



Procedure

Student protection procedure

Version: 10.4 | Version effective: 17/10/2023

Audience

All employees and visitors to state schools and State Delivered Kindergartens (except for employees and visitors to Norfolk Island Central School, who must refer to the [Norfolk Island Central School student protection procedure](#))

Purpose

This procedure outlines the responsibilities of employees and visitors to state schools and State Delivered Kindergartens when dealing with student protection matters, and the process for responding when, in the course of their employment or duties, an employee or visitor suspects a student or child has been harmed or is at risk of harm.

This procedure also clarifies the actions necessary for compliance with mandatory reporting obligations under the [Education \(General Provisions\) Act 2006 \(Qld\)](#) (EGPA), [Child Protection Act 1999 \(Qld\)](#) (CPA), and [Criminal Code Act 1899 \(Qld\)](#) (Criminal Code).

Overview

By complying with this procedure, employees and visitors will meet the reporting requirements applicable to their role under Queensland legislation (known as mandatory reporting obligations) as well as additional student protection reporting responsibilities required by the Department of Education (the department).

Mandatory reporting obligations are outlined below:

- Under ss.365 and 365A of the [Education \(General Provisions\) Act 2006 \(Qld\)](#) a **school staff member must** immediately give a written report to the principal or principal's supervisor when they become aware of or reasonably suspect, in the course of their employment, the sexual abuse or likely sexual abuse of a student under 18 years. The principal or principal's supervisor must immediately give a copy of the report to the Queensland Police Service (QPS).
- Under s.13E of the [Child Protection Act 1999 \(Qld\)](#) a **teacher, registered nurse or early childhood education and care professional must** give a written report to the Department of Child Safety, Seniors and Disability Services (Child Safety) when, in the course of their employment, they form 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 harm.

- Under s.229BC of the [Criminal Code](#), an adult must, as soon as reasonably practicable, make a report to the QPS when they gain information that causes them to reasonably believe, or ought reasonably to cause them to believe, a child sexual offence is being or has been committed against a child by another adult.

The Student protection procedure outlines the process for reporting suspicions that do not relate to harm caused by departmental employees. Suspicions of harm or risk of harm to students caused by departmental employees must be reported in accordance with the [Allegations against employees in the area of student protection procedure](#).

This procedure should be read in conjunction with the [Student protection guidelines](#) (DoE employees only).

Responsibilities

Principals

- Report suspicions of harm or risk of harm to a student or child, formed in the course of their employment, in accordance with the process outlined in this procedure.
- Progress all student protection reports that meet the reporting threshold to the QPS and/or Child Safety without unreasonable delay.
- Complete student protection training and ensure all employees and visitors complete student protection training as outlined in the [Student protection guidelines](#) (DoE employees only).
- Keep records of completion of student protection training as outlined in the [Student protection guidelines](#) (DoE employees only).
- Assign the Student Protection Record Approver role in OneSchool to an appropriate school staff member, if the principal will not have OneSchool access.
- Determine the most appropriate way to provide support to students and children involved in student protection matters, and communicate this to school and/or regional staff members, as required.
- Maintain confidentiality of student protection matters by not discussing a matter outside of the process outlined in this procedure.

School staff members:

- Report suspicions of harm or risk of harm to a student or child, formed in the course of their employment, in accordance with the process outlined in this procedure.
- Complete student protection training as outlined in the [Student protection guidelines](#) (DoE employees only).
- Maintain confidentiality of student protection matters by not discussing a matter outside of the process outlined in this procedure.

Non-departmental employees:

- Report suspicions of harm or risk of harm to a student or child, formed in the course of their employment, in accordance with the process outlined in this procedure.
- Complete student protection training as determined appropriate by the principal.
- Maintain confidentiality of student protection matters by not discussing a matter outside of the process outlined in this procedure.

Employees based in regional and central offices who have contact with students and children:

- Report suspicions of harm or risk of harm to a student or child, formed in the course of their employment, in accordance with the process outlined in this procedure.
- Complete student protection training as outlined in the [Student protection guidelines](#) (DoE employees only).
- Maintain confidentiality of student protection matters by not discussing a matter outside of the process outlined in this procedure.

Visitors:

- Report suspicions of harm or risk of harm to a student or child, formed in the course of their duties, in accordance with the process outlined in this procedure.
- Complete student protection training as directed by the principal.
- Maintain confidentiality of student protection matters by not discussing a matter outside of the process outlined in this procedure.

Student Protection Record Approvers:

In addition to their responsibilities as school staff members:

- Progress all student protection reports that meet the reporting threshold to the QPS and/or Child Safety without unreasonable delay.

Process

1. An employee or visitor to a state school or State Delivered Kindergarten may form a suspicion, in the course of their employment or duties, that a student or child has been harmed or is at risk of harm.
2. All visitors, employees based in central and regional offices, and non-departmental employees whose agency does not have a Memorandum of Understanding (MOU) or contractual arrangement with the department must report all suspicions that a student or child enrolled at a state school or attending a State Delivered Kindergarten has been harmed or is at risk of harm to the principal without unreasonable delay. Provide any related documents or notes to the principal. No further action is required of these visitors, employees based in central and regional offices, and non-departmental employees under this procedure. The principal must continue with this process and report all suspicions which meet the reporting threshold.
3. All non-departmental employees whose employing agency has an MOU or contractual arrangement with the department must report all suspicions that a student or child enrolled at a state school or attending a State Delivered Kindergarten has been harmed or is at risk of harm to the principal without unreasonable delay **and** in accordance with the MOU or contract. Provide any related documents or notes to the principal. No further action is required of these non-departmental employees under this procedure. The principal must continue with this process and report all suspicions which meet the reporting threshold, including when they are aware the matter has been reported to QPS and/or Child Safety via another reporting process.
4. All employees based in central and regional offices who, in the course of their employment, form a suspicion that meets the reporting threshold in relation to a child who is receiving services from the department, but is not enrolled at a state school or attending a State Delivered Kindergarten, must report via the process outlined in the [Student protection guidelines](#) (DoE employees only). No further action is required of these

- employees under this procedure. The principal must continue with this process and report all suspicions which meet the reporting threshold.
5. All school staff members (including principals) will determine whether they have formed a suspicion that meets the reporting threshold. That is, a reasonable suspicion that:
 - a student or child has been sexually abused or is likely to be sexually abused; or
 - a student or child has suffered, is suffering or is at risk of suffering significant harm **and** may not have a parent able and willing to protect them from harm.
 6. If required, school staff members may use one or more of the following to determine whether they have formed a suspicion that meets the reporting threshold:
 - consultation with the relevant [regional Principal Advisor Student Protection](#) (DoE employees only)
 - making enquiries and/or asking questions (refer to the [Questioning students in relation to student protection matters fact sheet](#) (DoE employees only) for more information)
 - consultation with the [Student protection guidelines](#) (DoE employees only)
 - consultation with the Queensland [Child Protection Guide](#) (Use this guide to support decision making in relation to reporting to Child Safety only. This guide does not support decision making in relation to reporting sexual abuse or likely sexual abuse to the QPS)
 - conferral with relevant colleagues
 - consultation with the relevant Child Safety Regional Intake Service
 - consultation with the relevant Child Protection Investigation Unit
 - consultation with a support service (such as [Family and Child Connect](#)).
 7. If school staff members **do not** form a suspicion that meets the reporting threshold, they should consider taking the following actions:
 - documenting their concerns for a student in a secure location in OneSchool
 - discussing their concerns with the principal.
 8. If school staff members **do** form a suspicion that meets the reporting threshold, they must provide a written report via the OneSchool Student Protection Reporting module without unreasonable delay. This includes when principals form a suspicion that meets the reporting threshold.
 9. If for any reason a report is not able to be progressed via the OneSchool Student Protection Reporting module, school staff members must:
 - report the suspicions to the principal without unreasonable delay; and
 - where possible, submit a student protection report through the OneSchool Student Protection Reporting module as soon as possible.
 10. The principal or Student Protection Record Approver must finalise the student protection report in the OneSchool Student Protection Reporting module without unreasonable delay.
 11. If for any reason a report is not able to be progressed via the OneSchool Student Protection Reporting module, the principal or Student Protection Record Approver must:

- report all suspicions that meet the reporting threshold directly to Child Safety using the [online report form](#) without unreasonable delay; and/or
 - report all suspicions that meet the reporting threshold directly to the QPS by calling Policelink on 131 444 without unreasonable delay and, when possible, emailing the report details (as outlined in Appendix 4 of the [Student protection guidelines](#) (DoE employees only)) to oneschoolprogram@police.qld.gov.au; and
 - where possible, finalise a student protection report through the OneSchool Student Protection Reporting module as soon as possible.
12. When a student protection report is finalised with the outcome 'Monitor at school' (that is, the student protection report is not submitted to the QPS and/or Child Safety), the principal or Student Protection Record Approver should record a justification in the comments section of the student protection report, along with what support is being or will be provided to the student.
13. Principals, deputy principals, guidance officers and senior guidance officers may refer children and their families to support services when it is believed they may benefit from additional support. Information must be shared in accordance with the [Information sharing under the Child Protection Act 1999 \(Qld\) procedure](#).
14. Principals may contact their [Suspected Child Abuse and Neglect \(SCAN\) team system](#) (DoE employees only) core member representative when they believe a student or family may benefit from referral to the SCAN team.
15. School staff members must provide all documents and notes related to student protection matters to the principal.
16. Principals must store all documents and notes related to student protection matters in a secure location or attached to the student protection report in OneSchool.
17. If asked by Child Safety and/or the QPS, notifiers and principals may verbally provide clarifying or additional information relating to a student protection report and should attach a record of the conversation to the student protection report in OneSchool.

Definitions

Term	Definition
Accredited Employing Authority	An external organisation accredited by the department to provide services to state schools, for example, student welfare worker and chaplain services.
Adult	A person of or above 18 years of age.
Child	A person under 18 years of age (s.8 of the CPA).
Child sexual offence	An offence of a sexual nature committed by an adult in relation to a child. Includes offences against a provision in Chapter 22 or 32 of the Criminal Code.
Colleague	A person working in or for the same entity as another person (s.13H of the CPA). For the purposes of this procedure, the Department of Education is considered an entity. Colleagues with whom it may be appropriate to discuss a student protection matter include, but are not limited to, the principal, deputy principal, guidance officer, head of department or a teacher of the student.

Term	Definition
Conferral	Giving information to a colleague, or a colleague giving information to a person working in or for the same entity for the purposes of a student protection matter (s.13H of the CPA).
CPA	<i>Child Protection Act 1999 (Qld)</i>
Early childhood education and care professional	For the purposes of this procedure, refers to principals, teachers and teacher aides employed in State Delivered Kindergartens.
EGPA	<i>Education (General Provisions) Act 2006 (Qld)</i>
Employee	A person engaged by the Department of Education to carry out work for financial reward (s.364 of the EGPA). This includes: <ul style="list-style-type: none"> • school staff members (see definition); • employees based in central and regional offices who have contact with children or students, for example senior guidance officers; and • non-departmental employees such as employees of other departments or Accredited Employing Authorities, for example Youth Support Coordinators, school based youth health nurses, school based police officers, student welfare workers and chaplains.
Harm	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. (s.9 of the CPA).
Immediately	The EGPA requires school staff members to immediately submit a written report regarding sexual abuse to the principal, and for the principal to immediately forward reports regarding sexual abuse to the QPS. In this context, 'immediately' means the report must be progressed without unreasonable delay, once a reasonable suspicion of sexual abuse or likely sexual abuse has been formed.
In the course of employment or duties	Any time when performing paid work or volunteer duties for the Department of Education. This includes during activities such as excursions, school camps, trips within or outside Australia, sporting activities, online activities and other extracurricular activities.
Notifier	For the purpose of this procedure, a person who informs Child Safety and/or QPS of a suspicion of harm or risk of harm to a student or child.
Parent	As defined in s.10 of the EGPA, parent means:

Term	Definition
	<ul style="list-style-type: none"> • A child's mother, father, or person who exercises parental responsibility for the child. • However, a person standing in the place of a parent of a child on a temporary basis is not a parent of the child. • A parent of an Aboriginal child includes a person who, under Aboriginal tradition, is regarded as a parent of the child. • A parent of a Torres Strait Islander child includes a person who, under Island custom, is regarded as a parent of the child. • A person who is granted guardianship of the child under the CPA. • A person who otherwise exercises parent responsibility for the child under a federal or State court order.
Parent able and willing to protect the child from harm	A parent with both the ability and the willingness to ensure the safety, wellbeing and best interests of the child. A parent's ability and willingness may be evident in their statements and direct or indirect actions. (Refer to the Parent able and willing fact sheet (DoE employees only)).
Principal	The principal or officer in charge of a state school.
Reasonable suspicion	<p>A suspicion formed on grounds that are reasonable in the circumstances. The CPA (s.13C) also states that:</p> <ul style="list-style-type: none"> • matters that may be considered when forming a reasonable suspicion include: <ul style="list-style-type: none"> ○ whether there are detrimental effects on the child's body or psychological or emotional state that are evident or likely to become evident in the future; and ○ the nature and severity of the detrimental effects and the likelihood they will continue; and ○ the child's age. • a reasonable suspicion may be informed by observation of the child, other knowledge of the child or any other relevant knowledge, training or experience the person forming the suspicion may have.
Registered nurse	<p>A person registered under the Health Practitioner Regulation National Law:</p> <ul style="list-style-type: none"> • to practice in the nursing profession, other than as a student; and • in the registered nurses division of that profession.
Reporting threshold	The threshold at which point school staff members are required to submit a student protection report. The threshold is reached when school staff members form a reasonable suspicion that:

Term	Definition
	<ul style="list-style-type: none"> • a student or child has been sexually abused or is likely to be sexually abused; or • a student or child has suffered, is suffering or is at risk of suffering significant harm and may not have a parent able and willing to protect the child from harm.
School staff member	An individual who is employed by the Department of Education and normally performs their daily duties within one or more state schools, whether on a temporary, permanent or casual basis. This includes, but is not limited to, principals, teachers, teacher aides, supply teachers, early childhood education and care professionals, specialist and support staff such as guidance officers, state schools registered nurses, administration staff and grounds and facilities employees.
Sexual abuse	<p>For the purposes of this procedure, sexual abuse:</p> <ul style="list-style-type: none"> • includes sexual behaviour involving a student or child and another person in the following circumstances: <ul style="list-style-type: none"> ○ the other person bribes, coerces, exploits, threatens or is violent toward the student or child; ○ the student or child has less power than the other person; or ○ there is a significant disparity between the student or child and the other person in intellectual capacity or maturity; and • includes a child sexual offence.
Significant harm	Harm that has more than a minor impact upon a child. It must be substantial, serious and demonstrable - that is, measurable and observable on the child's body, in the child's functioning or behaviour.
State Delivered Kindergarten	State Delivered Kindergartens are a part-time (15 hour per week) kindergarten program delivered on a state school site in the year prior to formal schooling.
State educational institution	<p>An institution established under Chapter 2 of the EGPA:</p> <ul style="list-style-type: none"> • at which the State provides primary, secondary or special education (s.13); or • at which the State provides educational instruction to persons enrolled at state schools as an adjunct to the educational programs provided to the persons at the state schools, including, for example, environmental education centres and outdoor education centres (s.14); or • which are centres for the support and development of teachers and officers of the department, student hostels or student residential colleges (s.15).
State school	For the purposes of this procedure, means a state educational institution.

Term	Definition
Student	Any person who is enrolled at or attends a state school and for the purposes of this procedure, includes a kindergarten age child registered in a State Delivered Kindergarten.
Student Protection Record Approver	A OneSchool user role given to an appropriate school staff member (such as the deputy principal) so that they can finalise student protection reports in the principal's absence.
Suspicion	A suspicion that a student or child has been harmed or is at risk of harm may be based on a variety of sources, including disclosures, observations, student behaviours or contact with parents and siblings.
Teacher	An approved teacher under the Education (Queensland College of Teachers) Act 2005 (Qld) who is employed at a school, but does not include a teacher aide, a teacher's assistant or a student teacher.
Visitor	Any person, other than an employee, who, on a one-off or regular basis: <ul style="list-style-type: none"> • visits a state school or State Delivered Kindergarten; or • has contact with students or children off-site or online; in order to provide services to a state school or State Delivered Kindergarten. This includes volunteers and external contractors such as tradespeople, guest speakers, pre-service teachers and people assisting in the tuckshop, on excursions or at sporting activities.

Legislation

- [Education \(General Provisions\) Act 2006 \(Qld\)](#) Sections 10, 13-15, 364-365A, 419A, 419F, 426.
- [Child Protection Act 1999 \(Qld\)](#) Sections 4-5E, 8-11, 13A-13E, 13G-13I, 159Q-159R, 186-188, 197A, and Schedule 3
- [Criminal Code Act 1899 \(Qld\)](#) Schedule 1, Section 229BC, Chapters 22 and 32

Delegations/Authorisations

- Nil

Policies and procedures in this group

- [Child and student protection policy](#)
- [Allegations against employees in the area of student protection procedure](#)
- [Disclosing personal information to law enforcement agencies procedure](#)
- [Information sharing under the Child Protection Act 1999 \(Qld\) procedure](#)

- [Norfolk Island Central School student protection procedure](#)
- [Working with children \(blue card\) procedure](#)

Supporting information for this procedure

- Nil

Other resources

- [Code of Conduct for the Queensland Public Service](#)
- [Standard of Practice](#)
- [Student protection guidelines](#) (DoE employees only)
- [Police and Child Safety Officer interviews and searches with students](#) (DoE employees only)
- [Queensland Child Protection Guide](#)
- [Student protection OnePortal page](#) (DoE employees only)
- [OneSchool student protection reporting help materials](#) (DoE employees only)
- [Questioning students in relation to student protection matters fact sheet](#) (DoE employees only)
- [Parent able and willing fact sheet](#) (DoE employees only)
- [Suspected Child Abuse and Neglect \(SCAN\) team system](#) (DoE employees only)

Contact

For further information, please contact the [regional](#) Principal Advisor, Student Protection.

Review date

5/07/2024

Superseded versions

Previous seven years shown. Minor version updates not included.

7.0 Student protection procedure

8.0 Student protection procedure

9.0 Student protection procedure

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