



# Student protection policy

## Rationale

This policy applies to all staff members and volunteers working within Toowoomba Catholic Schools and exists to uphold the principles set out in relevant state legislation and the UN Charter of the Rights of the Child. The welfare and best interests of students are paramount and all students attending Catholic schools in the Diocese of Toowoomba have a right to protection from harm.

This policy expresses the commitment to providing a safe and supportive learning environment, the prevention of harm to students and to responding appropriately when a staff member or volunteer reasonably suspects harm or risk of harm to students. All staff members and volunteers in schools are required to support students who are victims of harm, or at risk of harm and, where appropriate and permitted by law, work in partnership with other statutory agencies that are involved in child protection.

Schools have additional responsibilities for the care and wellbeing of children and young people and in providing child-safe environments. These are:

- a duty of care to students
- a responsibility as mandated notifiers
- the provision of curriculum relevant to child protection for all students AND
- a code of conduct that affirms the standards of behaviour that are expected of all staff members and volunteers.

## Legislative references

- Education (Accreditation of Non-State Schools) Act 2001 (Qld)
- Education (Accreditation of Non-State Schools) Regulation 2001 (Qld)
- Education (General Provisions) Act 2006 (Qld)
- Education (General Provisions) Regulation 2006 (Qld)
- Education (Queensland College of Teachers) Act 2005(Qld)
- Commission for Children and Young People and Child Guardian Act 2000 (Qld)
- Anti-Discrimination Act 1991 (Qld)
- Evidence Act 1977 (Qld)
- Child Protection Act 1999 (Qld)

## Definitions

The following definitions are used in this policy.

- a. A **child** is a person under 18 years of age.
- b. **Harm**, to a child, as defined in section 9 of the *Child Protection Act 1999* is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused.

Harm can be caused by:

- physical, psychological or emotional abuse or neglect
- or
- sexual abuse or exploitation.

Harm can be caused by:

- a single act, omission or circumstance
- or
- a series or combination of acts, omissions or circumstances.

- c. A student is any person enrolled as such within Toowoomba Catholic schools. 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.
- d. A **staff member** is any person who is employed by Toowoomba Catholic Schools on a casual, fixed term, or continuing basis, with pursuant to a contract of employment or appointed to a role at the school pursuant to an agreement with a religious order.
- e. A **volunteer** is a person who is engaged by the school not for financial reward but who may receive reimbursement for out of pocket expenses.

## Values

- Respectful relationships that support the dignity of each person, including children and young people, are central to the life and teachings of Jesus.
- Children and young people deserve safety and protection from all forms of abuse and neglect as a fundamental right.
- Adults have the responsibility to protect children and young people.
- Primary responsibility for children and young people resides with the family and schools work in partnership with families.
- Children and young people have the right to be heard regarding decisions that affect their lives.
- All people involved in child protection issues and incidents are to be treated with sensitivity, dignity and respect.
- The privacy and confidentiality of sensitive information will be respected.
- Student protection processes are transparent and accountable.

## Policy statement

Toowoomba Catholic Schools supports the rights of children and young people and is committed to ensuring the safety and wellbeing of students.

## Consequences

- The safety, protection and wellbeing of all students are fundamental and will be promoted throughout the Diocese of Toowoomba including through the provision of relevant curriculum.
- All staff members must follow the Toowoomba Catholic Schools student protection policy, processes and guidelines in relation to reporting suspicions of sexual abuse, likely sexual abuse, harm, or inappropriate behaviour of staff members and volunteers, to students.
- All staff members will have access to regular training and professional development in relation to responding to concerns around student harm.
- All volunteer induction must include information in relation to responding to concerns around student harm.
- The Toowoomba Catholic Schools student protection policy, processes and guidelines will be implemented, reviewed and maintained in accordance with legislative requirements.

Most Reverend Robert McGuckin | Bishop of Toowoomba