



**BRINDABELLA**

**CHRISTIAN COLLEGE**

**CANBERRA**

# Child Protection Policy

Reviewed 2018 | Due for Review 2010

**1. Rationale and Purpose**

Student safety and wellbeing are enhanced when students feel connected to their school, have positive and respectful relationships with their peers and teachers, feel confident about their social and emotional skills and are satisfied with their learning experiences at school. This policy outlines the parameters to be used in the design and provision of a College Student Protection, Safety and Welfare framework.

**2. Scope**

This policy covers all aspects of student protection, safety and welfare to be delivered by the College in Years K-12. It will be used to determine all related policies and programs. It is to be adhered to by all staff members. Teachers are to refer to this policy and the College Curriculum Policy when preparing and conducting units of work, work programs and co-curricular and extra-curricular activities.

**3. Related Regulation and Documents**

- *Education Act 2004 ACT. Section 75 c(i) and Section 86(6) b(ii)*
- *Racial Discrimination Act 1975. Section 13.*
- *Disability Discrimination Act 1992, Section 22.*
- *Sex Discrimination Act 1984. Section 21*
- *Children and Young People Act 2008 (ACT)*
- *Children and Young People Act (ACT Childcare Services) Standards 2009 (1)*
- *Human Rights Act 2004 (ACT). Section 11(2), Section 27A(3)(6)*
- *National Safe Schools Framework.*
- *Ombudsman Act 1989 (ACT)*
- *BCC Reportable Conduct Policy*
- *Brindabella Christian College Maintaining an Environment for Effective Child Protection-Guidelines and Procedures*

**4. Policy Principles**

Brindabella Christian College will uphold the following principles under this policy:

- Protection from harm and the risk of harm as fundamental to maximising students' spiritual, intellectual, emotional, social and physical potential;
- The welfare and best interests of the child/student will always be a prime consideration;
- To uphold the expectation that students show respect to each other, staff and volunteers and comply with safe practices;
- Employees will ensure that their relationship towards students and their behaviour with students reflects proper standards and are not unlawful;
- Respond diligently to a report of suspected or actual harm, or risk of harm, to a student;
- Ensure that there are no reprisals against students or others making a complaint;
- Student management practices are administered with respect and in a manner that maintains the student's dignity;
- Support an employee or volunteer who is the subject of a proven false allegation of causing harm to a student;
- Act fairly and reasonably towards an employee or volunteer who is the subject of allegations of improper conduct;

- Will consider sexual acts by an adult employee or volunteer with a student or in the presence of a student as sexual abuse;
- Report all inappropriate behaviour with, or harm towards, student(s) to the appropriate government authorities;
- Take disciplinary action against employees who harm others;
- Not permit people to work with students if the College believes on a reasonable basis that there would be an unacceptable risk that others might be harmed.

## **5. Guidelines**

In complying with the principles cited above, the College will be guided by the following:

### **5.1 Natural justice**

The principles of natural justice will apply to decisions to be made under this policy. These principles include unbiased decisions and opportunity for the accused to be advised of allegations and afforded the opportunity to have a fair hearing,

### **5.2 Procedure and confidentiality**

The procedure for making a non-vexatious allegation/complaint should be made clear and easy. Each person who has access to information regarding alleged or disclosed harm has an obligation to observe appropriate confidentiality. The College cannot promise absolute confidentiality since its policies and procedures will require disclosing, internally and externally, certain details involved in responding to a complaint or accusation. Government authorities can compel people to give evidence about actions under the policy and to produce documentation.

### **5.3 Criminal law**

Where there are allegations of criminal misconduct the allegations should be referred to the police. All allegations of paedophilia must be referred by the principal of the College to the Police, including those from the past, except where the alleged perpetrator is deceased.

### **5.4 Defamation**

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

### **5.5 Promptness**

Investigations about complaints/allegations should be carried out promptly. The College will keep the victim and the alleged perpetrator informed of the progress.

### **5.6 Protection and risk management**

The College principal will ensure that the following are undertaken in order to reduce the risk or abuse occurring:

- Ensure each staff member knows, understands and fulfils their obligation under the policy;
- Ensure that there is an acceptable reference for each staff member, engaged since the commencement of this protocol, from their previous employer;
- Ensure that each non-teaching member of staff and volunteer, who has contact with children/students, has a current ACT Working With Vulnerable People, General Registration;
- Ensure that each teaching staff member is a current Registered Teacher with the Teacher Quality Institute, ACT.

### **5.7 Support**

The College will provide support for the victim through professional counselling if it is requested, even if the allegation is not yet proved or disproved. The College will support the

respondent to an allegation/complaint, with professional counselling, if it is requested, until the matter is resolved.

#### **5.8 Interviews**

There will be two (2) representatives of the College present at interviews, where practical. In cases of allegation of serious harm, it is best not to interview a child unless a properly qualified person conducts the interview (e.g. a psychologist).

#### **5.9 Teachers**

If a respondent to an allegation is a registered teacher, the College will give notification to the Teacher Quality Institute (TQI), ACT, if required to do so.

#### **5.10 Public relations**

The principal will ensure that the College is able to react quickly and appropriately to allegations of harm, so that accurate and relevant information is available to staff members, students and their families as well as the wider community and media.

#### **5.11 Police action**

It will usually be necessary and wise to wait until police have decided to charge the respondent before taking any internal disciplinary action. This does not preclude the principal from seeking advice from police regarding the duty of care to existing students, which may involve standing down a staff member during an investigation. Police are not "required" to inform the College about their investigation. Some of their material may be acquired under a Freedom of Information request when their work on the case is finished.

#### **5.12 Insurer**

The College will keep its insurer informed about developments.

#### **5.13 Publication**

The principal will ensure that this policy is published:

- To staff members generally, at least once a year;
- To each new staff member at induction;
- By reference to it in the College newsletter, at least twice a year;
- By having it on display in hard or soft copy that is readily available to member of the College community.

#### **5.14 Review**

The College will ensure that this policy is reviewed at least once every two (2) years.

### **6. Reporting Allegations/Convictions of Harm**

#### **6.1 Reportable Conduct**

The Ombudsman Act 1989 (ACT) requires allegations and/or convictions that involve child abuse or child related misconduct against employees of a designated authority, including Brindabella Christian College to be investigated and reported to the ACT Ombudsman. Details and procedures regarding this are set out in the *Brindabella Christian College Reportable Conduct Policy, 2018*.

#### **6.2 Mandated Reporting**

The *Children and Young People Act, 2008* (ACT) requires designated College staff, including teachers, teacher aides, counsellors and child care workers to report any situation where they believe, on reasonable grounds, that a child has experienced or is experiencing sexual abuse or not-accidental injury. The report is initially made to the principal and then to the Office of Child and Youth Protection Services ACT. Details are set out in the *Brindabella Christian College Maintaining an Environment for Effective Child Protection- Guidelines and Procedures* document.