



Policy Name	CHILD PROTECTION POLICY		
Purpose	<p>The purpose of this policy is to provide written processes about –</p> <ol style="list-style-type: none"> how the College will respond to harm, or allegations of harm, to young people under 18 years; the appropriate conduct of the College’s employees and young people; and to comply with accreditation requirements. <p>Being a senior secondary school, this policy also includes a section for response to allegations of harm for young person who is 18 years or older to ensure consistent and appropriate response.</p>		
Scope	This policy applies across the College to young people and employees, (including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements at AITC) are covered in relation to information about the reporting of harm and abuse.		
Policy Category	Education		
References	<p><i>Child Protection Act 1999 (Qld)</i> <i>Education (General Provisions) Act 2006 (Qld)</i> <i>Education (General Provisions) Regulation 2017 (Qld)</i> <i>Education (Accreditation of Non-State Schools) Act 2017 (Qld)</i> <i>Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</i> <i>Working with Children (Risk Management and Screening) Act 2000 (Qld)</i> <i>Working with Children (Risk Management and Screening) Regulations 2020 (Qld)</i> <i>Criminal Code Act 1899 (Qld)</i> <i>Education (Queensland College of Teachers) Act 2005 (Qld)</i> AITC Complaints Handling Policy AITC Complaints Handling Procedure AITC Work Health and Safety Policy (for the <i>Work Health and Safety Act 2011 (Qld)</i>) AITC Child Risk Management Strategy (for the <i>Working With Children (Risk Management and Screening) Act 2000 (Qld)</i>) AITC Child Protection Reporting Form</p>		
Key Links			
Status	Approved	Supersedes	All previous versions
Authorised by	AITC Board	Date of Authorisation	22 Feb 2023
Policy Owner	CEO	Version	8.0
Review Period	1 Year	Next Review Period	2024 - T1

CHILD PROTECTION POLICY

Policy

The AITC is committed to taking all reasonable steps to promote the safety and wellbeing of young people enrolled at the College and their protection from foreseeable harm. The AITC implements a Child Protection Policy consistent with requirements governed by:

- the *Working with Children (Risk Management and Screening) Act 2000 (Qld)*
- the *Child Protection Act 1999*
- the *Education (Non-State Schools Accreditation) Regulations 2017 (Qld)*.

Principles upheld in this policy

- Protecting young people from harm and the risk of harm is fundamental to maximising their personal and academic potential.
- People who are subjected to abuse are harmed by it.
- The welfare and best interests of the young person will always be a primary consideration.
- All employees must ensure that their behaviour towards and relationships with young people reflect proper standards of care for young people and are not unlawful.
- Sexual acts by an adult employee or volunteer with a young person who is a child will always be sexual abuse.
- The AITC will respond diligently to a report of suspected or actual harm, or risk of harm to a young person.
- Reprisals against young people or others making a complaint will not be tolerated.
- Young person management practices will be administered with respect and in a manner which maintains the young person's dignity.
- The AITC will act fairly and reasonably towards an employee or volunteer who is the subject of allegations of improper conduct.
- The AITC will support an employee or volunteer who is the subject of a proven false allegation of causing harm to a young person.
- The AITC will take disciplinary action against employees who harm others, and appropriate action against volunteers who harm others.
- The AITC will not permit people to work in a position if they believe on the basis of all information available that, if the allegations against them were wholly or partly true, there would be an unacceptable risk that others might be harmed.
- All employees, contractors and volunteers must ensure that their behaviour towards and relationships with young people reflect proper standards of care for young people. Employees, contractors and volunteers must not cause harm to young people.
- The AITC will cooperate with state authorities in resolving allegations of harm.

Policy Guidelines

The Board will from time to time employ the services of a legal counsel to remain updated upon the issues related to sexual abuse and the law.

The [Child Risk Management Strategy](#) includes the reporting form and all relevant resources. This is available on the [AITC Website](https://www.aitc.qld.edu.au/about-aitc/policies-and-reports/) (<https://www.aitc.qld.edu.au/about-aitc/policies-and-reports/>).

The Child Protection Policy, Child Risk Management Strategy and the Child Protection Reporting Form are also made available to AITC employees on The Hub – Risk and Compliance Site (<https://aitc.sharepoint.com/sites/RiskandCompliance>).

Health and Safety

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

Responding to Reports of Harm

When the AITC receives any information alleging ‘harm’¹ to a young person (other than harm arising from physical or sexual abuse) it will deal with the situation compassionately and fairly so as to minimise any likely harm to the extent it reasonably can. This is set in the College’s *Child Risk Management Strategy* and supported by the principles outlined. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy².

Conduct of Employees and Young People

All employees, contractors and volunteers must ensure that their behaviour towards and relationships with young people reflect proper standards of care for young people. Employees, contractors, and volunteers must not cause harm to young people³.

Reporting to the AITC Board

The CEO/Executive Principal will provide periodic reports to the Board in relation to child protection matters.

Reporting Inappropriate Behaviour

[This section was last updated: 7 February 2023]

If a young person considers the behaviour of an employee to be inappropriate, the young person should report the behaviour to one of the identified school employees below⁴.

AITC SCHOOL	CONTACT		
Gold Coast	Richard Petherbridge	Assistant Principal	Richard.Petherbridge@aitc.qld.edu.au
	David Taranto	Personal Industry Coach	David.Taranto@aitc.qld.edu.au
	Mark Bohan	Principal	Mark.Bohan@aitc.qld.edu.au
Redlands	Damian Watt	Assistant Principal	Damian.Watt@aitc.qld.edu.au
	Michelle McTegg	Personal Industry Coach	Michelle.McTegg@aitc.qld.edu.au
	Andrew Dutton	Principal Representative	Andrew.Dutton@aitc.qld.edu.au
Sunshine Coast	Vacant	Assistant Principal	
	Maddison Ward	Personal Industry Coach	Maddison.Ward@aitc.qld.edu.au
	Nick Harrison	Principal	Nick.Harrison@aitc.qld.edu.au
Toowoomba	Di Tumbridge	Assistant Principal	Di.Tumbridge@aitc.qld.edu.au
	Rae Billsborough	Personal Industry Coach	Rae.Billsborough@aitc.qld.edu.au
	Lee Smith	Principal Representative	Lee.Smith@aitc.qld.edu.au
Ipswich	Sharon Tobin	Assistant Principal	Sharon.Tobin@aitc.qld.edu.au

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

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

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

⁴ *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld) s.16(2) and s.16(3)

	Ezra Seumanutafa	Personal Industry Coach	Ezra.Seumanutafa@aitc.qld.edu.au
	Eliza Lane	Principal Representative	Eliza.Lane@aitc.qld.edu.au
Brisbane	Rhys Cassidy	Assistant Principal	Rhys.Cassidy@aitc.qld.edu.au
	Mark Bradshaw	Personal Industry Coach	Mark.Bradshaw@aitc.qld.edu.au
	Andrew Dutton	Principal Representative	Andrew.Dutton@aitc.qld.edu.au
College-wide Contacts	Eliza Lane	Director of Industry Education	Eliza.Lane@aitc.qld.edu.au
	Mark Hands	CEO/Executive Principal	Mark.Hands@aitc.qld.edu.au

Dealing with Report of Inappropriate Behaviour

An employee who receives a report of inappropriate behaviour must report it to the Principal. Where the Principal is the subject of the report of inappropriate behaviour, the employee must inform the Director of Industry Education **and** a director of the College's governing body⁵. Reports will be dealt with under the College's *Complaints Handling Policy*.

Reporting sexual abuse⁶

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

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

then the employee must give a written report about the abuse or suspected abuse to the Principal or a director of the College's governing body immediately.

If the report concerns the Principal, the written report must be given to the Director of Industry Education or a director of the College's governing body immediately.

The Principal, Director of Industry Education or a director of the College's governing body **must immediately give a copy of the report to a police officer**.

If the first person who becomes aware or reasonably suspects sexual abuse is the Principal, the Principal must give a written report about the abuse, or suspected abuse to a police officer immediately and must also give a copy of the report to the Director of Industry Education **and** a director of the College's governing body immediately.

⁵ *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld) s.16(2)

⁶ *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld) s.16(2)(c)

A report under this section must include the following particulars:-

- a) the name of the person giving the report (the **first person**);
- b) the young person's name and sex;
- c) details of the basis for the first person becoming aware, or reasonably suspecting, that the young person has been sexually abused by another person;
- d) details of the abuse or suspected abuse;
- e) any of the following information of which the first person is aware:-
 - i. the young person's age;
 - ii. the identity of the person who has abused, or is suspected to have abused, the young person;
 - iii. the identity of anyone else who may have information about the abuse or suspected abuse⁷.

Reporting Likely Sexual Abuse⁸

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

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

then the employee must give a written report about the suspicion to the Principal or a director of the College's governing body immediately.

If the report concerns the Principal, the written report must be given to the Director of Industry Education or a director of the College's governing body immediately.

The Principal, Director of Industry Education or the Director **must immediately give a copy of the report to a police officer.**

If the first person who reasonably suspects likely sexual abuse is the Principal, the Principal, must give a written report about the suspicion to a police officer immediately and must also give a copy of the report to the Director of Industry Education **and** a director of the College's governing body immediately.

A report under this section must include the following particulars:-

- a) the name of the person giving the report (the **first person**);
- b) the young person's name and sex;
- c) details of the basis for the first person reasonably suspecting that the young person is likely to be sexually abused by another person;
- d) any of the following information of which the first person is aware:-
 - i. the young person's age;

⁷ *Education (General Provisions) Regulation 2017* (Qld) s.68

⁸ *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld) s.16(2)(c)

- ii. the identity of the person who has abused, or is suspected to be likely to abuse the young person;
- iii. the identity of anyone else who may have information about suspected likelihood of abuse⁹.

Reporting Physical and Sexual Abuse¹⁰

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

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

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

The doctor, nurse, teacher or early childhood education and care professional must give a written report to the Chief Executive of the Department of Children, Youth Justice and Multicultural Affairs (or another department administering the *Child Protection Act 1999*). The doctor, nurse, teacher or early childhood education and care professional should give a copy of the report to the Principal.

A report under this section must include the following particulars:-

- a) the basis on which the person has formed the reportable suspicion¹¹;
- b) the child's name and sex;
- c) the child's age;
- d) details of how to contact the child;
- e) details of the harm to which the reportable suspicion relates;
- f) particulars of the identity of the person suspected of causing the child to have suffered, suffer, or be at risk of suffering, the harm to which the reportable suspicion relates;
- g) particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates¹².

CONTACT DETAILS OF THE CHILD SAFETY REGIONAL INTAKE SERVICES FOR EACH AITC SCHOOL

A [Regional Intake Service](#) receives information and child protection concerns from community members, government, and non-government agencies during business hours (from 9am to 5pm Monday to Friday).

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

- **AITC - Gold Coast:** South East 1300 679 849
- **AITC - Redlands:** Brisbane and Moreton Bay 1300 682 254 or South East 1300 679 849
- **AITC - Sunshine Coast:** Sunshine Coast and Central Queensland 1300 703 921
- **AITC - Toowoomba:** South West (Darling Downs) 1300 683 390

⁹ *Education (General Provisions) Regulation 2017* (Qld) s.69

¹⁰ *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld) s.16(2)(d)

¹¹ *Child Protection Act 1999* s.13G (2)(a)

¹² See *Child Protection Regulation 2011* (Qld) s.10 "Information to be included in report to chief executive"

- **AITC - Ipswich:** South West (West Moreton) 1800 316 855
- **AITC - Brisbane:** Brisbane and Moreton Bay 1300 682 254

Responsibilities under Criminal Code Act 1899 (Qld)

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

FAILURE TO REPORT¹³

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

FAILURE TO PROTECT¹⁴

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

Response to allegations of harm for young person who is 18 years or older

The *Child Protection Act* and the reporting provisions within the *Education (General Provisions) Act* only apply to young people under 18 years of age. However, the AITC acknowledges that the safety and wellbeing of all AITC young people, regardless of their age, is paramount.

When there is suspicion of harm to a young person who is 18 years of age or older, the employee must advise the Principal **and** the Director of Industry Education immediately.

The Principal will:

- speak with the young person to obtain more information about:
 - the nature of the concerns;
 - the details of any individuals involved, including the alleged person responsible; and
 - any ongoing risks to the young person's safety;
- wherever possible, take steps to address any identified safety concerns;
- when the concerns may involve a criminal offence, advise the young person of their right to report the alleged offence to the police:
 - the college should encourage the young person to lodge the report;
 - the college may report to the police only if consent is provided by the young person;
- if requested, support the young person during and after any police investigation;

¹³ Criminal Code Act 1899 (Qld) s.229BC

¹⁴ Criminal Code Act 1899 (Qld) s.229BB

- immediately report the concerns to the Director of Industry Education or the Executive Principal, when the alleged person responsible is or was an employee or volunteer;
- refer the young person, as required, to support services;
- seek the young person's consent to inform their parent(s)/guardian(s) of the concerns. Where consent is not given, the College should encourage the young person to inform their parent(s)/guardian(s);
- document all actions and decisions; and
- store all records in accordance with other child protection records management policy and procedures.

Awareness¹⁵

The College will inform employees, young people and parents of its processes relating to the health, safety and conduct of employees and young people in communications to them and it will publish these processes:

- on the AITC website and the College intranets (The Hub, Student Café, and Parent Lounge)
- to employees generally, at least once each year
- to each new employee, on induction
- by reference to it in the College newsletter
- by displaying on at least one noticeboard at each school

The Principal will also ensure that a copy of the policy is always available from the reception/administration office.

Accessibility of Processes

Processes relating to the health, safety and conduct of employees and young people are accessible on the College website and will be available on request from AITC's administration on each school¹⁶.

Employee Training

The AITC will train its employees in processes relating to the health, safety and conduct of employees and young people on their induction and will refresh training annually¹⁷.

- The preferred training program is offered online through Independent Schools Queensland
- The AITC People team will receive regular reports from Independent Schools Queensland detailing the completion of compulsory training by new and continuing employees and will maintain this information internally
- This information is reported regularly to the Executive Leadership Team and the AITC Board

Implementing the Processes

The AITC will ensure it is implementing processes relating to the health, safety and conduct of employees and young people by auditing compliance with the processes annually¹⁸.

¹⁵ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(a)

¹⁶ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(b)

¹⁷ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(c)

¹⁸ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(d)

Records Management

The AITC will maintain appropriate records of the decisions and actions relating to each reported child protection matter. For each matter, the original completed Reporting Form along with any other documentation collected for the purpose of the report will be maintained centrally in a secure location by the Executive Principal and accessible only to relevant parties.

Complaints Procedure

Suggestions of non-compliance with AITC's processes may be submitted as complaints under the AITC Complaints Handling Policy¹⁹. This is available on the [AITC Website](https://www.aitc.qld.edu.au/about-aitc/policies-and-reports/) (<https://www.aitc.qld.edu.au/about-aitc/policies-and-reports/>)

Definitions

child	Is a person under 18 years of age.
Young person (young people)	Is any person regardless of age who is enrolled as a student at the AITC. May also appear as 'student' or 'Team Member'.
harm	Section 9 of the Child Protection Act 1999 - <ol style="list-style-type: none"> 1) <i>Harm</i>, 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— <ol style="list-style-type: none"> a) physical, psychological or emotional abuse or neglect; or b) sexual abuse or exploitation. 4) Harm can be caused by— <ol style="list-style-type: none"> a) a single act, omission or circumstance; or b) a series or combination of acts, omissions or circumstances.
child in need of protection	Section 10 of the Child Protection Act 1999 - A "child in need of protection" is a child who— <ol style="list-style-type: none"> a) has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and b) does not have a parent able and willing to protect the child from the harm.
Executive Principal	The AITC Executive Principal role is held by the CEO. In periods of extended absence, the delegation of the Executive Principal role (Acting) is at the discretion of the CEO and can be separate from the CEO role responsibilities.
Principal	For the purposes of this policy, and in accordance with the AITC organisational structure, the Principal refers to any individual who holds the position of: <ul style="list-style-type: none"> - Principal <p>In carrying out their responsibilities outlined in this policy, any Principal is the Principal only for their AITC school. In their absence, the matter must be directed to the Director of Industry Education or the Executive Principal who will fulfil the role of the Principal.</p> <p>Employees raising a matter or submitting a report to the Principal must submit this to the Principal of the AITC school of the young person involved.</p>
Sexual abuse	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 –

¹⁹ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(5) and s.16(6)

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

Review and change register

VERSION	EFFECTIVE DATE	CHANGE HISTORY	AUTHORISED BY
8.0	2 March 2023	<p>Added Criminal Code Act 1899 (Qld) to references.</p> <p>Updated language and role titles.</p> <p>Changes related to the Criminal Code Act 1899 (Qld) including new section on Responsibilities.</p> <p>Removed AITC Considerations section – this section is not a requirement and addresses matters appropriately covered in other policies, the employee code of conduct, and within employment agreements.</p>	AITC Board

Policy approval (current version)

APPROVAL	DATE	SIGNATURE
Endorsed by Executive and CEO	18 Jan 2023	Approved at Operations Meeting
AITC Board	22 Feb 2023	Approved at AITC Board Meeting
