



STUARTHOLME SCHOOL

STUDENT PROTECTION POLICY

Stuartholme School is a Catholic Girls Day and Boarding School educating students from Years 8 to 12. The school was established in 1920 by the Society of the Sacred Heart which was founded over 200 years ago by Saint Madeleine Sophie Barat.

The mission of a Sacred Heart School recognises each student's holistic development. Accordingly, the Goals of Sacred Heart Education provide the educational framework for Stuartholme School which leads students to "a discovery of the heart, not just as the symbol of love but the symbol of the whole being."

INTRODUCTION

Stuartholme School exists for the purpose of educating young people in Catholic Faith Values within the charism of the Society of the Sacred Heart. Students and staff are owed a duty of care under faith and law to be able to learn and work in a safe and nurturing environment. All students have a right to be protected from harm and the risk of harm, from whatever source. Such is fundamental to maximising each student's personal and academic potential.

SCOPE

This policy is to be followed in all cases where inappropriate behaviour, harm or sexual abuse of a student (abuse and neglect) is reasonably suspected or known. It applies whether the harm is caused internal to the School or external to the School. It is to be read with a number of other protective policies in the School – others being The Peer Relations Policy, The Safe Use of Technology Policy the Substance Abuse Policy and the Professional Conduct and Diminished Performance Policy. Where there is any conflict with policies, this Student Protection Policy will prevail.

Ratified
Reviewed

2007
2013

Principles:

- (i) The welfare and best interest of the child (student) is paramount.
- (ii) Every child has a right to protection from harm.
- (iii) Any person who presents an unacceptable risk to others will be removed from any contact with students.
- (iv) The School will co-operate and work in partnership with state agencies that are involved in child protection.
- (v) All employees (including volunteers) must ensure that their code of conduct towards, and relationships with students complies with the School's values and reflects the highest professional standards.
- (vi) All employees including volunteers) must comply with this policy and the legislative screening requirements.
- (vii) Failure by an employee to act in accordance with the requirements of this policy will constitute a breach of the School's Contract of Employment.
- (viii) The School will respond diligently and promptly to reports of suspected or known harm and sexual abuse to a student.
- (ix) The School will support a student who is a victim of harm, inappropriate behaviour by a staff member or sexual abuse.
- (x) The School will seek to ensure that a person who honestly reports a matter in good faith to an authority in accordance with this policy shall not be disadvantaged for doing so.

(xi) The School will act fairly and reasonably towards an employee who is the subject of an allegation of inappropriate behaviour, harm or sexual abuse.

(xii) The School will support an employee who is the subject of an unsubstantiated or vexatious allegation of behaving inappropriately or of sexual abuse causing harm to a student.

(xiii) The School respects the value of the family, but not to the extent that the wellbeing of the student is adversely affected.

LEGAL & RELATED DOCUMENTS

a) All employees are obligated to foster the care and safety of all those in the School community under: -

- Christian values of the School and the Sacred Heart Charism, as expressed in the Goals of Sacred Heart Education;
- Professional standards;
- Employment and enrolment contracts.

b) Legal obligations exist under: -

- *Anti-Discrimination Act 1991*
- *Education (Accreditation of Non-State Schools) Act 2001*
- *Education (Accreditation of Non-State Schools) Regulations 2001*
- *Education (General Provisions) Act 2006*
- *Education (General Provisions) Regulation 2006*
- *Education (Overseas Students) Act 1996*
- *Education (Queensland College of Teachers) Act 2005*
- *Education (Queensland College of Teachers) Regulation 2005*
- *Education (Overseas Students) Regulation 1998*
- The principles of contract law and negligence
- The Current Certified Agreement
- *Children and Young Workers Code of Practice 2006*

Ratified
Reviewed

2007
2013

•

- *Child Protection Act 1999*
- *Commission for Children and Young People and Child Guardian Act 2000*
- *Commission for Children and Young People Regulation 2006*
- *Criminal Code Act 1899*
- *Privacy Act 1988 (Cth)*

POLICY STATEMENT

a) Stuartholme School is committed to providing a safe environment for its students and requires its employees to model and encourage behaviour that upholds the dignity and safety of students. Any behaviour that jeopardises that environment has no place in an organisation that is committed to creating optimal outcomes for all students.

b) Reporting of actual and suspected harm/neglect or sexual abuse is mandatory for all employees of Stuartholme School including workers paid or unpaid and should follow the procedures detailed to support this policy.

c) Consistent with this commitment, the School will support students who are victims of harm/abuse. The school will support staff who act in accordance with this policy.

d) The School will work with *External and State Authorities* to meet statutory requirements.

DEFINITION OF TERMS

In this policy:

Under Child Protection Legislation a child is a person under 18 years of age.

A **student** is any person, regardless of age, who is enrolled in the School.

A **Child Protection Agency** is an agency supportive of the wellbeing of children, with responsibility for investigating reported cases of harm or risk of harm to children. In Queensland, key child protection agencies include the:

Ratified
Reviewed

2007
2013

- Department of Child Safety
- Queensland Police Service
- Commission for Children and Young People & Child Guardian.

An **Employee** is any person employed by the School on a temporary, casual, permanent or contract basis – and includes volunteers, paid or unpaid.

A **fact finding investigation** is a process which may involve making enquiries internally where there is an allegation of inappropriate behaviour – in order to establish the facts of a situation to enable appropriate resolution of the matter to occur.

Abuse of Power – refers to an abuse of the special relationships that exist between e.g. Student/teacher/ child/adult etc, where one is supposed to have the well being of the others in special regard – it is called a fiduciary duty.

Forms – The *Education (Accreditation of Non-State Schools) Act 2001* requires a School to have a reporting process in place to manage student protection issues. Forms 1, 2, 3 & 4 are the reporting forms for School.

Harm to a student is any detrimental effect of a significant nature on the student’s physical, psychological or emotional wellbeing by any cause:

It includes:

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

In this policy harm includes that caused internal or external to the School.

School Protection Officers are delegated employees who have specific responsibilities under the policy in the areas of receiving and responding to protective concerns (Regulation 10 in *Education (Accreditation of Non-State Schools) Regulation 2001*).

External Protection Advisor is a Board appointed consultant experienced in protection matters who will assist the School in protective responses as requested (inappropriate behaviours);

Leadership consists of the Principal, the Board Chair and others depending on circumstances (e.g. Counsellor's, Directors).

Inappropriate behaviour includes:

- Breach of professional ethics/breach of the moral ethical basis of the School
 - Behaviours and speech which in the reasonable opinion of the Principal (in consultation) would bring the School into disrepute or would cause unacceptable risk to others, *including*:
 - a) Disgraceful or improper conduct /speech within the employment environment;
 - b) Disgraceful or improper conduct/speech in a private capacity that reflects seriously and adversely on the School;
 - c) Single or repeated inappropriate behaviours/comments;
 - d) Familiarity with students beyond professional bounds.

Principal refers to the senior officer delegated with the day to day running of the School or that person's delegate.

Sexual Abuse for the purposes of this policy includes abuse caused to students by a school employee or fellow student. Such activity can include among other things: exhibitionism, exposing students to pornographic images or text, fondling, oral sex and intercourse. It also extends to sexual abuse caused by non school persons.

Sexual Harassment happens if a person:

- a) subjects another person to an unsolicited act of physical intimacy; or
- b) makes an unsolicited demand or request (whether directly or by implication) for sexual favours from the other person; or

- c) makes a remark with sexual connotations relating to the other person; or
- d) engages in any other unwelcome conduct of a sexual nature in relation to the other person; and the person engaging in the conduct described in paragraphs (a), (b) or (c) does so-
 - i) with the intention of offending, humiliating or intimidating the other person; or
 - ii) in circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated by the conduct.

Sexual harassment is against the law under the *Anti-Discrimination Act 1991*. It may also be addressed under the School's Peer Relations Policy

Unacceptable Risk – is a risk that in the reasonable opinion of the Principal requires a person not to be in contact with students during or outside school hours.

STUDENT PROTECTION OFFICERS



Nonie Ayling



Wendy Bolton



Andree Rice



Bob Ulcoq