



# Kutta Mulla Gorinna Inc

## CHILD RISK MANAGEMENT STRATEGY

Kutta Mulla Gorinna Inc acknowledges the traditional custodians of country and acknowledges their continuing connection to land, waters and community. We pay our respects to the people, the culture and the elders past, present and emerging.

Version 3

Approval Date: 22.11.2023

Review Date: 21.11.2024

# Kutta Mulla Gorinna Inc

## *POLICIES AND PROCEDURES HANDBOOK*

Section:	1 - Student Learning and Welfare	Pages: 12
Item:	Policy – Child Risk Management Strategy	
Policy Owner:	Executive	
Approver:	Board Chairperson	
First Approved:	17/01/2023	
Revision Cycle:	1 Year	
Revision Dates:	22 November 2023	
Next Review:	21 November 2024	

### **PURPOSE**

The purpose of this strategy is to eliminate and minimise risk to student safety to ensure the safety and wellbeing of all students.

### **SCOPE**

Students and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, students over the age of 18, volunteers and people undertaking work experience or vocational placements.

### **REFERENCES**

- Working with Children (Risk Management and Screening) Act 2000 (Qld)
- Working with Children (Risk Management and Screening) Regulation 2020 (Qld)
- Child Protection Act 1999 (Qld)
- Child Protection Regulation 2023
- Education (Accreditation of Non-State Schools) Act 2017 (Qld)
- Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)
- Education (General Provisions) Act 2006 (Qld)
- Education (General Provisions) Regulation 2017 (Qld)
- Education Services for Overseas Students (ESOS) Act 2000 (Cth)
- Education (Overseas Students) Regulation 2014 (Qld)
- Education (Queensland College of Teachers) Act 2005 (Qld)
- Education and Care Services National Law (Queensland)
- Education and Care Services National Regulations
- Criminal Code Act 1899 (Qld)
- Blue Card Services Child and Youth Risk Management Strategy Toolkit
- Restricted Person Declaration Form
- Report of Suspected Harm or Sexual Abuse Form
- Child Protection Policy
- Complaints Handling Policy
- Code of Conduct (Staff)

## STATEMENT OF COMMITMENT

Kutta Mulla Gorinna School is committed to taking all reasonable steps to promote the safety and wellbeing of students enrolled at the School and their protection from foreseeable harm. In practice, Kutta Mulla Gorinna School is committed to acting in accordance with the legislation to promote the safety and wellbeing of students which means that it will implement the measures outlined in this strategy.

## CODE OF CONDUCT

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

Specific responsibilities of employees include:

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

All school employees enter into a Code of Conduct at the commencement of employment and the beginning of each subsequent year.

## RECRUITMENT, SELECTION, TRAINING AND MANAGEMENT PROCEDURES

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

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

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

## **HANDLING DISCLOSURES OR SUSPICIONS OF HARM**

Any of the following types of concerns should be reported and managed under the School's Child Protection Policy and Child Protection Procedures, as follows:

- All employees with concerns about sexual abuse or likely sexual abuse or a child sexual offence committed by person over the age of 18 years
- Teachers, nurses and early childhood education and care professionals with concerns of sexual or physical abuse
- All employees who have received a report of inappropriate behaviour by another employee.

For further information, refer to Appendix 1 – Summary of Reporting Harm.

To report any type of harm, all employees should use the 'Report of Suspected Harm or Sexual Abuse Form' in Appendix 2.

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

Any report made under this section or the Child Protection Policy will fulfill the reporting obligations of all persons over the age of 18 years under the Criminal Code Act 1899.

## **MANAGING BREACHES OF THIS CHILD RISK MANAGEMENT STRATEGY**

Kutta Mulla Gorinna School is committed to appropriately managing breaches of this Child Risk Management Strategy in accordance with its other relevant policies as appropriate in the circumstances, such as its Child Protection Policy, Staff Code of Conduct, Complaints Handling Policy and Procedures.

## **IMPLEMENTING AND REVIEWING THE CHILD RISK MANAGEMENT STRATEGY**

This Strategy is embedded in School culture. Employees are educated on updates. The School will review this Policy annually.

Relevant School staff acknowledge that First Nations students and staff may need culturally appropriate assistance in this process and will endeavour to provide that to them. The school has engaged a First Nations School Liaison Officer who will be called upon to consult in these instances.

## **BLUE CARD POLICIES AND PROCEDURES**

Kutta Mulla Gorinna school is committed to acting in accordance with legislation relating to the screening of employees in such a way that limits risks to children. In particular, Kutta Mulla Gorinna School will:

- Require relevant prospective or current employees, volunteers, trainee students and school Board members to have working with children authority and check the validity and appropriateness of any currently held notices, in accordance with Kutta Mulla Gorinna position descriptions and the Act prior to the commencement of their engagement
- Not allow a person to continue to work with children if their working with children authority is cancelled or suspended or a negative notice is received after a change of police information
- Have all relevant prospective employees and volunteers engaging in Restricted Employment acknowledge and sign a Restricted Person Declaration Form – Appendix 3, declaring they are not a restricted person prior to commencing their engagement
- Not allow a person relying on an exemption to continue to work with children if they become a restricted person
- Link and unlink individuals as they commence and conclude their engagement with the College.
- Appoint a school contact person who will be responsible for managing the working with children screening process and all related documentation and records
- Keep written records of all the above actions, decisions and outcomes, including the dates of expiry for working with children authority
- Ensure that all information in relation to working with children authority is kept confidential
- Act to remind employees to keep their working with children authority up to date and apply for a renewal prior to expiry
- Take appropriate action if an employee, volunteer, trainee student or school Board member fails to submit a renewal application prior to their working with children authority expiring.

## **HIGH RISK MANAGEMENT PLANS**

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

## **STRATEGIES OF COMMUNICATION AND SUPPORT**

Kutta Mulla Gorinna's commitment is to make this Child Risk Management Strategy available to students, parents, carers and employees via its enrolment package, employee handbook and school intranet site.

Kutta Mulla Gorinna is committed to training employees in relation to risks to students and will conduct this training regularly via annual formal training events, informal updates at employee meetings and regular discussions between managers and their employees.

## **RESPONSIBILITIES**

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

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

## **COMPLIANCE AND MONITORING**

Kutta Mulla Gorinna School is committed to the annual review of this Strategy. Kutta Mulla Gorinna will also record, monitor and report to the school Board, the school Leadership Team and others as appropriate regarding any breaches of the Strategy.

In addition, Kutta Mulla Gorinna School is committed to other various compliance and monitoring arrangements made under relevant policies and procedures.

## **HELPFUL LINKS**

- Independent Schools Queensland's Child Protection Decision Support Trees
- Department of Children, Youth Justice and Multicultural Affairs, Child Protection Guide resources
- Blue Card Services resources

## **APPENDICES**

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

## APPENDIX 1 – SUMMARY OF REPORTING HARM

WHO	WHAT ABUSE	TEST	REPORT TO	LEGISLATION
<b>All Employees</b>	Sexual	Awareness or a suspicion sexually abused or likely to be sexually abused	Executive School Director and/or a director of the governing body, through to police immediately	EGPA sections 366 and 366A
<b>Teacher</b>	Sexual and Physical	Significant harm & Parent may not be willing and able	Confer with Executive School Director and/or a director of the governing body, report through to Child Safety	CPA sections 13E and 13G
<b>All Employees</b>	Any	Significant harm & Parent may not be willing and able	Executive School Director and/or a director of the governing body, through to Child Safety	Accreditation Regulation section 16
<b>All Employees</b>	Physical, psychological, emotional, neglect, exploitation	Not a level that is otherwise reportable to Child Safety, refer with consent	Executive School Director and/or a director of the governing body, through to Family and Child Connect	CPA Sections 13B and 159M
<b>Executive School Director</b>	Any	Not a level that is otherwise reportable to Child Safety, refer without consent	Family and Child Connect	CPA Sections 13B and 159M
<b>Employing Authority (Executive School Director/Board)</b>	Harm or likely harm due to the conduct of a teacher	When you start to deal with an allegation & When you finish dealing with an allegation	Queensland College of Teachers	QCT sections 76 and 77
<b>Any member of the public</b>	Any	Significant harm & Parent may not be willing and able	Child Safety	CPA section 13A

<p><b>Any person under the age of 18 years</b></p>	<p>A child sexual offence against a child by a person over the age of 18 years</p>	<p>Gains information that causes the person over the age of 18 years to believe on reasonable grounds, or ought reasonably to cause the person over the age of 18 years to believe, that a child sexual offence is being or has been committed and (b) at the relevant time, the child is or was— (i) under 16 years; or (ii) a person with an impairment of the mind.</p>	<p>Police</p>	<p>Criminal Code section 229BC</p>
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# Kutta Mulla Gorinna Inc

## Student Protection Notification

# PRIVATE AND CONFIDENTIAL

## REPORT OF SUSPECTED HARM OR SEXUAL ABUSE

Date:	
School:	Kutta Mulla Gorinna School
School Phone:	07 4829 4302
School Email and/ or Fax:	<a href="mailto:office@kmg.qld.edu.au">office@kmg.qld.edu.au</a>

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

FAMILY DETAILS	
Parent/ caregiver 1:	Relationship to student:
Address (if different from student):	
Phone: (H) (W): (M):	
Parent/ caregiver 2:	Relationship to student:
Address (if different from student):	
Phone: (H) (W): (M):	
Is the student in out of home care? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Are there any Family Court or Domestic Violence orders in place? Yes <input type="checkbox"/> No <input type="checkbox"/>	

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

PROVIDE ALL INFORMATION YOU HAVE WHICH LED TO THE SUSPICION OF HARM OR ABUSE (attach extra pages if necessary)
<p><b>Details of any harm and/ or sexual abuse to the student</b> — please include: Time and date of the incident; location of the incident, source of information; details of person alleged to have caused the harm or sexual abuse; physical appearance of any injury; immediate and ongoing safety concerns; any disclosures made by the student; and previous incidents of harm; behavioural indicators of harm; presence of any medical needs or developmental delays; and if the information relates to an unborn child, the alleged risk to the unborn child.</p>

Please indicate the identity of anyone else who may have information about the harm or abuse		
Additional information provided as an attachment		YES <input type="checkbox"/> NO <input type="checkbox"/>

<b>Name of staff member making report if not the Executive School Director:</b>		
<b>Position:</b>	<b>Signature:</b>	<b>Date:</b>
<b>Executive School Director:</b>	<b>Signature:</b>	<b>Date:</b>
<b>Executive School Director's email address:</b> <a href="mailto:jgiblett@kmg.qld.edu.au">jgiblett@kmg.qld.edu.au</a>		
<b>Response requested by school:</b> YES <input type="checkbox"/> NO <input type="checkbox"/>		

ACTION TAKEN		
Form was faxed or emailed to (please tick which agencies the form was sent to):	<input type="checkbox"/>	Queensland Police Service (QPS)
	<input type="checkbox"/>	Child Safety Services
	<input type="checkbox"/>	Family and Child Connect

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

## APPENDIX 3

### Restricted Person Declaration Form

Kutta Mulla Gorinna has a responsibility to ensure that all commencing and continuing individuals, working or volunteering with children, at the school are not a restricted person.

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

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

A restricted person is a person who:

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

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

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

If you are a restricted person, it is an offence for you to commence or continue working or volunteering at the school. The maximum penalty is \$66,725 (500 penalty units) or 5 years in prison. It is also an offence for the school to engage or continue to engage a restricted person. The maximum penalty is \$26,690 (200 penalty units) or 2 years in prison.

If you become a restricted person whilst working or volunteering at the school you must cease all child related work immediately and notify the Executive School Director in writing that you are no longer able to work or volunteer for the school.

### Declaration

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

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

I (insert name) \_\_\_\_\_ declare:

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

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

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