form a reasonable suspicion of sexual abuse, likely sexual abuse or significant harm, however, indicate that without support or intervention a student and/or their family are at risk of entering the child protection system.

These concerns should be raised with the Principal, who may refer the student/and or their family to the appropriate service. This may include support options through the school, such as the School Counsellor, or to community based options such as Family and Child Connect.

The Student Protection Guidelines provide detail around the options that are available to support students and families.

2.6 Responding to allegations against staff members, including the Principal, and volunteers

In accordance with section 16 (2) of the *Education (Accreditation of Non-State Schools) Regulation 2017* a school must have a process for the reporting of staff behaviour that a student considers to be inappropriate.

Additionally, a school must have a process to respond to the reported staff inappropriate behaviour.

Therefore, if a staff member becomes aware of staff behaviour that a student considers to be inappropriate, the staff member must report this behaviour in accordance with the designated process without delay.

2.6.1 Allegations of sexual abuse or likely sexual abuse against a staff member or volunteer

A staff member may form a reasonable suspicion that a student has been sexually abused or is likely to be sexually abused by a staff member or volunteer.

In these circumstances, the reporting processes detailed in section 2.2 must be followed.

ACTION TO BE TAKEN SUBSEQUENT TO A STUDENT PROTECTION REPORT CONCERNING THE CONDUCT OF A STAFF MEMBER, EMPLOYEE OR VOLUNTEER TO POLICE

After a matter relating to the behaviour of a staff member, employee or volunteer is reported to the Queensland Police Service there can be one of two outcomes. These can be summarised as follows:

- Conviction of a criminal offence; or
- No conviction. (Queensland Police Service may decide not to investigate, to discontinue an investigation or not to lay a charge following an investigation, a prosecution may not go ahead following a charge having been laid, or a matter may go to court but not result in a conviction).

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

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

Where the staff member, employee or volunteer concerned is a cleric or member of a religious order, or was a cleric or member of a religious order at the time of the alleged behaviour, the Director of Office of Professional Standards Qld (*Towards Healing*) will be informed as soon as possible. The Diocesan Director will also ensure that the relevant church authority is also informed without delay and this action documented.

CONVICTION

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

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

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

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

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

NO CONVICTION

The failure of a court to record a conviction against the staff member, employee or volunteer against whom a charge has been laid or a decision by the Queensland Police Service not to charge or prosecute, does not necessarily mean that the allegation was unwarranted and that the staff member, employee or volunteer has no case to answer as a staff member, employee or volunteer within a Catholic school. The fact that a staff

member, employee or volunteer has been found 'not guilty' of an offence does not automatically mean that a matter has been closed.

The standard of proof required for disciplinary action within the employer -employee relationship is 'on the balance of probabilities', rather than the criminal standard of 'beyond reasonable doubt'. In addition, a serious breach of the Catholic Education Code of Conduct may not be a criminal offence. For this reason, the matter concerned must still be appropriately dealt with by Catholic Education as a disciplinary matter.

An investigation will be implemented by Catholic Education in the situation where the outcome of a mandatory Student Protection Report to the Queensland Police Service in relation to a staff member is finalised with no further investigation or action being taken on their part.

When Catholic Education becomes aware that a Queensland Police Service investigation or prosecution will not proceed, that a person has not been found guilty of an offence with which they have been charged or that a conviction has not been recorded, a risk assessment will be carried out by the Assistant Director: Schools and a recommendation will be made to the Diocesan Director in relation to the staff member's, employee's or volunteer's employment.

Documents on the public record as a result of court proceedings, and/or materials made available as a result of a Queensland Police Service investigation may be considered as part of any investigation conducted by or on behalf of Catholic Education.

Additionally, the following steps must be followed in accordance with Rockhampton Catholic Education's procedures.

2.6.1.1 ACTION TO BE TAKEN IF THE SUSPECTED ABUSE/SIGNIFICANT PHYSICAL HARM RELATES TO THE BEHAVIOUR OF A STAFF MEMBER, OTHER EMPLOYEE OR VOLUNTEER

ROLE OF CATHOLIC EDUCATION, DIOCESE OF ROCKHAMPTON STAFF

When a suspicion of abuse/significant physical harm of a student or an unacceptable risk of abuse/significant physical harm of a student relates to the behaviour of a staff member, other employee or volunteer, overall management will be provided by Assistant Director: Schools who will work in association with the Principal. It is important for the Assistant Director: Schools to establish communication with the Officer-in-Charge and/or the investigating officer within Queensland Police Service so that information may be shared as appropriate. This communication may be facilitated through the school Principal. The Catholic Education's Student Protection Coordinator is also available to provide assistance and support to students and staff in managing what can be complex issues.

Following the provision of the Student Protection Report to Queensland Police Service, an investigation into the suspected abuse/harm should not be conducted by or on behalf of Catholic Education until confirmation is received from the Queensland Police Service about the status of their inquiries. However, the Diocesan Director (or delegate) will take immediate steps to ensure that a risk assessment is undertaken. As a result of the risk assessment, and following consultation with Queensland Police Service regarding the timing of any proposed stand down, the staff member, other employee or volunteer may be suspended from his/her duties, or have his/her duties restricted. If the employee is not a staff member of Catholic Education, the appropriate steps in this regard will be taken by the Diocesan Director (or delegate) in association with the person's employer.

After discussions with Queensland Police Service and upon their advice, the Diocesan Director or delegate will inform the parent(s) or carer(s) of the student/s involved, that a Student Protection Report has been made in relation to suspected abuse/harm of the student by a staff member, other employee or volunteer. Appropriate confidentiality of the matter will be discussed.

The Diocesan Director will keep a copy of the Student Protection Report in a confidential file. The Assistant Director: Schools or Principal will establish liaison with the Queensland Police Service to assist in the management of the issue.

Upon the commencement of any investigation by Catholic Education into an allegation of harm of a student by a registered teacher, the Diocesan Director (or delegate) will make a written notification to the Queensland College of Teachers.

If the Student Protection Report concerns the behaviour of a staff member, other employee or volunteer who is a cleric or member of a religious order, or who was a cleric or member of a religious order at the time of the alleged behaviour, the Diocesan Director (or delegate) will inform the Director of the Office of Professional Standards Qld (Towards Healing) as soon as possible. The Diocesan Director (or delegate), after discussion with Queensland Police Service and on their advice, will also ensure that the relevant church authority is also informed without delay.

NOTIFYING THE STAFF MEMBER, EMPLOYEE OR VOLUNTEER

The Diocesan Director (or delegate) will seek advice from the Queensland Police Service as to when the staff member, other employee or volunteer should be informed of the allegation. As soon as it is deemed appropriate to inform them, a meeting will be held between them and the Diocesan Director (or delegate). They will be advised that they can have a support person at this meeting. At the meeting, they will be informed that a suspicion of harm or abuse/unacceptable risk of abuse has been reported about them and whether this information has been reported to the Queensland Police Service. The requirement for them to observe confidentiality will also be advised.

They will also be given the details of a nominated person (normally the Assistant Director: Schools) to contact who will be available to provide information regarding the processes being undertaken and to facilitate the accessing of other support. The information communicated verbally at the meeting will also be provided in writing. They will be reminded that they may access the confidential counselling services available through the ACCESS program. If the employee is not a staff member of Catholic Education, the appropriate steps in this regard will be taken in association with that person's employer.

SUSPENDING FROM DUTIES

If as the result of a risk assessment it is decided that the staff member, other employee or volunteer should be suspended from his/her duties, or have their duties restricted, the Queensland Police Service should be consulted to ensure that the timing and circumstances of the person being informed of this does not unnecessarily interfere with Queensland Police Service inquiries. Decisions regarding suspension will be made with the rights of an employee being balanced with the best interests of the student, however, the welfare and best interests of any students involved will be paramount.

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

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

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

PASTORAL CARE AND SUPPORT

Pastoral care and support will be offered to the student and his/her family, to the staff member, employee or volunteer against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount and advice will be sought from Catholic Education's Student Protection Coordinator about appropriate support for the student and his/her family.

2.6.2 Allegations of sexual abuse or likely sexual abuse against a Principal

A staff member may form a reasonable suspicion that a student has been sexually abused or is likely to be sexually abused by the school Principal.

In these circumstances, the reporting processes detailed in section 2.2 must be followed and the report from the staff member must be made to the Director of Catholic Education (Diocese of Rockhampton), not the Principal.

Additionally, the following steps must be followed in accordance with Rockhampton Catholic Education's procedures.

Refer to processes detailed in section **2.6.1.1**

IMPORTANT NOTE: Sexual Activity between staff members and students

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

2.6.3 Allegations of harm against a staff member or volunteer

A staff member may form a reasonable suspicion that a staff member or volunteer has harmed a student. In these circumstances, follow process detailed in the following;

When a suspicion of significant physical harm of a student relates to the behaviour of a staff member, other employee or volunteer but there is a parent able and willing to protect the student, this matter will not amount to a 'reportable suspicion' and therefore, a Student Protection Report to the Department of Child Safety is not required.

However, if the student has experienced significant physical harm (for example, bruises and non-accidental injuries), as a result of the staff member's, other employee's or volunteer's behaviour, the Principal must deal with this matter under **Section 2.6.5** of this document. The Principal must inform the parents that parents may notify the Queensland Police Service of the assault. The Principal must make a record of this discussion and keep it in a confidential file at the school. Depending upon the circumstances, the Diocesan Director (or delegate) may make a report to the Queensland Police Service.

2.6.4 Allegations of harm against a Principal

A staff member may form a reasonable suspicion that a Principal has harmed a student. In these circumstances, follow process detailed in the section below:

When a suspicion of significant physical harm of a student relates to the behaviour of a the Principal but there is a parent able and willing to protect the student, this matter will not amount to a 'reportable suspicion' and therefore, a Student Protection Report to the Department of Child Safety is not required.

However, if the student has experienced significant physical harm (for example, bruises and non-accidental injuries), as a result of the Principal's behaviour, the Assistant Director: Schools must deal with this matter under **Section 2.6.5** of this document. The Assistant Director: Schools must inform the parents that parents may notify the Queensland Police Service of the assault. The Assistant Director: Schools must make a record of this discussion and keep it in a confidential file at the Catholic Education Office. Depending upon the circumstances, the Diocesan Director (or delegate) may make a report to the Queensland Police Service.

2.6.5 Allegations of inappropriate behaviour against a staff member or volunteer

A staff member may form a reasonable suspicion that a staff member or volunteer has behaved inappropriately towards a student. In these circumstances, follow process detailed in the sections below:

REPORTING ALLEGED INAPPROPRIATE BEHAVIOUR OF A STAFF MEMBER TOWARDS A STUDENT

If a staff member reasonably suspects that another staff member has behaved inappropriately towards a student (not being sexual abuse or likely sexual abuse) including abusive action resulting in significant physical or emotional harm to a student, the staff member is compulsorily required by Catholic Education to report to the Principal, Assistant Director: Schools or another Student Protection Contact at the school without delay about the matter.

MANAGING A REPORT FROM A STUDENT/PARENT REGARDING ALLEGED INAPPROPRIATE BEHAVIOUR OF A STAFF MEMBER TOWARDS A STUDENT

If a student, parent or other person complains to a staff member about another staff member's behaviour towards a student that the student or parent considers inappropriate, the staff member must immediately report the matter to the Principal or Assistant Director: Schools or another Student Protection Contact at the school without delay.

SELF-REPORTING ALLEGED INAPPROPRIATE BEHAVIOUR TOWARDS A STUDENT

If a staff member becomes aware of an allegation against him/her in relation to his/her alleged inappropriate behaviour towards a student, he/she must report the matter to the Principal or Assistant Director: Schools without delay.

SUSPECTED INAPPROPRIATE BEHAVIOUR BY A STAFF MEMBER TOWARDS A STUDENT

Note: THIS INCLUDES ABUSE OR SIGNIFICANT PHYSICAL HARM BUT NOT SEXUAL ABUSE/LIKELY SEXUAL ABUSE

(SUSPECTED SEXUAL ABUSE/LIKELY SEXUAL ABUSE MUST ALWAYS BE MANAGED IN ACCORDANCE WITH THE PROCESSES SET OUT IN SECTION 2.2 OF THIS DOCUMENT.)

(A REASONABLE SUSPICION THAT A STUDENT HAS SUFFERED, IS SUFFERING OR IS AT UNACCEPTABLE RISK OF SUFFERING SIGNIFICANT HARM AND MAY NOT HAVE PARENT AND WILLING TO PROTECT THE STUDENT FROM THE HARM MUST BE MANAGED IN ACCORDANCE WITH THE PROCESSES SET OUT IN SECTION 2.3 OF THIS DOCUMENT.)

REPORTING OF INAPPROPRIATE BEHAVIOUR

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

This reporting responsibility in this section is in addition to the obligations on all staff to report significant harm to a student or an unacceptable risk of significant harm to a student under Sections 2.6.3 and 2.6.4 of this document if required.

The fact that a complaint or report is not presented formally or in writing is not a valid reason to fail to follow the processes outlined in Sections 2.6.5 and 2.6.6 of this document.

SITUATIONS INVOLVING INAPPROPRIATE BEHAVIOUR BY A STAFF MEMBER

Inappropriate behaviour includes but is not limited to any behaviour, including words, towards a student that is contrary to what is required of staff members under Catholic Education's Code of Conduct. Such inappropriate behaviour may be of a physical, sexual, emotional or psychological nature.

All staff must respond in accordance with the processes detailed in this section if:

- a student, parent or other person makes a complaint in relation to a staff member's behaviour towards a student that the student, parent or other person considers to be inappropriate; or
- a staff member observes or overhears inappropriate behaviour by a staff member towards a student.

INAPPROPRIATE BEHAVIOUR - REPORTING RESPONSIBILITIES

STAFF MEMBERS

A staff member who:

- reasonably suspects inappropriate behaviour by a staff member towards a student, which does NOT involve sexual abuse or likely sexual abuse

  or

- becomes aware of a complaint or report in relation to behaviour by a staff member towards a student that a student (or a student's parent or another person) considers to be inappropriate, but which does NOT involve sexual abuse or likely sexual abuse,

must report the matter to the Principal or Student Protection Contact and complete a "Reporting of Inappropriate staff behaviour towards a student" and submit it to the Principal.

If the report is about the Principal, the Report must be submitted to the Assistant Director: Schools.

STUDENT PROTECTION CONTACT (SPC)

If a concern is reported to a Student Protection Contact other than the Principal, the Student Protection Contact must submit a Report to the Principal without delay, unless the report of inappropriate behaviour is made against the Principal, in which case the Student Protection Contact must submit the Report to the Assistant Director: Schools.

PRINCIPAL/ ASSISTANT DIRECTOR: SCHOOLS

A Principal/ Assistant Director: Schools who:

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

must take action in relation to the matter and document it in accordance with the following requirements for a staff behaviour intervention process.

In some circumstances a Report will also require a Student Protection Report to the Department of Child Safety under Sections 2.6.3 and 2.6.4 of these processes (if significant harm has been caused and there may not be a parent able and willing to protect the student from harm). Additionally, if the staff member's alleged behaviour results in significant physical harm to a student a Student Protection Report to the Queensland Police Service may be required to be made. The Principal or Assistant Director: Schools will be advised by the Student Protection Coordinator if these actions are required following the submission of the Report request to the Diocesan Director.

INTERVENTION AND REPORTING

Where there are allegations about an employee's inappropriate behaviour towards a student the Principal (or Assistant Director: Schools where the allegation is against the Principal) will determine as quickly as possible the level of response required and the appropriate procedures to be followed. Allegations can be categorised into either allegations of minor inappropriate behaviour or allegations that are more complex or serious.

SITUATIONS THAT CONSTITUTE MINOR INAPPROPRIATE BEHAVIOUR

Even minor assaults can be criminal offences. The management of these matters will depend on factors like the seriousness and circumstances of the allegation, the wishes of the parties involved, whether the police have become involved, and whether the employee has a previous history of similar conduct. If it is reasonably suspected that harm has been caused the Principal must report such a matter to the police as a Compulsory Report Section 2.4).

A typical incident covered by minor inappropriate behaviour could include a one-off allegation of inappropriate behaviour by an employee, where no physical injury results and there is no suggestion of sexual misconduct or criminal behaviour. An intervention must not be undertaken if there is an allegation or reasonable suspicion of sexual abuse, likely sexual abuse, harm or likely harm of a student. The appropriate interventions for such situations are covered in Section 2.

Minor incidents relate to allegations that, if substantiated, may constitute a breach of the Code of Conduct and possibly be deemed to be professional misconduct, they are not so serious as to make it likely that the employee would face a formal disciplinary sanction. When allegations relate to repeated or multiple possible minor breaches, they may need to be seen differently as explained in Section 2.6.5 and 2.6.6.

Examples of minor inappropriate behaviour requiring interventions include the following, but are not restricted to:

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

SITUATIONS THAT CONSTITUTE MORE COMPLEX OR SERIOUS INAPPROPRIATE BEHAVIOUR

There will be times when there are allegations of repeated, more complex or serious inappropriate behaviour by an employee towards a student. Such behaviour, if substantiated, would constitute professional misconduct and would justify a formal disciplinary sanction against the employee. An intervention must not be undertaken if there is an allegation or reasonable suspicion of sexual abuse or likely sexual abuse of a student, or an allegation or reasonable suspicion of harm or likely harm to a student in the future. The appropriate interventions for such situations are covered in Section 2.

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

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

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

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

All staff members should report any concerns of inappropriate behaviour towards a student by a volunteer or other employees who are not staff members of Catholic Education to the Principal.

INAPPROPRIATE STAFF BEHAVIOUR INTERVENTION PROCESSES

ALLEGATIONS OF MINOR INAPPROPRIATE BEHAVIOUR

An inquiry is carried out with the authority of the Principal (or Assistant Director: Schools if the allegation is against the Principal). A documented record of the process and of the outcomes is provided to the Diocesan Director at the end of the intervention process.

Allegations giving rise to an inquiry are generally resolved through informal resolution processes that are managed locally by the Principal and may include such responses as supervisory guidance and correction and in some cases mediation and/or conciliation. If the allegation involves the Principal, the response is co-ordinated by the Assistant Director: Schools.

RESPONSIBILITIES

PRINCIPAL (OR ASSISTANT DIRECTOR: SCHOOLS)

The response to an allegation against an employee will be co-ordinated locally by the school Principal (or Assistant Director: Schools where the allegation is against the Principal). The Principal (or Assistant Director: Schools) will determine how to best address the allegation with the employee and how to initiate any disciplinary consequences that may be determined to be appropriate. This might involve consultation with relevant personnel in the Catholic Education Office (e.g., Assistant Director: Schools, Student Protection Coordinator).

Where an allegation of minor inappropriate behaviour is made against the Principal, the Assistant Director: Schools may request the matter to be carried forward by another Assistant Director: Schools (or delegate).

The resolution of all minor incidents remains the responsibility of the Principal (or Assistant Director: Schools where the allegation is against the Principal). The Principal or Assistant Director: Schools will assess the matter so as to formulate a plan to address it with the employee. Management guidance will be provided and appropriate support will be extended to all concerned. Strict confidentiality shall be maintained regarding the matter.

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

If, in the opinion of the Principal/Assistant Director: Schools, a formal investigation is warranted, a report should be provided to the Diocesan Director (see below) in order to obtain authorisation for an investigation. A formal investigation (as opposed to data gathering to allow an assessment of the case to be made) must not be undertaken at the school level without the authorisation of the Diocesan Director.

An employee may admit inappropriate behaviour. The inappropriate behaviour will then be addressed through documented management guidance and/or correction. Conciliation/mediation may be provided if desired by the complainant.

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

A report form (Reporting of Inappropriate staff behaviour towards a student) should be completed by the Principal (or Assistant Director: Schools), with any relevant details attached. The report should include, as a minimum, the details and circumstances of the allegation, the action taken by the Principal (or Assistant Director: Schools) to assess and investigate the allegations, and the outcome. The outcome should document the staff member's account of the incident, state whether or not the behaviour alleged has been admitted to by the employee and should contain clear details of the advice/guidance that has been provided to the employee. The outcome should also indicate if the alleged behaviour is judged not to be contrary to the Code of Conduct.

The original report should be kept on a confidential file at school level (or by the Assistant Director: Schools if the allegation concerns the Principal). A copy of the report is forwarded to the Assistant Director: Schools for placing in a confidential file held by the Diocesan Director and another copy must be provided to the employee.

CATHOLIC EDUCATION OFFICE PERSONNEL

The Assistant Director: Schools (or delegate) is responsible for ensuring that reports are checked for completeness, accuracy, and relevance, and whether any previous reports have been received concerning the employee.

Where previous reports have been received concerning the employee, the Assistant Director: Schools will determine what further action, if any, needs to be taken.

The Diocesan Director will receive and keep the report in a separate confidential file.

PASTORAL CARE AND SUPPORT

Pastoral care and support will be provided to the complainant, to the employee against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount and advice may be sought from Catholic Education's Student Protection Coordinator about appropriate support for the student and his/her family.

ALLEGATIONS OF MORE COMPLEX OR SERIOUS INAPPROPRIATE BEHAVIOUR

An inquiry at this level is carried out under the authority of the Diocesan Director or delegate. The matter is formally reported to the Diocesan Director at the commencement and end of the intervention process.

INTERVENTION RESPONSIBILITIES

PRINCIPAL (OR ASSISTANT DIRECTOR: SCHOOLS)

As soon as the Principal (or Assistant Director: Schools) is aware that the allegation is of such a nature as to require an investigation, a report (Reporting of Inappropriate staff behaviour towards a student) must be completed and forwarded to the Diocesan Director without delay.

CATHOLIC EDUCATION OFFICE PERSONNEL

On receipt of an allegation of inappropriate behaviour against an employee, the Diocesan Director (or delegate) will assess the matter and determine how it is to be progressed. The Diocesan Director (or delegate) will consider the details of the allegation and as necessary will clarify it and any issues related to it by consulting with relevant persons such as the Principal, Assistant Director: Schools and/or the Diocesan Student Protection Coordinator. The Diocesan Director (or delegate) will also consider any previous reports on file of allegations of inappropriate behaviour made against the employee.

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

If the Diocesan Director forms the view that the matter involves an allegation or reasonable suspicion of sexual abuse or likely sexual abuse of a student or an allegation or reasonable suspicion that harm, likely harm has been or will be caused to a student, the Diocesan Director must immediately make a Mandatory or Compulsory Report. (Section 2.2)

If the Diocesan Director forms the view that the matter should be handled as a lower level investigation, the matter is referred back to the Principal. (Section 2.6.5)

If the Diocesan Director believes that a formal intervention is appropriate, a decision is made as to who should most appropriately conduct an investigation into the allegation. The Diocesan Director may authorise the Principal, a Catholic Education staff member (e.g., Assistant Director: Schools, or Employee Relations staff member), or an external party to conduct the investigation.

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

NOTIFYING THE EMPLOYEE

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

SUSPENDING FROM DUTIES

As the result of a risk assessment it may be decided that the employee should be suspended from his/her duties, or have them restricted. In this case, the employee concerned will be informed of the decision to suspend him/her or restrict his/her duties. The basis for this decision will be provided to the employee in writing following the meeting at which this information has been communicated verbally. The employee will be reminded that they may access the confidential counselling services available to all employees through ACCESS Counselling Services. He/she will also be given the details of a nominated person (normally the relevant Assistant Director: Schools) to contact who will be available to provide information regarding the processes being undertaken and to facilitate the accessing of other support.

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

PASTORAL CARE AND SUPPORT

Pastoral care and support will be provided to the complainant, to the employee against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount and advice should be sought from Catholic Education's Student Protection Coordinator about appropriate support for the student and his/her family.

INVESTIGATION PROCESS

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

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

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

If the investigator determines that it is desirable for other students (e.g., students named as witnesses) to be interviewed, the above guidelines relating to parents/carers will be followed in relation to them also.

Pastoral care and support will be provided to the complainant, to the employee against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount.

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

Should the investigator during the course of the investigation form the view that that the matter involves an allegation or reasonable suspicion of sexual abuse or likely sexual abuse of a student or an allegation or reasonable suspicion that harm has been caused to a student, then, if the investigator is:

- an employee of Catholic Education, he/she must immediately make the appropriate Mandatory or Compulsory report. (Section 2.2)
- not an employee of Catholic Education, he/she must immediately make a written report to the Diocesan Director (or delegate) who will then immediately complete the appropriate Mandatory or Compulsory report. (Section 2.2)

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

The Diocesan Director will receive and keep the investigation report in a confidential file.

The Diocesan Director (or delegate) is responsible for informing the Principal and relevant Assistant Director: Schools and Student Protection Coordinator of the outcome of the investigation. The Diocesan Director (or delegate) advises the parent/caregiver of the student concerned of the outcome unless there are extraordinary reasons why this should not occur, in which case the reasons should be documented. Any other complainants (including students) are also advised of the outcome.

DETERMINATION OF PROFESSIONAL MISCONDUCT

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

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

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

If an employee whose employment is terminated by the Diocesan Director is a teacher, and the circumstances of the dismissal, in the opinion of the Diocesan Director, call into question the teacher's competency to be employed as a teacher, the Diocesan Director must give notice of the dismissal to the Queensland College of Teachers within a period of 14 days of the dismissal (Education [Queensland College of Teachers] Act 2005 s.78).

NO DETERMINATION OF PROFESSIONAL MISCONDUCT

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

FINALISATION

The Diocesan Director (or delegate) will advise the parent/caregiver of the student concerned of the outcome unless there are extraordinary reasons why this should not occur, in which case the reasons should be documented. Any other complainants (including students) are also advised of the outcome.

Pastoral care and support will be provided to the complainant, to the employee against whom the allegation has been made, and any others involved. The welfare and best interests of any students involved will be paramount.

If the employee continues to work at the school, the Principal will support the pastoral care of the employee, and the employee will be reminded of the confidential counselling services available to all employees through ACCESS Counselling Services. Reasonable steps will be taken by the Principal to manage risks and to provide appropriate ongoing supervision of and support for the employee.

If the employee has been suspended during the investigation and returns to work at the school, all reasonable steps will be taken by the Principal to assist the employee to reintegrate into the school community.

2.6.6 Allegations of inappropriate behaviour against a Principal

A staff member may form a reasonable suspicion that a Principal has behaved inappropriately towards a student. In these circumstances, follow process detailed in Section 2.6.5

3. After the report is made

Once a report is made under these processes, consideration must be given to any ongoing or resulting action that is required. This includes:

- Follow up by the Principal with Queensland Police Service and/or the Department of Child Safety, Youth and Women to confirm both receipt of the report, and any action that these agencies may take;
- Implementing any risk management and pastoral support processes to address the safety and well-being of students, particularly in relation to allegations of sexual abuse between students, and maintain as far as possible, supportive relationships with parents, carers and families;
- Ensure that all parties involved respect the confidentiality and privacy of students and families involved; and
- Where relevant, make any preparation for the interview of a student by Queensland Police Service and/or the Department of Child Safety, Youth and Women at school – see the QCEC guideline and sample record of interview form.

4. Advising parents

When a student protection report to the Queensland Police Service and/or the Department of Child Safety, Youth and Women is required, it is important that parents are not contacted before the student protection report is made.

If a student protection report submitted to Queensland Police Service and/or the Department of Child Safety, Youth and Women relates to suspected abuse or neglect by a member of the student's family, the Principal will only inform the parent(s) or carer(s) of the student protection concern once confirmed as appropriate with the Queensland Police Service or the Department of Child Safety, Youth and Women. This is to ensure that any potential child protection or criminal investigation is not compromised.

In order to assist at the school level in the management of any situation and to ensure the immediate safety of any students involved, the school should request from the Queensland Police Service and/or Department of Child Safety, Youth and Women feedback on the possible timing of their intervention and obtain some guidance about when the school may discuss the matter with the student's parent(s) or carer(s). This is particularly significant in cases of student to student sexual behaviour where it is important for the student's well-being to enable the parent to support the student and take steps to protect them.

Definitions

Child
A child is a person under 18 years of age

Colleague
As defined by section 13H of the *Child Protection Act 1999*, colleague, of a relevant person, means a person working in or for the same entity as the relevant person

Director of the Governing Body
As defined by section 364 of the *Education (General Provisions) Act 2006:*
director, of a non-State school's governing body, means a director of the governing body within the meaning of the *Education (Accreditation of Non-State Schools) Act 2017,* section 9.

First Person
The "first person" is a staff member who reasonably suspects, in the course of the staff member's employment at the school, that a student under 18 years attending the school has been sexually abused by another person or is likely to be sexually abused by another person

Harm
As defined by section 9 of the *Child Protection Act 1999*:
(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.

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

Reasonable suspicion
A reasonable suspicion is a suspicion that would be formed by a reasonable person based on a reasonable view of the evidence available to them. In other words, a reasonable suspicion is an objectively justifiable suspicion that is based on specific facts or circumstances.

Reportable suspicion
As defined by section 13E of the *Child Protection Act 1999* means 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 able and willing to protect the child from the harm.

Relevant person (*Child Protection Act 1999*)

A relevant person for the purposes of mandatory reporting under section 13E of the *Child Protection Act 1999* is any of the following —
(a) a doctor;
(b) a registered nurse;
(c) a teacher;
(d) a police officer who, under a direction given by the commissioner of the police service under the *Police Service Administration Act 1990*, is responsible for reporting under this section;
(e) a person engaged to perform a child advocate function under the *Public Guardian Act 2014.*

Sexual abuse

As defined by 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.

Staff Member

A staff member is any person who is employed by Catholic Education (Diocese of Rockhampton) on a casual, fixed term, or continuing basis, either pursuant to a contract of employment or appointed to a role at the school pursuant to an agreement with a religious order.

Student

A student is any person enrolled as such at schools under the control of Catholic Education (Diocese of Rockhampton). This includes a "relevant person" for the purposes of mandatory reporting under sections 366 and 366A of the *Education (General Provisions) Act 2006*:
(a) a student under 18 years attending the school;
(b) a pre-preparatory age child registered in—
(i) a pre-preparatory learning program at the school; or
(ii) a distance education pre-preparatory learning program at the school;
(c) a person with a disability who—
(i) under section 420(2), is being provided with special education at the school; and
(ii) is not enrolled in the preparatory year at the school.

Student Protection Contact (SPC)

A Student Protection Contact (SPC) is one of at least two persons who are nominated in each school in compliance with *the Education (Accreditation of Non-State Schools) Regulation 2017* (Regulation 16 (3)) to whom a student can report behaviour by a staff member that the student considers inappropriate.

Teacher

means an approved teacher under the *Education (Queensland College of Teachers) Act 2005* employed at a school.

Legislative references

Child Protection Act 1999

Reporting of a child in need of protection	Section 13 A states *"(1) Any person may inform the chief executive if the person reasonably suspects—* *(a) a child may be in need of protection; or* *(b) an unborn child may be in need of protection after he or she is born.* *(2) The information given may include anything the person considers relevant to the person's suspicion."*
Forming a reasonable suspicion of significant harm	Section 13C of the *Child Protection Act 1999* offers some guidance around forming a reasonable suspicion that a student has suffered, is suffering or is at unacceptable risk of suffering significant harm: *(2) (a) whether there are detrimental effects on the child's body or the child's psychological or emotional state—* *(i) that are evident to the person; or* *(ii) that the person considers are likely to become evident in the future; and* *(b) in relation to any detrimental effects mentioned in paragraph (a)—* *(i) their nature and severity; and* *(ii) the likelihood that they will continue; and* *(c) the child's age.* *(3) The person's consideration may be informed by an observation of the child, other knowledge about the child or any other relevant knowledge, training or experience that the person may have.*
Reportable Suspicions	Section 13E of the *Child Protection Act 1999* includes the mandatory reporting requirement for teachers to report a reasonable suspicion to the Department of Child Safety, Youth and Women, that a child has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse where there may not be a parent willing and able to protect the child from the harm (a "reportable suspicion"). Section 13G(5) states that a person does not commit an offence under the *Child Protection Act 1999* or any other act for failing to make a mandatory report under section 13E.
Conferral with colleagues	13H of the *Child Protection Act 1999* - Conferrals with colleague and related information sharing, states that: *(1) A relevant person may give information to a colleague, and a colleague may give information to a relevant person, for any of the following purposes—* *(a) for the relevant person to form a suspicion about whether a child has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse;* *(b) in the case of a relevant person under section 13E—for the relevant person to form a suspicion about whether a child has a parent able and willing to protect the child from harm mentioned in paragraph (a);* *(c) for the relevant person to give a report under section 13G or keep a record about giving a report;* *(d) for the relevant person or colleague to take appropriate action to deal with suspected harm or risk of harm to a child.*

Interviews with Children at School	Section 17 of the *Child Protection Act 1999* provides Department of Child Safety, Youth and Women and Queensland Police Service officers with the legislative authority to have contact with a child at a school prior to the parents being told of the contact with the child and the reasons for the contact, as part of an investigation and assessment.

Education (Accreditation of Non-State Schools) Act 2017 and Education (Accreditation of Non-State Schools) Regulation 2017

The *Education (Accreditation of Non-State Schools) Act 2017* establishes an accreditation regime for the accreditation of non-state schools. The Act also establishes the penalties for non-compliance with the accreditation criteria.

The *Education (Accreditation of Non-State Schools) Regulation 2017* prescribes the accreditation criteria relevant for a non-state school's accreditation as mentioned in section 11 of the Act. Sections 16(1) to 16(7) of the Regulation deal with the accreditation requirements relating to the conduct of staff and students and response to harm.

Education (General Provisions) Act 2006 and Education (General Provisions) Regulation 2006

The *Education (General Provisions) Act 2006* contains mandatory reporting requirements for all non-state school staff who become aware of or who reasonably suspect that a student has been sexually abused or is likely to be sexually abused by another person (sections 366 and 366A).

These requirements are designed to capture sexual abuse, suspected sexual abuse and likely sexual abuse of students by another person. A staff member or Principal who fails to comply with the mandatory reporting requirements in relation to the sexual abuse or suspected sexual abuse of a student commits an offence under section 366 of the *Education (General Provisions) Act 2006* and is liable for a penalty of up to 20 penalty units. However, a person does not commit an offence for failing to report the likely sexual abuse of a student under section 366A of the *Education (General Provisions) Act 2006.*

Staff making a report pursuant to the *Education (General Provisions) Act 2006* will be protected from civil or criminal liability e.g. from defamation or breach of confidence. However, staff making a knowingly false, malicious or vexatious report will not be protected by this immunity and may risk action for defamation, disciplinary action by their employer or disciplinary action by the Queensland College of Teachers.

Education (Queensland College of Teachers) Act 2005

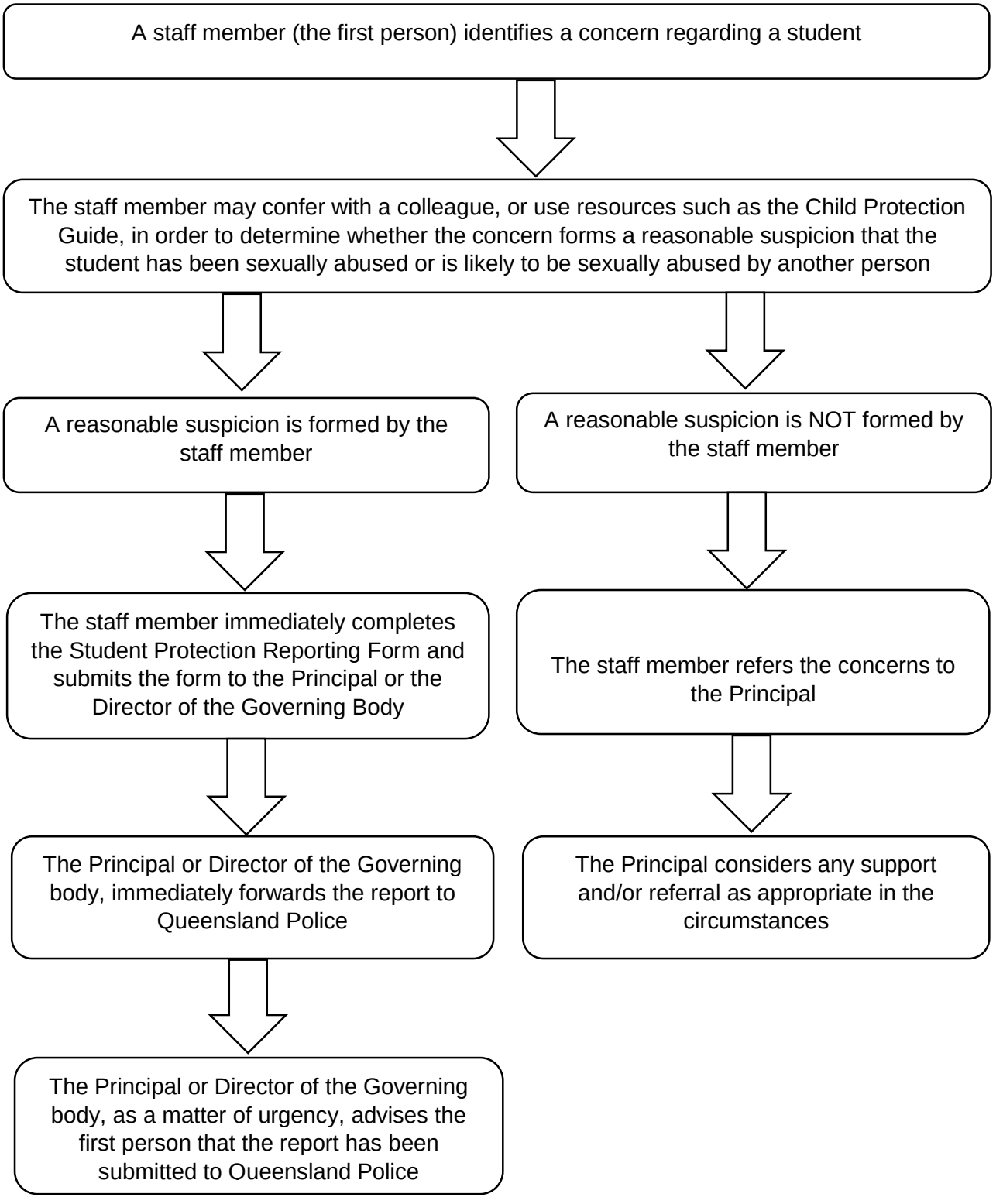
The Education (Queensland College of Teachers) Act 2005 requires an employing authority to notify the Queensland College of Teachers (QCT):

- about particular allegations
  - o as soon as practicable, after starting to deal with an allegation of harm or likely harm to a child due to the teacher's conduct (section 76)
- about the outcome of particular allegations
  - o as soon as practicable, after dealing with the allegation, the employing authority must also inform QCT of the outcome (section 77)
- about certain dismissals
  - o an employing authority must notify QCT within 14 days if the authority has dismissed a teacher in circumstances that call the teacher's competence to be employed as a teacher into question (section 78).

Evidence Act 1977

Section 93A provides the legislative authority for the Queensland Police Service and the Department of Child Safety, Youth and Women to conduct an interview and obtain a recorded statement from a child under 16 years, or a person who was 16 or 17 years when the statement was made and who, at the time of the proceeding, is a special witness, or an intellectually impaired person who has personal knowledge of the matters dealt with by the statement.

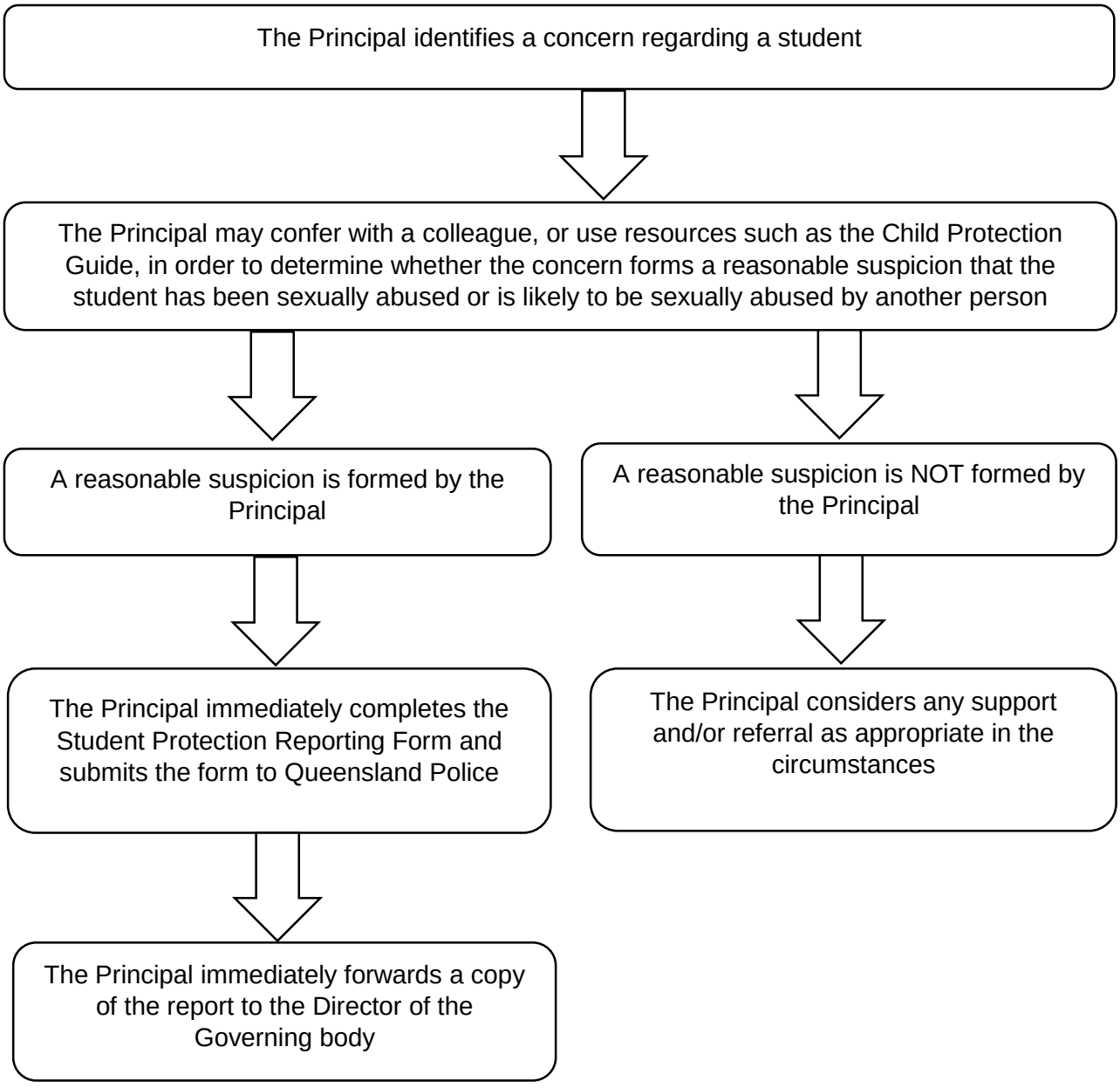
Flowchart 1: Reporting Sexual Abuse & Likely Sexual Abuse



Important notice

If there is reasonable suspicion that the student has been sexually abused or is likely to be sexually abused and may not have a parent able and willing to protect them, the processes as outlined in flowchart 3 must also be followed.

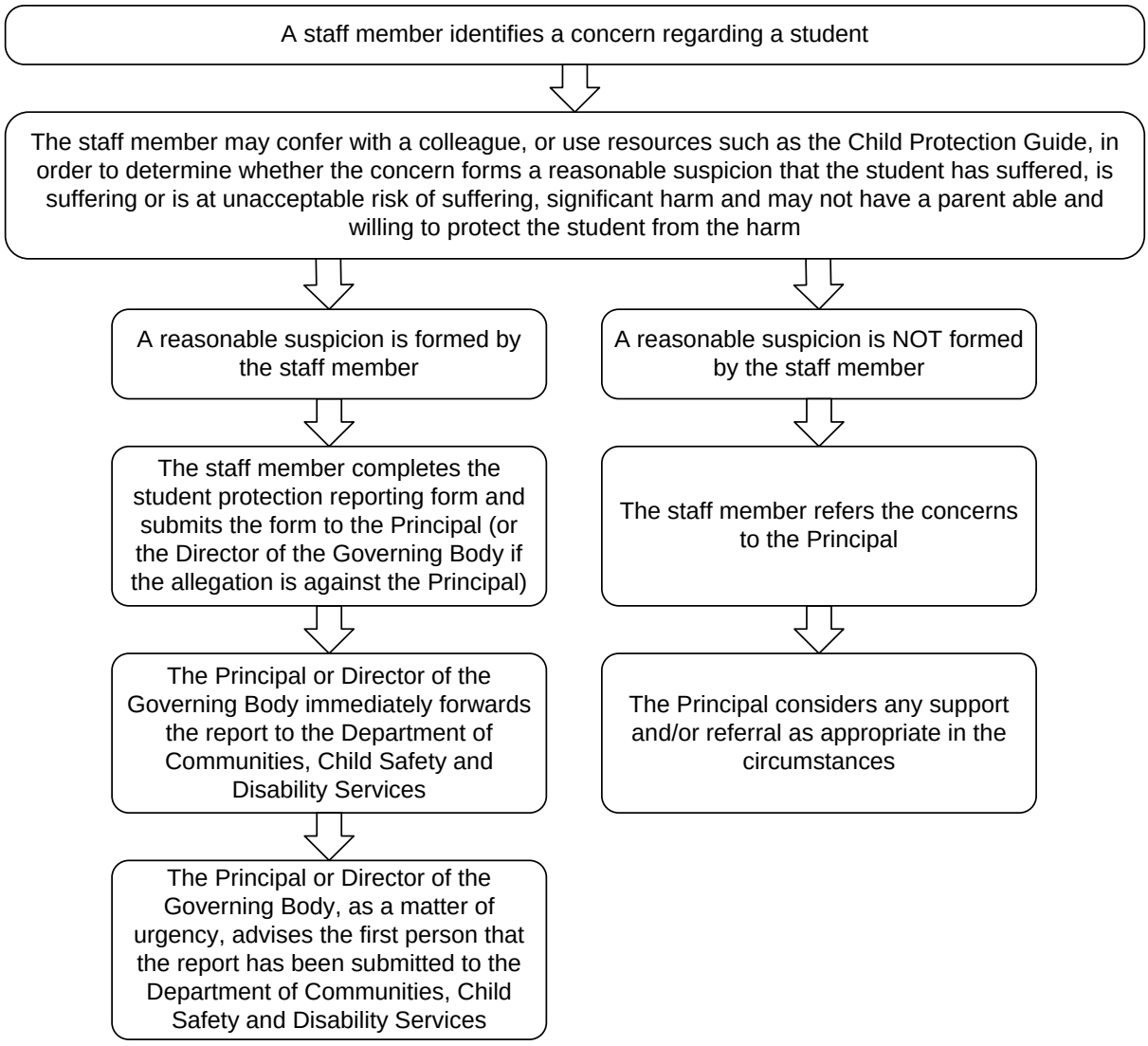
Flowchart 2: Reporting Sexual Abuse & Likely Sexual Abuse where the first person is the Principal



Important notice

If there is reasonable suspicion that the student has been sexually abused or is likely to be sexually abused and may not have a parent able and willing to protect them, the processes as outlined in flowchart 3 must also be followed.

Flowchart 3: Reporting Significant Harm to Child Safety Services (not sexual abuse / likely sexual abuse)



Important notice

If there is a reasonable suspicion that the student has been sexually abused or is likely to be sexually abused by another person, then the processes as outlined in flowchart 1 must also be followed, or flowchart 2 if the first person is the Principal

Mandatory Responsibilities for Teachers

If the staff member is a teacher, and the reasonable suspicion is that the student has suffered, is suffering or is an unacceptable risk of significant harm caused by physical or sexual abuse and may not have a parent able and willing to protect the student from the harm (a reportable suspicion under section 13E of the *Child Protection Act 1999*), the teacher is responsible, as a matter of urgency, to ensure that the report has been submitted to the Department of Communities, Child Safety and Disability Services, unless they become aware, or reasonably suppose, that the matter has already been brought to the attention of the authorities.

If a teacher forms a reportable suspicion and is not able to progress a report through the process detailed in the flowchart above, they are able to meet their mandatory reporting obligation through reporting directly to Child Safety Services via the online reporting form:

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

IMPORTANT INFORMATION

Although staff members are required to follow the Student Protection Processes laid down by Catholic Education (Diocese of Rockhampton), this does not limit the freedom of any person to take immediate action to notify police of any complaint or concern about the safety of a student, particularly if he/she believes that it is essential to ensure a student's safety.

Catholic Education
Diocese of Rockhampton

Student Protection Guidelines for Catholic Education (Diocese of Rockhampton)

Version 2.10 • February 2018

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Preface

These guidelines have been developed by the Queensland Catholic Education Commission (QCEC) in conjunction with Catholic School Authorities in order to provide information to support the implementation of the *Student Protection Processes for Queensland Catholic Schools*. These guidelines may be subject to change in line with child protection practice developments, and may be subject to customisation to reflect the resources and systems in place for a particular Catholic School Authority.

1. Understanding abuse and harm

All children have the right to be safe in environments free from abuse and harm. Where this is not the case, adults have a responsibility to act. This part explains the key concepts that underpin the processes for ensuring the safety of students, in order to inform the actions staff members must take if they form a reasonable suspicion of abuse, harm or staff inappropriate behaviour towards a student.
As a first step, it is important that staff members have an understanding of what is meant by the terms 'abuse' and 'harm'.

Generally, the types of abuse can be summarised as:

Sexual Abuse **Emotional or Psychological Abuse**

Physical Abuse **Neglect**

These types of abuse can cause the following types of harm to a student:

Physical Harm **Psychological Harm** **Emotional Harm**

1.1. Sources of abuse and harm

Students can be abused, or experience harm from a number of sources. These include:

Person associated with the school
(Staff member, Volunteer or another student at the school)

Family Member/Relative of the student
(Parent/Carer, Sibling, Grandparent, other relative)

Other person in the community
(Family friend, neighbour coach, tutor, stranger)

Self-harming by a student

2. Types of Abuse

2.1 Sexual Abuse and Likely Sexual Abuse

Sexual abuse of a student occurs where a person engages in sexual behaviour with a student, and:

- the other person bribes, coerces, exploits, threatens or is violent toward the relevant person; and/or
- the student has less power than the other person; and/or
- there is a significant disparity between the student and the other person in intellectual capacity or maturity.[1]

Characteristics of a power imbalance include: significant differences in age, developmental ability, authority, influence or some kind of control over the student.

Likely sexual abuse is where it is more probable than not that a student will be sexually abused in the future. One situation where a reasonable suspicion of likely sexual abuse could be formed is where 'grooming' behaviours towards a student are identified.

IMPORTANT NOTE: Sexual Activity between staff members and students

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

What does sexual abuse involve?

Sexual abuse involves an imbalance of power between a student and the other person. The imbalance of power allows force, trickery, emotional bribery, blackmail or emotional pressures to be used against the student to involve him/her in sexual activity or to sexually exploit him/her. Secrecy, the misuse of power and distortion of adult-child relationships may also be involved.

Sexual abuse involving physical contact with a student could include:

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

It does not matter whether the student is clothed or unclothed whilst sexual abuse involving physical contact takes place. Engagement of a student in sexual acts by duress or through inducements of any kind is considered sexual abuse.

[1] See Section 364 of the *Education (General Provisions) Act 2006*

Sexual abuse/likely sexual abuse of a student may not necessarily involve physical contact. It could, for example, involve behaviour that occurs in the student's direct presence or that occurs indirectly including through electronic communications. Examples include:

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

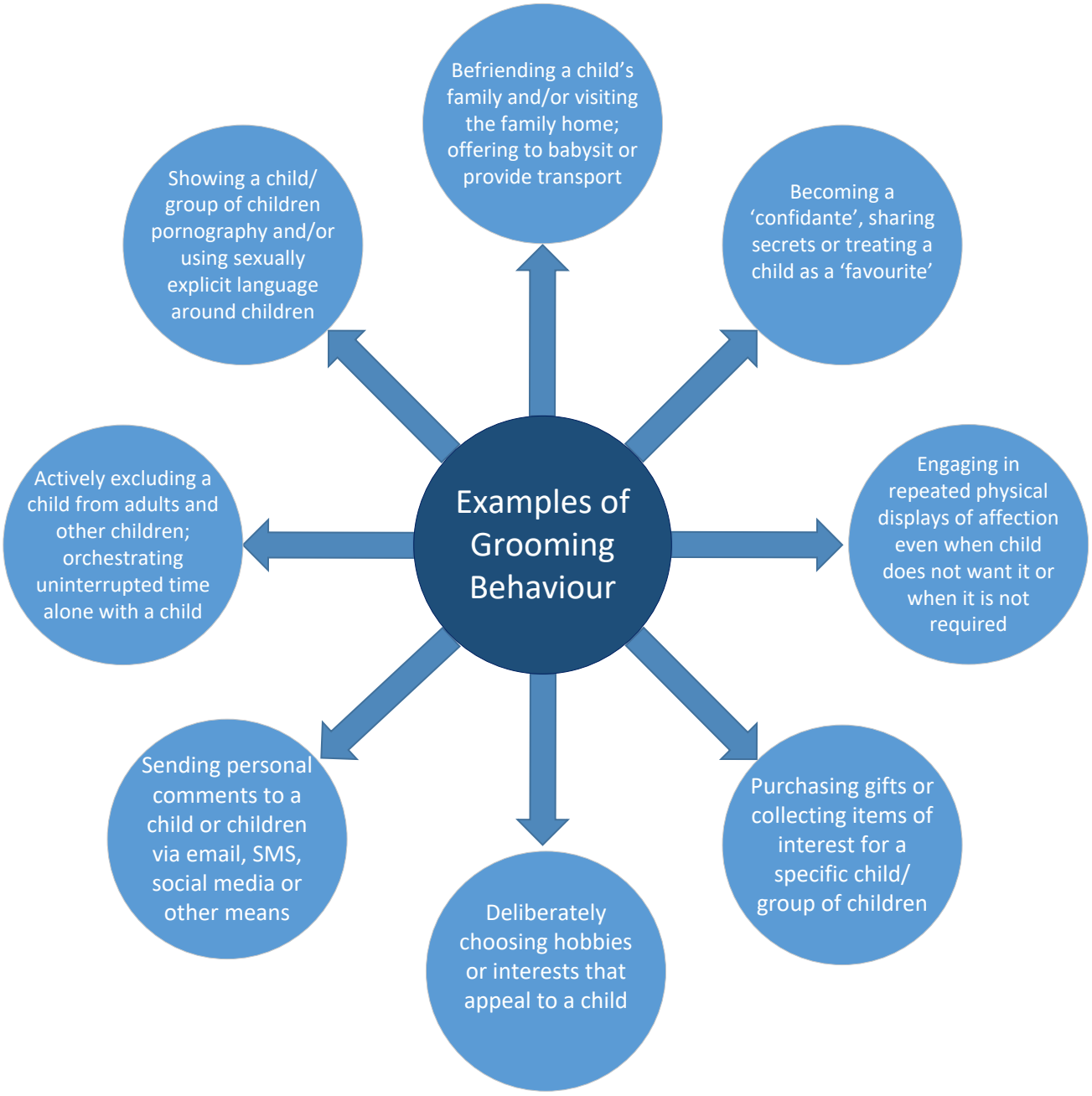
What is Grooming?

Sexual offending against a child is rarely a random act by a stranger. It is commonly based on a relationship with the child that has been formed over time. The abuse is commonly well thought out and planned in advance. Offenders may often take time to 'groom' their victim, often over a lengthy period. They will also often 'groom' the child's parents, care-providers or others who might otherwise protect them from the abuse. This occurs so that the child and his/her parents or care-providers will trust the offender and not suspect any intended wrongdoing.

The establishment of a relationship of trust which is then misused is often very confusing and damaging to the child, who may not even immediately recognise what is happening to them as abuse. Grooming behaviour is unlikely to be recognised when observed as a one-off event, but a pattern of grooming of the intended victim and/or the intended victim's parents or care-providers is likely to be recognised. Grooming will tend to develop in intensity over time. It will also tend to include elements of secrecy and concealment. It is important to be aware of the types of behaviours that can be used in the process of grooming a child or young person, while remembering that some of the behaviours might equally reflect normal interactions based on genuine motives of care and concern. This is the reason that, for staff members, the observance of clear professional boundaries and transparency in the declaration of potential conflicts of interest is a vital part of the protection of children and of the professional integrity of staff members themselves.

Recognition of the grooming process that is used as a preparation for the sexual abuse of a child is an indicator of likely sexual abuse.

Some examples of 'grooming' behaviour could include:



Activity between peers

- **Sexual activity between students**

It is important to note that activity between peers may also be considered abusive, especially if the relationship is coercive or the behaviour forceful, degrading or threatening. Sexual activity between young people under 16 years of age is not automatically considered to be sexual abuse, even though technically it is unlawful in Queensland. The dynamics and characteristics of the sexual activity is a key consideration. For example, if a young person under the age of 16 years engages in sexual activity with a peer and there is no imbalance of power, coercion or manipulation involved, this may not be considered sexual abuse. On the other hand, if there is a power imbalance, coercion or manipulation in the sexual activity between a young person 16 years and older and another person, this may be considered sexual abuse.

- **Student sexual behaviour**

Suspicions that a student has been sexually abused may also be formed in some cases where a student exhibits concerning sexual behaviour. Resources such as those published by the Department of Child Safety, Youth and Women can assist in identifying age inappropriate sexual behaviour, and section 4.2 details further signs of sexual abuse.

2.2 Physical Abuse

Physical abuse *refers to non-accidental use of physical force against a child by another person that results in significant harm to the child.*

What does physical abuse involve ?

Examples of physical abuse include but are not limited to hitting, shaking, throwing, burning, biting, poisoning and female genital mutilation. The definition of physically abusive behaviour extends to the fabrication, exaggeration and inducing of illness symptoms in a child.

A person does not have to intend to physically harm a child to have physically abused them (for example, physical punishment that results in bruising or fractures would generally be considered physical abuse). Physical abuse does not always leave visible marks or injuries. Physical abuse can result in significant physical harm (for example, fractures, burns or bruises) and/or emotional/psychological harm (for example, hyper vigilance, depression or persistent state of fear and anxiety) to a child.

When considering if a child is at unacceptable risk of suffering harm caused by physical abuse by a person, a range of factors are considered. Examples include:

- the person's propensity towards violence,
- the degree of control a person has over their own behaviour or the behaviour of others,
- the physical force used and
- the ability and willingness of another adult to act protectively to prevent the physical abuse.

Examples of situations which give rise to an unacceptable risk of physical abuse include, though are not limited to:

- domestic violence involving the throwing of objects; or
- situations in which a baby is shaken but not obviously injured.

2.3 Emotional/Psychological Abuse

Emotional or psychological abuse *is the persistent emotional ill-treatment of a child which causes severe and persistent adverse effects on a child's emotional development.*

What does emotional or psychological abuse involve ?

Examples of emotional abuse include but are not limited to constant criticism, public humiliation, belittling, constant yelling, withholding praise and affection, excessive teasing, scape-goating, rejection, hostility, exposure of a child to domestic and family violence and conveying that a child is worthless or unloved, inadequate or valued only insofar as the child meets the needs of another person.

Emotional or psychological abuse may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of reasonable exploration and learning or preventing the child from participating in normal social interaction. Emotional abuse can result in significant harm to a child, for example, it can result in significant emotional / psychological harm such as depression, attachment disorders, chronic feeling of fear/anxiety or self-harm.

A child is considered to be at unacceptable risk of suffering harm caused by emotional abuse in a number of situations for example the frequent, chronic and entrenched verbal criticisms and hostility directed at the child by another person.

2.4 Neglect

***Neglect** is the persistent failure to provide for a child's basic physical and emotional necessities of life such that the child's health and development are affected.*

What does neglect involve?

Neglect is the persistent failure to provide for a child's basic physical and emotional necessities of life such that the child's health and development are affected. Basic needs include: food, housing, adequate clothing; personal hygiene and hygienic living conditions; health care, including the timely provision of medical treatment and dental care; and adequate supervision and protection needed for the child's optimal growth and development. Neglect may occur during pregnancy as a result of maternal substance abuse.

Neglect can result in a significant impact on a child's physical, emotional and psychological wellbeing. It can result in significant physical harm such as serious injury or death. For example, failure to supervise a child may result in a child ingesting poison, or getting seriously injured or getting burnt. Neglect can also result in serious emotional/ psychological harm such as attachment disorders, failure to thrive in infants and significant developmental delays.

A child is considered to be at unacceptable risk of neglect in situations such as severe or chronic substance misuse, significant mental illness, lack of parenting skills and addiction to gambling by the child's primary parent or care-provider inhibiting their capacity to provide sufficient care.

More information around understanding child abuse and harm can be found on the Department of Child Safety, Youth and Women website

3. Significant Harm

Harm can be caused by physical, psychological or emotional abuse, sexual abuse or neglect. Harm refers to the detrimental effect or impact of abuse/neglect on a child. For statutory intervention to occur, there must be information to suggest:

- that the child has suffered, is suffering or is at any unacceptable risk of suffering significant harm; and
- there may not have a parent able and willing to protect the child from harm.

Harm can be caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances. This series or combination of acts, omissions or circumstances is often referred to as "cumulative harm".

3.1 What is "unacceptable risk" of harm?

A child is considered to be at unacceptable risk of suffering harm if there are grounds to suspect that unless someone intervenes to prevent it, the actions of a person will result in, or is likely to result, in a detrimental effect of a significant nature on the child's physical, emotional and/or psychological well-being.

3.2 Relationship between abuse and harm

In essence, abuse is the action towards a student, and harm is the impact of that action on the child. Children can experience multiple types of abuse, which in turn can cause multiple types of harm.

Types of Abuse	**Physical abuse**	**Emotional abuse**	**Sexual abuse**	**Neglect**
	Hitting Punching	Rejection Persistent hostility	Sexual exploitation Penetration Exposure to Pornography	Inadequate supervision Poor hygiene/nutrition

Types of harm (impact on the child)	**Physical (refers to body)**	**Emotional (ability to express emotions)**	**Psychological (mind & cognitive processes)**
	Bruising Fractures Internal injuries	Depression Hypervigilance Self-harm	Learning and developmental delays Impaired self-image

4. Recognising Abuse and Harm

4.1 Recognising the signs of abuse and harm

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

It is important to remember:

- the signs are generally more significant if they are severe, form a pattern, and/or show frequency;
- the younger the child involved, the greater the risk;
- all factors need to be considered including the child's circumstances and family context.

4.2. Identifying the signs of Abuse and Harm

Observations of student behaviour

In general terms, something may be wrong if you observe student behaviour such as:

- nervousness/withdrawal;
- passivity/excessive compliance;
- evidence of deterioration in peer relationships and/or generally poor peer relationships;
- trouble concentrating at school/unexpected drop in school academic performance;
- frequent absences from school without substantiated or acceptable explanations;
- being extremely aggressive, stealing or running away;
- evidence of extreme or continually aroused emotional states;
- out of character behaviour;
- behaviour that is not age appropriate or typical of peer behaviour;
- in younger students: separation anxiety, changed eating patterns;
- in older students: drug/alcohol use, sexual promiscuity, self-harm or reckless and risk-taking behaviour.

In relation to possible harm or risk of harm to a student that may be a result of sexual, physical or emotional abuse and/or neglect you may observe the following:

Physical

- bruises or lacerations, especially on face, head and neck;
- burns/scalds;
- multiple injuries or bruises, especially over time;
- fractures, dislocations, twisting injuries;
- explanations offered by the child not consistent with the injury or the injury is unable to be explained by the child;
- A child hiding injuries;
- repeated injuries with a recurring or similar explanation.

Neglect

- delay in achieving developmental milestones;
- medical or therapeutic needs not attended to;
- poor personal hygiene leading to social isolation;
- scavenging for/stealing food; lack of adequate school lunches;
- extreme seeking of adult affection;
- flat and superficial way of relating.

Domestic violence

- difficulties in eating and sleeping;
- hyper vigilance;
- regression to age-inappropriate behaviours;
- developmental delays;
- child is over-protective of a parent;
- excessively controlling or aggressive/violent behaviour;
- abuse of siblings/parent.

Emotional/psychological

- inability to value self and others;
- lack of trust in people;
- statements from the child e.g. "I'm bad; I was born bad";
- extreme attention-seeking behaviours.

Sexual

- direct or indirect disclosures of abuse;
- concerning sexual behaviour and/or age-inappropriate sexual knowledge;
- use of threats, coercion or bribery to force other children into sexual acts;
- sexual themes/fears expressed in artwork, written work or play;
- repeated urinary tract infections, especially in younger girls;
- physical trauma to buttocks, breasts, genitals, lower abdomen, thighs;
- unexplained accumulation of money/gifts;
- presence of sexually-transmitted infections, especially in younger children.

More information around recognising the signs of abuse can be found on the Department of Child Safety, Youth and Women website.

5. Forming a reasonable suspicion

A reasonable suspicion of abuse or harm is a suspicion that would be formed by a reasonable person based on a reasonable view of the evidence available to them. In other words, a reasonable suspicion is an objectively justifiable suspicion that is based on specific facts or circumstances. When a reasonable suspicion is formed, a staff member must act in accordance with the processes outlined in this document.

Generally, the ways in which a staff member may form a reasonable suspicion are as follows:

- A student makes a direct disclosure about another person's behaviour (see Section 5.1)
- A parent or any person reports information of concern about a student and/or another person's behaviour (this information may come from another student, relative, friend, acquaintance of the student, or sometimes could be anonymous)

- Direct observation of abusive or inappropriate behaviour towards a student
- Relevant observations (appearance, behaviours, and situations) are witnessed, or other relevant firsthand knowledge is gained.

Additionally, section 13C of the *Child Protection Act 1999* offers some guidance around forming a reasonable suspicion that a student has suffered, is suffering or is at unacceptable risk of suffering significant harm:

- Whether there are detrimental effects on a child's body or psychological/emotional state, or are likely to become so the future;
- The nature and severity of the detrimental effects and the likelihood that they will continue;
- The age of the child.

A staff member may **confer** with a colleague as part of the decision making process as to whether they have formed a reasonable suspicion – further detail around conferral processes can be found in the Student Protection Processes.

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

- it is not the role of the staff member or of the school to investigate, confirm or substantiate the validity of the information;
- in some cases, it may be appropriate to seek additional information to clarify the situation, to the extent necessary to determine any action that may be required under these processes;
- if the information received gives rise to a staff member forming a reasonable suspicion of harm to a student resulting from abuse or neglect, from any source, the staff member must follow the relevant reporting requirements described in the Student Protection Guidelines;
- if the information received by the staff member suggests inappropriate behaviour by a staff member towards a student, then the staff member must follow the relevant reporting requirements described in the Student Protection Processes for Queensland Catholic School Authorities.

NOTE: Staff members must not photograph student injuries or audio/ video record the discussion with the student – this is the role of Police.

Details about how the information came to the staff member's attention should be included in any report made under these processes.

5.1 Responding to a disclosure

Staff members in schools are often the first people a student may tell when they are feeling unsafe, therefore it is important for staff members to be aware of how children/young people disclose and how to respond in the most appropriate manner. If a student tells a staff member about being abused or harmed:

- **Move to a suitable environment**, free of distractions**.**
- **Be calm and patient -** allow for the child to be heard.
- **Let the child use their own words -** avoid asking leading questions**.**
- **Avoid "quizzing" the child about details of the abuse.**
- **Don't be afraid of saying the 'wrong' thing.** Listening supportively is more important than what you say.

- Reassure the child that **it is Okay to tell you** what's been happening.
- **Address** any **concerns about** the **child's safety.**
- Reassure the child s/he is **not at fault and is not the cause of any distress** you may feel.

- Respect that the child **may only reveal some details.**
- **Acknowledge** the **child's bravery and strength.**
- **Avoid making promises you can't keep** - manage the child or young person's expectations.
- **Explain** to the child that in order for them to be safe **you will need to report their experience to someone else**

Adapted from an AIFS infographic: Responding to children and young people's disclosure of abuse

Remember - it is not a school staff member's role to investigate a suspicion of an unacceptable risk of abuse/ harm from any source, rather to report a reasonable suspicion of abuse or harm in accordance with the student protection processes. It is the role of officers of Queensland Police Service and qualified officers of the Department of Child Safety, Youth and Women to investigate and collect evidence in the required circumstances, such as conducting interviews with students.

Only ask enough questions to help you decide whether you have honest and reasonable grounds to form a suspicion of harm/abuse or an unacceptable risk of harm/abuse. Be aware that any questioning beyond this could cause distress and confusion and could interfere with the integrity of any subsequent investigation undertaken by relevant authorities.

As soon as possible after the disclosure, make detailed relevant notes about any signs, disclosures, injuries, and behaviours that caused you to be concerned for the student's safety or wellbeing.

Any response must be focussed on the best interests of the student. As such, the immediate support needs of a student are the priority and staff members must act promptly to raise the concerns with the Principal.

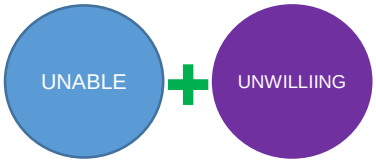
6. Considering whether there is a parent able and willing to protect a student

Where there is no parent able and willing to protect a child from significant harm, then the Department of Child Safety, Youth and Women intervenes to ensure the safety of the child. This is therefore an important consideration when determining if a matter should be reported Department of Child Safety, Youth and Women.

A parent must be able AND willing to protect the child from significant harm.

In some cases, a **parent may be willing to protect their child from significant harm, but they may not be able to do so**, for example, the parent may be suffering from a severe mental health condition, physical illness or injury; or where existing court orders precludes the parent from taking protective action.

A parent may be able but not willing to protect their child, for example, where the parent continues in a relationship with a person who is sexually abusing their child and does not cease contact with the abusive person.



In some circumstances**, a parent may be both unable AND unwilling** to protect their child from significant harm. An example of this is a parent who has significant substance misuse issues and continues a relationship with someone who sexually abuses or is violent to their child.

In some cases, parents will seek to minimise or reduce the significance of harm suffered by a child (or that the child is at risk of suffering) and this may indicate the parent may not be able and willing to protect the child from harm. For example, this includes a parent minimising serious self-harming behaviours exhibited by their child or failing to recognise the serious and/or long term impacts of a child's medical needs or significant developmental delays.

Forming a reasonable suspicion around whether a parent may be able and willing is based on a number of factors, including:

- the observations and knowledge the Principal and staff members may have of the family circumstances;
- disclosures made by a child;
- information provided by another person.

A staff member is not expected to conduct an investigation to ascertain if a parent is able and willing to act protectively, rather must act on the information available to them. Staff members may confer with colleagues to assist in their decision making.

NOTE: If a reasonable suspicion of sexual abuse or likely sexual abuse is formed a report to the Queensland Police Service is to be made even if there is a parent able and willing to protect the child from harm.

7. Confidentiality, Record Keeping and Information Sharing

It is essential that student protection processes are managed in a confidential manner that both preserves the dignity and privacy of all affected parties, and ensures that any investigative process is not impaired.

The management of any student protection concern should be well-documented, with clear records of any disclosures made by a student and any actions taken by the school. All information relating to a student protection concerns, including notes, reports and other documents must be stored securely and confidentially.

Will a student's family know I have made a report?

A person who notifies the Department of Communities, Child Safety and Disabilities around a suspicion that a child has been, or is likely to be harmed (known as the "notifier") cannot be identified unless certain exceptions apply. Where a student protection report results in a criminal court proceeding, the report may form part of the prosecution's evidence, therefore the staff member who made the report may be required to give evidence. Consequently, student protection reports must be completed in an impartial, accurate and factual manner.

Information Sharing

Within the school, information should not be shared around student protection matters with other staff members unless for a specific purpose under these processes, for example conferring with the Principal to determine whether a matter constitutes a reasonable suspicion of abuse or harm. Information may also be provided to staff members as part of ongoing support or risk management processes for a student.

There are a number of circumstances where a School Principal may be asked to share information, or be required to do so in order to support a student and their family:

- Under Part 4 of the *Child Protection Act 1999*, the Department of Communities, Child Safety and Disability Service may request information around a student who may be in need of protection. Such requests should be in writing, and clearly specify what information is requested. The Principal should keep clear records around what information was provided in response and ensure that any information is accurate and factual.
- A Principal, as a 'particular prescribed entity' under the *Child Protection Act 1999* may share information with certain service providers in order to obtain support for a student and their family. As best practice, any referral for support should be with the knowledge and consent of a student's parents or care-

providers, however a Principal may refer to service providers such as **Family and Child Connect** or **Intensive Family Support Services** without the prior consent of a parent or care-provider. These services will then seek the consent of the parent to engage them in providing support.

- Police may seek information from a Principal in relation to a law enforcement activity, for example in the investigation of a criminal offence, or in attempting to locate a missing child. Again, the Principal should keep clear records around what information was provided in response and ensure that any information is accurate and factual.

8. Support and Referral Services

When students and families receive support services early, it can avoid the escalation of concerns towards statutory intervention by the Department of Child Safety, Youth and Women or Police. Where a concern is identified that does not meet the threshold for a report to Department of Child Safety, Youth and Women or Police, or indeed where the outcome of a report is that no intervention by the authorities will occur, the Principal should consider any referral to appropriate support services:

Family and Child Connect

Community-based intake and referral services, known as 'Family and Child Connect' have been established across Queensland to provide an additional pathway for referring concerns about children and their families. Family and Child Connect provides information and advice to people seeking assistance for children and families where there are concerns about their wellbeing, and can connect families to local services. Families can also contact Family and Child Connect themselves for advice and help.

Intensive Family Support Services

In addition to Family and Child Connect, Intensive family support services are funded services that provide family support delivered under a lead case management model to address multiple and/or complex needs and assist families to build their capacity to care for and protect their children.

Intensive family support services include:

- Intensive Family Support;
- Referral for Active Intervention;
- Aboriginal and Torres Strait Islander Family Support Services;
- Fostering Families.

Information around making a referral to these services can be found via the Department of Child Safety, Youth and Women website. Particular information around information sharing provisions for Principals are detailed in section 7.

Other referral options

In some cases, it may be desirable to refer a family to a specific local service in the community, particularly where the family's needs are clearly identified. For example, a family may be in need of financial or housing support. The Queensland Family and Child Commission's One Place website provides useful information about local services.

School based supports

There are a number of options to support students at risk within the school environment that can be implemented in addition to any external referral, including:

- Referral to the school counsellor;
- Engaging specific educational services to meet a student's needs;
- Consideration of academic demands and providing flexible alternatives;
- Identifying other school support staff, including pastoral care options and peer support;
- Implementing risk management plans, particularly involving situations between students;
- Providing protective behaviours education to students, including safety planning.

9. Understanding behaviour by a staff member a student considers to be inappropriate

For the purposes of these processes, staff inappropriate behaviour includes (though is not limited to) any behaviour, including words, towards a student that is contrary to what is required of staff members under the Catholic Education (Diocese of Rockhampton) Code of Conduct.

Inappropriate behaviour by a staff member towards a student can by described in terms of *violations of professional boundaries*. These boundaries can be described as follows:

Physical Boundaries

Exist to protect the body. Physical boundaries define appropriate physical contact between staff members and students in appropriate circumstances whilst respecting and responding to the physical needs of students

Emotional Boundaries

Exist to protect feelings. Emotional boundaries determine the nature of appropriate professional relationships between staff members and students in the context of respecting the emotional needs and wellbeing of students.

Behavioural Boundaries

Exist to protect actions. Behavioural boundaries determine the appropriate behaviours expected of a staff member towards students, including respecting the rules of the Catholic School Authority or School.

Examples of boundary violations appear on the following page.

9.1 Examples of Boundary Violations*

*See also The *Professional Boundaries: A Guideline for Queensland Teachers* as published by the QCT

Physical Boundary Violations	Emotional Boundary Violations	Behavioural Boundary Violations
• pushing • pulling • grabbing • hitting • poking shoving • shaking • throwing • kicking • pinching • punching • using physical force to ensure a child cooperates • holding or restraining a child (unless in imminent danger of harm) • using an object (ruler, book, whiteboard marker) to manage a student • Refusing biological necessities Applying painful or noxious conditions to a student • Inappropriately touching or massaging a student • Unnecessary or unwanted physical contact	Making inappropriate comments about a student and/or a student's family by: • shaming, • embarrassing, humiliating • using sarcasm • making derogatory remarks belittling • teasing • unprofessional criticism Exerting power over a student through the use of: • intimidating behaviour • fear • threats • moral pressure Shouting at a student Discussing details of lifestyle / relationships / personal matters of self or others Disclosing personal contact details to students	Having inappropriate interactions with a student through: • inappropriate use of social media in relation to a student • phone calls emails or texts to the student's personal email or phone • gift giving or showing special favours sharing secrets with a student disclosing inappropriate personal information to a student • inappropriate questioning of a student about personal and private matters engaging in social activities with students (with whom there is not a declared personal relationship) outside school • driving students without appropriate authority • visiting students at home without appropriate authority Using unprofessional language: • swearing at or in the presence of a student • making otherwise inappropriate comments to or in the presence of a student Failing to follow a school's behaviour support policy and procedures: • unreasonable, unfair and/or unjust disciplinary measures • the imposition of manifestly unreasonable expectations or excessive demands on a student • using inappropriate locations or social isolation outside of the school's behaviour support guidelines as punishment Using a personal device or private email address to make contact with a student (with whom there is not a declared personal relationship or appropriate authority) Photographing a student other than for an appropriate professional reason Supplying substances to a student (e.g. unauthorised medication, tobacco, alcohol, illicit drugs) Exposing students to material that contains adult content or themes that is offensive or inappropriate to the age and/or maturity of the student

10. Historical Allegations

RESPONDING TO HISTORICAL MATTERS

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

10.1 Overview of Response

From time to time a person may contact a school or the Catholic Education Office to report an historical matter of abuse or harm which relates to a past student or staff member of Catholic Education. The mandatory reporting processes outlined in the *Student Protection Processes for Catholic Education (Diocese of Rockhampton)* will apply if the allegation involves a current student. Where the allegation is against a current or former teacher, reporting obligations to the Queensland College of Teachers will apply under the provisions of the *Education (Queensland College of Teachers) Act 2005*.

Where mandatory reporting requirements do not apply. All staff members should respond pastorally and report historical matters to the Principal who in turn must report the matter to the Student Protection Coordinator or the Diocesan Director who will determine the appropriate action to be taken as detailed in section 10.2.

Staff members can access the resource *Responding Support Guidelines - What to do if an adult reports past abuse* available on the Catholic Education Staff Portal.

10.2 Diocesan Director

The Diocesan Director (or delegate) will encourage and support any complainant to report abuse or harm to the police and will advise them of the option to provide this information anonymously if that is their preference. If they do not choose to do this, as a broader ethical responsibility and duty of care, the Diocesan Director (or delegate) will provide all information of historical allegations of sexual and/or physical abuse of past students of Catholic Education to the Queensland Police Service and inform the Director of the Office of Professional Standards Qld (*Towards Healing*) without disclosing the person's identity (blind reporting) unless the complainants provide permission to do so.

The Diocesan Director will inform the Bishop of any allegations as soon as is possible.

Where the person against whom an allegation of physical or sexual abuse is made is currently an employee of Catholic Education, the Assistant Director: Schools will carry out a risk assessment and a recommendation will be made to the Diocesan Director in relation to the staff member's employment. All mandatory processes will apply including reporting to QCT if applicable.

Where the person against whom the allegation of physical or sexual abuse is made is no longer an employee of Catholic Education, the matter should be referred to the Director of the Office of Professional Standards Qld (*Towards Healing*) and to the Police (as above).

In relation to historical complaints of harm other than sexual or physical abuse matters, where the person against whom the allegation has been made still works for Catholic Education, the matter should be addressed by Catholic Education.

In relation to historical complaints of harm other than sexual or physical abuse matters, where the person is no longer an employee of Catholic Education, the matter should be referred to the Director of the Office of Professional Standards Qld (*Towards Healing*) who can make an assessment as to whether the information should be provided to the Queensland Police Service.

Where the staff member is a cleric or member of a religious order, or was a cleric or member of a religious order at the time of the alleged behaviour in addition to all applying mandatory processes including reporting to QCT if applicable, the Director of the Office of Professional Standards Qld (*Towards Healing*) will be informed as soon as possible. The Diocesan Director will also ensure that the relevant church authority is also informed without delay and this action documented.

10.3 Referrals to External Support Services

The person who has made the complaint will be offered on-going pastoral support and communication which will be facilitated by the Student Protection Coordinator and / or other community based support services appropriate to their needs.