

Related Documents: Policy Form Other Document

APPLICATION OF THIS POLICY

This policy applies to all Anglican Education and Care Services (ECS)¹, including Outside School Hours Care (OSHC) services, for which The Corporation of the Synod of the Diocese of Brisbane is the Approved Provider. Other Anglican ECS in Queensland, where The Corporation of the Synod of the Diocese of Brisbane is not the Approved Provider, have approval from the Anglican Schools Commission (ASC) to utilise this policy and associated procedures.

The *Child Protection in Anglican Education and Care Services Procedures* (the procedures), which support this policy, outline the roles, responsibilities, processes and forms that must be used when actioning this policy. The procedures also contain information on relevant definitions and key terms.

Throughout the policy unless otherwise indicated, references to ECS staff include the Nominated Supervisor, Director/Coordinator and all other employees and the term Responsible Person may be the Nominated Supervisor, the Director/Coordinator or the certified supervisor who has been placed in charge of the ECS in the Director/Coordinator's absence.

1. SCOPE

This policy outlines the Anglican Church Southern Queensland's (ACSQ) commitment to ensure the safety and wellbeing of children² attending an ECS³ and the ECS's obligations to respond appropriately to suspected child protection concerns. The policy and procedures apply to the Approved Provider and all ECS staff, volunteers and visitors (including contractors).

2. EXCLUSIONS

This policy and the associated procedures do not apply to:

- complaints about the actions or decisions of the Approved Provider, ECS staff or volunteers or non-compliance with other ECS policies and procedures;
- allegations of, or information about, suspected sexual misconduct – see the Anglican Church Southern Queensland (ACSQ) [Protocol for Dealing with Sexual Misconduct](#);
- alleged workplace bullying, discrimination, physical assault, harm or harassment (other than sexual harassment); or
- serious incidents, injuries or complaints, other than significant harm or inappropriate behaviour to a child that must be responded to in accordance with s.174(2) of the [Education and Care Services National Law \(Queensland\)](#).

3. STATEMENT OF COMMITMENT

Anglican Education and Care Services support the rights of all children and are committed to ensuring the safety and wellbeing of children attending an Education and Care Service.

Education and Care Services will provide a safe and supportive living and learning environment for children and will ensure staff, volunteers and visitors model and encourage behaviours that uphold the dignity, safety and wellbeing of children.

Education and Care Services will also ensure they respond appropriately to all allegations of harm to a child resulting from the conduct, action or inaction of any person, including the Approved Provider, staff and volunteers and will support any individuals affected by child protection matters, including children, parents, staff, volunteers and visitors.

POLICY STATEMENT

The ACSQ recognises that the safety and wellbeing of children is of paramount importance and that ECS staff and volunteers, due to their relationships with children and families and their knowledge of child development, are often well placed to identify significant concerns for a child and support children and families who may be facing significant life challenges.

The ACSQ also recognises that certain ECS staff must comply with obligations in the [Child Protection Act 1999](#) (the Act) to report child protection concerns.

¹ Where the abbreviation ECS is used, it is to be read to include, where relevant, an OSHC.

² A child, as defined in s.8 of the [Child Protection Act 1999](#), is a person under 18 years of age.

³ References to 'attending an ECS' include children who are enrolled but may not be in attendance on any given day.

As a result, this policy requires that all ECS must:

- ensure ECS staff, volunteers and visitors understand and action their responsibilities in relation to child protection, including mandatory reporting obligations under the Act;
- ensure any child or parent who has concerns about a child's safety is encouraged to report their concerns to the Responsible Person;
- support, wherever possible and appropriate, individuals affected by child protection matters, including children, families, ECS staff and volunteers;
- endeavour to work in partnership with families and other professionals and agencies to ensure the safety and wellbeing of children attending an ECS; and
- implement the *Child Protection in Anglican Education and Care Services Procedures*.

By ensuring ECS understand and fulfil these obligations and responsibilities, and have the resources, tools and training necessary to implement the policy and procedures, the ACSQ will:

- fulfil its stated commitment to ensuring the safety and wellbeing of children;
- ensure all reporters comply with their legislated and/or policy reporting obligations;
- ensure timely, appropriate responses to all child protection concerns;
- facilitate transparency and consistency in child protection actions and decisions across ECS;
- support ECS staff and volunteers as they respond to the challenges associated with child protection roles and responsibilities; and
- enable ECS to fulfil their roles as part of Queensland's wider child protection service system.

4. OBLIGATIONS

4.1 Christian obligations

Approved Providers, ECS staff and volunteers will respect the Gospel values and ethos of the Anglican Church and create an environment for children and families that is characterized by:

- an appreciation of diversity and acceptance;
- a strong service and care ethic;
- respect for others;
- a commitment to social justice; and
- a willingness to serve God and his people in the wider community.

Further information about the values and ethos of the Anglican Church can be found on the ASC Mission website at <http://www.ascmission.org/>.

4.2 Obligations to immediately discuss child protection concerns

When a staff member, volunteer or visitor has concerns about a child or unborn child⁴ they must immediately discuss their concerns with the Responsible Person who will:

- identify other information known about the child or family that may support a report or referral;
- consult Child Safety's online [Child Protection Guide](#), if required;
- help complete the reporting or referral form, when necessary; and
- ensure supports are immediately provided to the child.

4.3 Obligations in relation to reporting child protection concerns

Mandatory reporters under the *Child Protection Act 1999*

ECS staff who are mandatory reporters under the [Child Protection Act 1999](#) include any individual who is not under 18 years of age, who is not a volunteer and who, under the [Education and Care Services Act 2013](#) or the [Education and Care Services National Law](#), is an Approved Provider, a Nominated Supervisor or an Educator for an approved service.

Reporting child abuse and neglect in accordance with legislation and policy

All ECS mandatory reporters must, in accordance with s.13E of the [Child Protection Act 1999](#) and this policy, make a written report to Child Safety when they reasonably and honestly suspect that:

⁴ The provisions in relation to an unborn child refer to concerns a person may have before a child is born about the child's safety and wellbeing after birth. The provisions are intended to be preventative so that Child Safety can offer the pregnant woman and her family support before the baby's birth.

- a child may have suffered, may be suffering or may be at risk of suffering significant harm as a result of physical, sexual or emotional/psychological abuse or neglect and may not have a parent able and willing to protect the child from harm; or
- an unborn child may be at risk of significant harm after birth and may not have a parent able and willing to protect the child from harm.

All other ECS staff, volunteers and visitors must immediately discuss any suspicions of harm or risk of harm to a child, or risk of harm to an unborn child, with the Responsible Person and, if required, provide information to the Responsible Person for a report to Child Safety or the police.

When the Responsible Person believes the child or unborn child may be in need of protection as a result of abuse or neglect they must ensure a report is immediately forwarded to Child Safety.

Reporting sexual abuse or likely sexual abuse

Following discussions with the Responsible Person, all suspicions of sexual abuse or likely sexual abuse of a child attending an ECS by any person must be immediately reported to the police.

Inappropriate behaviour

ECS staff, volunteers and visitors must, as soon as practicable, report all suspected inappropriate behaviour of a staff member or volunteer towards a child to the Nominated Supervisor.

When the concerns relate to the Nominated Supervisor, the staff member or volunteer must, as soon as practicable, report their concerns to the Principal (school based ECS) or Chair/Executive Officer of the Management Committee (non-school based ECS).

When informed of suspected inappropriate behaviour, the Nominated Supervisor, Principal or Chair/Executive Officer must investigate the concerns, as outlined in the procedures.

Notifications to the Regulatory Authority

The Director or Nominated Supervisor **must immediately** notify the Approved Provider of any matters that require a notification to the Regulatory Authority under [s.174 of the Education and Care Services National Law Qld](#) or [s.175 of the Education and Care Services National Regulations](#). Once informed of a matter by the ECS, the Approved Provider **must immediately** notify the Regulatory Authority in the required format and timeframe. (Refer to the procedures for more detailed information on process and documentation requirements)

4.4 Other child protection responsibilities

In addition to their reporting obligations, ECS must also:

- comply with requirements in relation to confidentiality and information sharing;
- support vulnerable children and families, whenever possible;
- provide timely and appropriate responses to concerns in relation to other forms of harm, including self-harm and harm caused by another child;
- provide relevant training, information and resources to staff, volunteers, visitors, parents and children, when age appropriate, about child protection in an ECS; and
- provide a child safe environment in accordance with legislative and the [Blue Card System in Anglican Schools Policy and Procedures](#) (including ECS).

4.5 Professional and behavioural obligations

All ECS staff and volunteers are expected to conduct themselves in a professional manner as required by their position, as stated in their employment contract and/or in accordance with relevant Church, Professional Standards and/or Codes of Conduct including the:

- [Code of Conduct](#) - The Corporation of the Synod of the Diocese of Brisbane;
- [Professional Standards Canon](#) – Anglican Church of Australia – Diocese of Brisbane;
- [Code of Ethics](#) – Early Childhood Australia;
- [Code of Ethics for Teachers in Queensland](#) – Queensland College of Teachers (QCT); and
- [Professional boundaries: A Guideline for Queensland Teachers](#) – QCT.

ECS staff and volunteers are expected to behave in a manner that is supportive of the safety and wellbeing of children. Behaviour of a sexual, physical or psychological/emotional nature which exploits the special position of trust and authority between the staff member or volunteer and a

child is unacceptable and is a breach of legal obligations and policy requirements. Such behaviour may include:

- transporting a child or seeking to visit a child at home without the written consent of a parent and the approval of the Nominated Supervisor or Director/Coordinator;
- sending or receiving correspondence of an inappropriate nature or inappropriate giving of gifts;
- physical or emotional aggression, violence or bullying;
- sexual exhibitionism;
- development of an intimate relationship incompatible with the professional relationship;
- exposing a child to pornographic material in any medium;
- inappropriate discussion of sexual matters;
- obscene language, especially of a sexual nature;
- gestures or actions of a suggestive or obscene nature;
- jokes of a sexual nature told in a child's presence;
- voyeurism (gaining pleasure from secret watching of another);
- repeatedly seeking to be alone with a child; or
- detaining a child in locked facilities.

5. COMPLIANCE AND COMPLAINTS

The Approved Provider and the ASC require compliance by all ECS with this policy and the *Child Protection in Anglican Education and Care Services Procedures*. To facilitate this compliance, auditing procedures will be implemented, including internal and external measures. Oversight of this process will emanate from the ASC, on behalf of the Approved Provider⁵.

This policy and associated procedures will be made available to all persons employed by and/or associated with the ECS.

If a person is concerned about possible non-compliance with the *Child Protection in Anglican Education and Care Services Policy and Procedures*, the person can make a complaint in accordance with the ECS complaints management policy and procedures.

6. RELEVANT LEGISLATION AND RELATED DOCUMENTS

Child Protection legislation

- *Child Protection Act 1999*

Education and Care Services legislation

- [Education and Care Services National Law \(Queensland\)](#)
- [Education and Care Services National Regulations](#)
- [Education and Care Services Act 2013](#)
- [Education and Care Services Regulation 2013](#)

Queensland College of Teachers legislation

- *Education (Queensland College of Teachers) Act 2005*

Other related documents / references

- *National Register Canon 2007 – Anglican Church of Australia*
- *Diocesan Governance Canon - ACSQ*
- *Protocol for Dealing with Sexual Misconduct*
- *Blue Card System in Anglican Schools Policy and Procedures - ACSQ (including ECS)*
- *ECS Child Protection Resource Sheets - ASC ERM website*
- *Child Protection in Anglican Education and Care Services: Parent Guide - ASC*

7. POLICY REVIEW

The ASC, in consultation with ECS, will review this policy and procedures one (1) year from the effective date or as required.

⁵ The Corporation of the Synod of the Diocese of Brisbane, as the Approved Provider, has delegated management control to the General Manager, Anglican Church Southern Queensland and the Diocesan Council has further delegated oversight for compliance of ECS with policy to the Anglican Schools Commission.