

# Child Protection Policy



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## 1. Policy

The purpose of this policy is to provide a policy as part of Sheldon College's written processes about how the College will respond to harm, or allegations or harm, to students under 18 years old, and the appropriate conduct of the College's staff and students, to comply with accreditation requirements.

This policy also supports Sheldon College's obligations under the *Education (Accreditation of Non-State Schools) Act 2017 (Qld) and Regulation 2017 (Qld)*, the *Child Protection Act 1999 (Qld)*, and the College's commitment to providing a safe, supportive and child-focused environment where the wellbeing and best interests of students are paramount.

This policy also supports Sheldon College's obligations under the *Child Safe Organisations Act 2024 (Qld)*, including the implementation of Child Safe Standards and reportable conduct obligations as they apply to schools. The College is committed to embedding a culture of child safety and wellbeing that prioritises the rights, safety and best interests of children.

## 2. Scope

This policy applies to students and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers, parents, visitors, and people undertaking work experience or vocational placements at Sheldon College. It applies to conduct occurring on campus, during College-approved activities, excursions, camps, online environments, and any context where there is a connection to the College.

## 3. Reference

- [Child Protection Act 1999 \(Qld\)](#)
- Child Safe Organisations Act 2024 (Qld)
- [Education \(General Provisions\) Act 2006 \(Qld\)](#)
- [Education \(General Provisions\) Regulation 2017 \(Qld\)](#)
- [Education \(Accreditation of Non-State Schools\) Act 2017 \(Qld\)](#)
- [Education \(Accreditation of Non-State Schools\) Regulation 2017 \(Qld\)](#)
- National Principles for Child Safe Organisations
- [Working with Children \(Risk Management and Screening\) Act 2000 \(Qld\)](#)
- [Working with Children \(Risk Management and Screening\) Regulations 2020 \(Qld\)](#)
- Sheldon College Dispute Resolution/Complaints Handling Policy
- Sheldon College Dispute Resolution/Complaints Handling Procedure
- Sheldon College Work Health and Safety Policy (for the Work Health and Safety Act 2011 (Qld))

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## 4. Work Procedure

### Definitions Child

For the purposes of this policy, a child is a person under 18 years of age.

This definition aligns with the Child Protection Act 1999 (Qld) and the Education (General Provisions) Act 2006 (Qld).

- **Section 9 of the Child Protection Act 1999 - “Harm”**, to a child, is any detrimental effect of a significant nature on the child’s physical, psychological, or emotional wellbeing.
  1. It is immaterial how the harm is caused.
  2. Harm can be caused by—
    - a) physical, psychological, or emotional abuse or neglect: or
    - b) sexual abuse or exploitation.
  3. Harm can be caused by—
    - a) a single act, omission, or circumstance; or
    - b) a series or combination of acts, omissions, or circumstances.
- **Section 10 of the Child Protection Act 1999 - A “child in need of protection” is a student who—**
  - a) has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and
  - b) does not have a parent able and willing to protect the child from harm.
- **Section 364 of the Education (General Provisions) Act 2006 - “Sexual abuse”**, in relation to a relevant person, includes sexual behaviour involving the relevant person and another person in the following circumstances –
  - a) the other person bribes, coerces, exploits, threatens or is violent toward the relevant person
  - b) the relevant person has less power than the other person
  - c) there is a significant disparity between the relevant person and the other person in intellectual capacity or maturity.

### Health and Safety

The College has written processes in place to enable it to comply with the requirements of the *Work Health and Safety Act 2011* (Qld) and the *Working with Children (Risk Management and Screening) Act 2000* (Qld).

### Responding to Reports of Harm

Immediate Reporting Requirements: Any staff member, contractor or volunteer who becomes aware of, or reasonably suspects, harm, or risk of harm to a student must report the matter immediately in accordance with this policy. Reports must not be delayed while seeking confirmation or conducting internal investigation.

When the College receives any information alleging ‘harm’ to a student (other than harm arising from physical or sexual abuse) it will deal with the situation compassionately and fairly so as to minimise any likely harm to the extent it reasonably can.

Reporting obligations under this policy apply regardless of whether the suspected harm, abuse or reportable conduct occurred on or off campus, during College activities, online, or at any time prior to the student’s enrolment. Obligations apply whether the information arises from a disclosure, direct observation, or third-party information.

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Internal discussions or fact-finding must not delay mandatory reporting to police, Child Safety, or other required authorities.

## Conduct of Staff and Students

All staff, contractors and volunteers must ensure that their behaviour towards and relationships with students reflect proper standards of care for students. Staff, contractors, and volunteers must not cause harm to students.

## Reporting Inappropriate Behaviour

If a student, parent, or staff member considers the behaviour of a staff, contractor, or volunteer to be inappropriate, the concern should be reported to one of the following:

- Principal (Kate Mortimer)
- Director of Wellbeing (Alex Sullivan)
- A member of the College Executive
- A member of the College Board (where the concern relates to the Principal)

All reports of inappropriate behaviour will be managed confidentially and in accordance with procedural fairness obligations, while ensuring that child safety and mandatory reporting requirements are prioritised. Support will be provided to affected students and staff as appropriate.

## Dealing with Report of Inappropriate Behaviour

A staff member who receives a report of inappropriate behaviour must report it to the Principal.

Where the Principal is the subject of a report, the matter must be reported to the Chair of the College Board or an independent nominated officer in accordance with the College's *Complaints Handling Procedure*.

## Reportable Conduct

Behaviour towards a child that may constitute misconduct, including physical abuse, sexual abuse, psychological harm, neglect, grooming behaviour, inappropriate boundary violations, or any other conduct that is inconsistent with maintaining a child safe environment.

Reportable conduct includes behaviour occurring in person, online, or through digital platforms, messaging services, social media, or image-based technologies. Whether or not the behaviour constitutes a criminal offence.

## Child Safe Standards and Reportable Conduct Scheme

Since 1 January 2026, Sheldon College complies with the Child Safe Standards under the Child Safe Organisations Act 2024 (Qld). The College has formally replaced its previous child and youth risk management strategy framework with a Child Safe Standards framework and has implemented the required systems, policies, reporting mechanisms and governance oversight to meet legislative obligations.

The College maintains systems, policies and procedures to prevent, identify and respond to reportable conduct, including systems for receiving concerns or allegations, responding appropriately, and ensuring required notifications are made to the

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relevant regulator in accordance with legislative requirements.

The College's governing body has oversight responsibility for child safety and reportable conduct compliance and receives reporting in accordance with governance and legislative requirements.

## Reporting Sexual Abuse

These obligations apply regardless of whether the alleged abuse occurred at the College, during a College activity, or outside the College environment. Section 366 of the *Education (General Provisions) Act 2006* states that if a staff member becomes aware, or reasonably suspects in the course of their employment at the College, that any of the following has been sexually abused by another person:

- a) a student under 18 years attending the College
- b) a kindergarten aged child registered in a kindergarten learning program at the College
- c) a person with a disability who: -
  - i. under section 420(2) of the *Education (General Provisions) Act 2006* is being provided with special education at the College
  - ii. is not enrolled in the kindergarten year at the College.

then under section 366(2) of the *Education (General Provisions) Act 2006* (EGPA), the staff member must give a copy of the written report about the abuse or suspected abuse to the College Principal or a director of the College's governing body, immediately. If the Principal receives the report (as the first person), the Principal will give a report to the College's governing body immediately.

For the purposes of this policy, a "Director of the College's governing body" means a current appointed Director of Sheldon College Ltd.

The College Principal and a Director of the College's governing body must immediately give a copy of the report to a police officer. Written reports can be sent to [cpiuintakebayside@police.qld.edu.au](mailto:cpiuintakebayside@police.qld.edu.au).

The reporting obligations under sections 366, 366A and 366B of the *Education (General Provisions) Act 2006* (Qld) are imposed on the Principal and Directors of the governing body and must be fulfilled by the person holding that office at the relevant time. These obligations cannot be delegated or otherwise discharged by another person.

Another person may provide administrative assistance in preparing documentation; however, the statutory reporting obligation must be fulfilled by the Principal or a Director, as applicable.

If the first person who becomes aware or reasonably suspects sexual abuse is the College's Principal, the Principal must give a written report about the abuse, or suspected abuse to a police officer immediately and must also give a copy of the report to a Director of the College's governing body immediately.

A report under this section must include the following particulars: -

- a) the name of the person giving the report (the **first person**)
- b) the student's name and sex (or sex descriptor, where applicable)
- c) details of the basis for the first person becoming aware, or reasonably suspecting, that the student has been sexually abused by another person
- d) details of the abuse or suspected abuse
- e) any of the following information of which the first person is aware: -
  - i. the student's age

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- ii. is not enrolled in the kindergarten year at the College.
- iii. the identity of anyone else who may have information about the abuse or suspected abuse.

## Reporting Likely Sexual Abuse

These obligations apply regardless of whether the alleged abuse occurred at the College, during a College activity, or outside the College environment. Section 366B of the *Education (General Provisions) Act 2006* states that if a staff member reasonably suspects in the course of their employment at the College, that any of the following is likely to be sexually abused by another person: -

- a) a student under 18 years attending the College
- b) a kindergarten aged child registered in a kindergarten learning program at the College
- c) a person with a disability who: -
  - i. under section 420(2) of the *Education (General Provisions) Act 2006* is being provided with special education at the College; and
  - ii. is not enrolled in the kindergarten year at the College.
- d) any relevant known details of the likely abuse or suspected abuse.

then the staff member must give a written report about the suspicion to the College Principal and, where required, the College's governing body immediately.

The College Principal and a Director of the College's governing body must immediately give a copy of the report to a police officer. Reports can be emailed to: [cpiuintakebayside@police.qld.edu.au](mailto:cpiuintakebayside@police.qld.edu.au).

The reporting obligations under sections 366, 366A and 366B of the *Education (General Provisions) Act 2006 (Qld)* are imposed on the Principal and Directors of the governing body and must be fulfilled by the person holding that office at the relevant time. These obligations cannot be delegated or otherwise discharged by another person.

Another person may provide administrative assistance in preparing documentation; however, the statutory reporting obligation must be fulfilled by the Principal or a Director, as applicable.

If the first person who reasonably suspects likely sexual abuse is the College's Principal, the Principal must give a written report about the suspicion to a police officer immediately and must also give a copy of the report to the College's governing body immediately.

A report under this section must include the following particulars: -

- a) the name of the person giving the report (the **first person**)
- b) the student's name and sex (or sex descriptor, where applicable)
- c) details of the basis for the first person reasonably suspecting that the student is likely to be sexually abused by another person
- d) any of the following information of which the first person is aware: -
  - i. the student's age
  - ii. the identity of the person who has abused, or is suspected to be likely to abuse, the student
  - iii. the identity of anyone else who may have information about suspected likelihood of abuse.

Reports under this section are documented using Form *SC305 – Report of Suspected Harm or Risk of Harm* and submitted in accordance with legislative requirements.

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## Reporting to the Chief Executive Child Protection Act 1999 (Qld)

A report under this section must include the following particulars:

- a) the basis on which the person has formed the reportable suspicion;
- b) the child's name and sex (or sex descriptor, where applicable);
- c) the child's age;
- d) details of how to contact the child;
- e) details of the harm to which the reportable suspicion relates;
- f) particulars of the identity of the person suspected of causing the child to have suffered, suffer, or be at risk of suffering, the harm to which the reportable suspicion relates;
- g) particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates.

## Reporting Physical and Sexual Abuse

Under Section 13E(3) of the *Child Protection Act 1999*, if a doctor, a registered nurse, a teacher or an early childhood education and care professional forms a 'reportable suspicion' about a child "in the course of their engagement in their profession", they must make a written report.

A **reportable suspicion** about a child is a reasonable suspicion that the child:

- a) has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse; and
- b) may not have a parent able and willing to protect the child from the harm.

The doctor, nurse, teacher or early childhood education and care professional must give a written report to the Chief Executive of the Department of Families, Seniors, Disability Services and Child Safety (or another department administering the *Child Protection Act 1999*). The doctor, nurse, teacher or early childhood education and care professional should give a copy of the report to the principal.

A report under this section must include the following particulars:

- a) the basis on which the person has formed the reportable suspicion;
- b) the child's name and sex/sex descriptor;
- c) the child's age;
- d) details of how to contact the child;
- e) details of the harm to which the reportable suspicion relates;
- f) particulars of the identity of the person suspected of causing the child to have suffered, suffer, or be at risk of suffering, the harm to which the reportable suspicion relates;
- g) particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates.

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## Responsibilities under Criminal Code Act 1899 (Qld)

The *Criminal Code Act 1899* includes two offences that pertain to the failure to report a child sexual offence and the failure to protect a child against a child sexual offence. A child sexual offence is an offence of a sexual nature by an adult against a child under 16 years or a person with an impairment of the mind.

### Failure to Report

Under section 229BC of the Code, all adults must report sexual offences against a child by another adult to police as soon as reasonably practicable after the belief is, or ought reasonably to have been, formed. Failure to make a report, without a reasonable excuse, is a criminal offence. This offence applies to all adults inclusive of students 18 years or older, as well as parents/guardians and volunteers at the school. A reasonable excuse not make a report under the Criminal Code Act 1899 includes that a report has already been made under the *Education (General Provisions) Act 2006* (reporting sexual abuse or likely sexual abuse) and the Child Protection Act 1999 (reporting significant harm or risk of significant harm) as per this policy.

### Failure to Protect

Under section 229BC of the Criminal Code Act 1899 (Qld), all adults in positions of power or responsibility within institutions must take reasonable steps to reduce or remove the risk of child sexual offences being committed against children in their care. A failure to protect is an offence.

The College will ensure it is implementing processes relating to the health, safety and conduct of staff and students by auditing compliance with the processes annually. Compliance monitoring may include audits, training registers, incident reporting reviews, and governance reporting to the College Executive and Board.

### Complaints Procedure

Suggestions of non-compliance with the College's processes may be submitted as complaints under the College's Complaints policy

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## 5. Related Documents

Form SC305 Report of Suspected Harm or Risk of Harm.

## 6. Document History

Revision	Issue Date	Summary of Changes
1.0	30 Sep 11	Initial Release
1.0	31 Aug 12	Review
1.0	31 Aug 13	Review
1.0	31 Aug 14	Review
1.0	31 Aug 15	Review
1.0	31 Aug 16	Review
1.0	31 Aug 17	Review
1.0	12 Jun 18	Amendment
1.0	31 Aug 18	Review
1.0	31 Aug 19	Review
1.0	31 Aug 20	Review
1.0	31 Aug 21	Review
1.0	04 Jan 22	Update
1.0	31 Aug 22	Review
1.0	03 Jan 23	Update
1.0	27 Jan 23	Update
1.0	31 Aug 23	Review
1.0	30 Aug 24	Review
1.1	16 Dec 25	Review
1.2	12 Feb 26	Review