

Student Protection Fact Sheet



March 2015

Introduction

For most children, childhood is a positive time in their lives. They grow up in loving families that care for and nurture them and help them develop into healthy young adults. However, for a small proportion of children, this is not their lived experience. These children grow up in families that face one or more significant social, emotional or financial issues that impact negatively on their ability to care for and protect their children.

Because of their regular contact with students and families, staff in schools and other educational facilities play a vital role in:

- identifying and responding to suspected child abuse and neglect and
- helping families to access support services that may build on their strengths and address issues impacting on their parenting.

The Department of Education and Training is committed to providing safe, supportive and disciplined learning environments, preventing reasonably foreseeable harm to students and responding when an employee reasonably suspects harm or risk of harm to students.

How can we help to protect children and young people?

Our staff can help to protect children and young people by:

- working to make all state educational institutions safe, supportive and disciplined places for all students
- taking action to prevent students being harmed at a state educational institution and
- reporting any suspicion that a student or unborn child has been harmed or is likely to be harmed.

Which principles guide our actions and decisions?

Our actions and decisions in relation to student protection will be guided by the following principles:

- All children have a right to be protected from harm.
- Employees will act in the best interests of the student or unborn child.

What are my reporting responsibilities?

All employees and visitors to a state school have a responsibility to respond when they suspect a student, or an unborn child, has been harmed or is at risk of harm. Some employees also have a responsibility to comply with legislative reporting obligations.

Mandatory reporting obligations

Some employees are mandated by law to report student protection concerns.

- if you are a **school staff member** you must immediately make a written report when you become aware or reasonably suspect the sexual abuse or likely sexual abuse of a student under 18 years (ss.365 & s.365A *Education (General Provisions) Act 2006*)
- if you are a **teacher** or **registered nurse** you must make a report when you reasonably and honestly suspect a child has suffered, is suffering or is at 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 (s.13E *Child Protection Act 1999*)

Obligations under the Student Protection procedure

All employees and visitors to state schools must discuss any suspicions of harm or risk of harm to a student, or risk of harm to an unborn child, with the principal. When the suspicions relate to the principal, discuss the concerns with the Regional Director.

What is harm?

Harm is any detrimental effect of a **significant nature** on a student's physical, psychological or emotional wellbeing. This could also include harm to an unborn child. Harm can be caused by physical abuse, psychological or emotional abuse, neglect or sexual abuse or exploitation.

Any behaviour that harms a student or places a student or unborn child at significant risk of harm is not acceptable. The Department will not condone behaviours (e.g. a student witnessing domestic or family violence) or cultural customs (e.g. caning children or female genital mutilation) that fall into the definition of harm.

When do I discuss student protection concerns with the Principal?

You should discuss **all** student protection concerns with the Principal irrespective of whether you suspect the harm or risk is caused by:

- someone working at the educational institution
- another student
- someone from the student's family, a friend or a stranger
- the student self-harming.

What do I do if I suspect a student has been harmed or may be at risk of harm?

If you suspect a student has been harmed or may be at risk of harm you should:

- remain calm and don't overreact
- talk with the student in a way that's appropriate to their age and understanding
- respond in a caring and sensitive manner
- provide support as required, including considering whether medical assessment/intervention is necessary
- listen to what the student wants to tell you and use open ended questions if you need to seek further information – remember, you aren't responsible for investigating the concerns or conducting a formal interview. However, you can make enquiries to clarify information for the purposes of determining an appropriate course of action
- tell the student that you must advise the Principal
- inform the Principal of the situation
- document relevant conversations and circumstances, including dates/times.

What if my concerns relate to the Principal?

If you suspect the Principal is responsible for causing harm to a student, report this to the Regional Director at the local regional office and the Ethical Standards Unit on (07) 3234 1514 or email at: ethicalstandards@dete.qld.gov.au.

What do I need to remember in relation to my own behaviour?

- **NEVER** harm a student, either physically, psychologically or emotionally
- **NEVER** make fun of, put down or unlawfully discriminate against a student
- **NEVER** touch a student in a sexual way, or engage in any other inappropriate sexual activity (for example: sending a suggestive text message, showing a student inappropriate images, engaging in overfamiliar and unprofessional conduct with a student without sound educational reason)
- **NEVER** do or say anything that would make people think you are doing or intending to do something sexual to a student.