

Kin Kora State School

P&C Association

Student Protection

Risk Management Strategy

A strategy for managing risks to children & young people.

This Strategy is effective from 20th June 2012 and is to be reviewed annually in time for endorsement at the following AGM. This is an annual requirement of the P&C Association.

Disclaimer: This document has been compiled by the Queensland Council of Parents and Citizens' Associations Inc. to assist P&C Associations to comply with the legislative requirements of the *Commission for Children and Young People and Child Guardian Act 2000 and the Commission for Children and Young People and Child Guardian Regulation 2001* and the *Commission for Children and Young People Amendment Regulation (No. 1) 2006*. It is a guide only and should not be considered legal advice or a legal document. P&C Associations should seek the professional advice of the Commission for Children and Young People and Child Guardian should they have any questions regarding Student Protection Risk Management.

Purpose

This Student Protection Risk Management Strategy is developed to enable the P&C Association to comply with the legislative requirements specified in the *Commission for Children and Young People and Child Guardian Act 2000 and the Commission for Children and Young People and Child Guardian Regulation 2001 and the Commission for Children and Young People Amendment Regulation (No. 1) 2006* for the protection of children and young people from harm and the risk of harm.

Policy

Statement of Commitment

Kin Kora State School P&C Association is committed to the safety and wellbeing of the students in the care of Kin Kora State School and requires volunteers and P&C employees to model and encourage behaviour that upholds the dignity and safety of students. The P&C Association supports the Education Queensland Student Protection Policy, Code of Conduct and Code of School Behaviour that applies to all Education Queensland Employees and includes volunteers and P&C employees.

Education Queensland Student Protection Policy:

<http://education.qld.gov.au/strategic/eppr/students/smspr012/>

Education Queensland Code Of conduct:

<http://education.qld.gov.au/corporate/codeofconduct/index.html>

Education Queensland Code of School Behaviour:

<http://education.qld.gov.au/publication/production/reports/pdfs/code-school-behaviour-a3.pdf>

All Volunteers and P&C employees must:

- Not cause harm to students in the care of the school
- Actively seek to prevent harm to a student in the care of the school

- Report suspected student harm
- Inform themselves about the content of this strategy.

Principles

In keeping with principles outlined in Education Queensland's Student Protection Policy the P&C Association asserts that the welfare and best interests of children are paramount and all children have a right to protection from harm.

Harm includes any significant detrimental effect on a student's physical, psychological or emotional wellbeing.

Harm can be caused by amongst other things:

- Physical abuse
- Psychological or emotional abuse
- Neglect
- Sexual abuse or exploitation
- Substance Abuse or self harm

Categories of Harm

For the purpose of this policy, harm to students is considered as being categorised as:

- Harm caused by a school employee or P&C employee
- Harm caused by another student
- Harm caused by a person not employed by Education Queensland or the P&C Association including family members, strangers, parent helpers, volunteers, school visitors or unknown self harm

Student Protection

- All volunteers and P&C employees receive some form of student protection training, as determined by the principal including provision of the Student Protection Fact Sheet **
- The welfare and best interests of the student are paramount *
- Every student has a right to protection from harm*
- Volunteers and P&C employees must ensure that their behaviour towards and relationships with students is of the highest professional standards.
- Failure by a volunteer or P&C employee to act in accordance with the requirements of this policy will constitute a breach of the Code of Conduct and the principal will advise on appropriate action to be taken.

* Section 5 *Child Protection Act 1999*

** Student Protection fact sheet:

<http://education.qld.gov.au/student-services/docs/policy/sms-pr-012/factsheet.pdf>

Accountabilities

All volunteers and P&C employees:

- Are not expected to be experts in the area of harm and should err on the side of caution in terms of reporting their suspicions, to enable those who are experts to investigate further.
- Who have any suspicion that a student is being harmed or is at risk of harm **MUST** report their concerns to the principal*.
- OSHC staff are to report their concerns to the OSHC Coordinator/OSHC Assistant Coordinator who will:
 - Complete the appropriate documentation in accordance with OSHC Policies and Procedures for the licensee (P&C President or Vice President (OSHC) to report to the Dept of Communities, and
 - Inform the principal.

- Are **NOT** to investigate any aspect of a suspicion of harm or risk of harm.
- Must apply for and be successful in obtaining a positive suitability notice from the Commission for Children and Young People and Child Guardian if they are required to do so by law.
- Must immediately notify the principal in writing if they are charged with or convicted of an offence.
- Must undertake training in student protection procedures.

* If you suspect the principal is responsible for causing harm to a student report this to the Executive Director, Schools at the local Education Queensland District Office.

Code of Conduct

A Code of Conduct provides direction and guidance on responsibilities and the expected standards of behaviour while undertaking activities that reflect on the school and the P&C Association. The code places an obligation on all of us to take responsibility for our own actions.

A Code of Conduct for volunteers and P&C employees includes:

- Compliance with the Education Queensland Code of Conduct
- Personal privacy is of paramount importance. Information gathered or obtained as a result of the role as a volunteer or P&C employee **MUST** be considered confidential and is only to be passed on to the relevant school authority.
- Treating all people with Dignity, Courtesy, Honesty and Fairness at all times.
- Constructive criticism is healthy while personal attacks are destructive and to be avoided.
- Discrimination on racial, ethnic, or religious grounds is **FORBIDDEN**, as is any form of sexual discrimination and / or harassment.

The Standards of Behaviour Fact Sheet is provided under templates for distribution

Procedures

Recruitment

A volunteer, who is not a parent of a child of the school or exempt, **MUST** have a Blue Card before they start volunteering regardless of how often they come into contact with students.

Executive Committee members of a P&C Association that operate an Outside School Hours Care facility **MUST** have a Blue Card, or proof of a submitted application for a Blue Card.

All written advertisements for volunteer or paid employment will include information regarding Blue Card requirements.

A current Blue Card or proof of a submitted application for a blue card is an essential requirement for any applicant for any paid position.

Training

Volunteers and P&C employees access some form of training as determined by the principal, to meet the legislative requirements of the Commission for Children and Young People and Child Guardian.

For example:

- School based Student Protection training through workshops and seminars provided by Education Queensland
- Education Queensland Student Protection online course and discussion module- details available from the principal.
- Student Protection Fact Sheet.

<http://education.qld.gov.au/studentservices/docs/policy/sms-pr-012/factsheet.pdf>

- Information sheets are available on the relevant section of Education Queensland's website www.deta.qld.gov.au
- Display Student Protection Fact Sheet in P&C areas of operation and also with the Volunteer Register or refer to the location where the Student Protection Fact sheet is displayed.

Management

The following procedures are to be followed to ensure compliance with the legislation:

- Blue card application forms for P&C employees should be processed by the authorised officer determined by the P&C President
- The contact person in part A of the application form **MUST** be the P&C President
- The Commission for children and Young People & Child Guardian must be notified if the person in the role of President changes. (See Templates)
- Blue card application forms for volunteers should be processed by the authorised officer determined by the Principal
- Volunteers and P&C employees who already have a Blue Card must provide a copy to the authorised officer determined by the Principal for filing
- Maintain a Blue Card Register for volunteers and P&C employees
- Register maintained by the authorised officer, determined by the principal, within the school in order to guarantee confidentiality of private information.
- Ensure that current versions of Blue Card application forms are available on site
- The contact address of the person processing the Blue card applications must be the address of the school.
- Volunteers and P&C employees applying for a Blue Card for the first time, or renewing their card **MUST** be provided with a warning, by the person signing their application, that it is an offence for a 'disqualified person' to apply for a Blue Card. A declaration on the application form that this warning has been given **MUST** then be signed.
- Maintain a Volunteer Register at every site and activity at which volunteers are working.
- The Volunteer Register **MUST** indicate if the volunteer has a blue card or not (see templates)
- Volunteer Register to be checked regularly against the Blue Card Register. (On a term basis as a minimum requirement) by a designated person in liaison with the authorised officer
- The designated person checking the Volunteer Register **MUST** inform the principal / P&C President of those volunteers or P&C employees who are non compliant.
- Currency of the Blue Card for volunteers who are required to have a Blue Card is a condition of their unpaid employment.
- Non current volunteers will be contacted by the principal / P&C President and advised of the risk management procedures and advise them that they need to amend the situation before they can continue in their current capacity
- Currency of the Blue Card for P&C employees is a condition of employment and is to be monitored by the P&C President.
- In accordance with the *Commission for Children and Young People and Child Guardian Act 2000* all volunteers and P&C employees who have a current Blue Card from the Commission **MUST** notify the principal / P&C President of any change in their criminal history (ie: if they are charged with or convicted of an offence). The principal / P&C President **MUST** then notify the Commission for Children and Young People and Child Guardian
- A Student Protection Activity Risk Management Plan (see template) should be completed for each activity in order to identify the potential risks and put appropriate strategies in place to minimize the risks.

- A Training Register is maintained by an authorised person, as determined by the principal, and lists the volunteers and P&C employees who have achieved the minimum requirements of Student Protection training.
- The annual checklist (see template) is to be completed to ensure that procedures continue to be followed.
- Suspected breaches of this Student Protection Risk Management Strategy MUST be reported to the principal / P&C president.

Obligations, Offences and Penalties

P&C Associations MUST ensure that a Student Protection Risk Management Strategy is implemented, reviewed annually and updated as necessary to ensure compliance.

There is a range of penalties for breaches of the *Commission for Children and Young People and Child Guardian Act 2000*. Some offences may incur a fine of up to \$37,500 or up to five years imprisonment. (Updated as of March 2006)

Blue Cards

Volunteers

Volunteers need a blue card if their usual function includes or is likely to include:

- providing services at a school that are directed mainly towards children; or
- conducting activities at a school that mainly involve children.

Volunteers do not need a blue card if they are:

- a "[registered teacher](#)"; or
- a volunteer parent of a child attending the school;
- a guest of a school or "[recognised body](#)":
 - for the purpose of observing, supplying information or entertainment to 10 or more people, and
 - the activity is for 10 days or less on no more than two occasions per year, and
 - the person is unlikely to be physically present with a child without another adult being present, or
- performing the function of employment at a national or state event organised by a school or "recognised body" (operating at a state or national level):
 - for a sporting, cultural or skill based activity, and
 - the event is attended by more than 100 people, and
 - the work is for 10 days or less on no more than two occasions per year; and
 - the person is unlikely to be physically present without another adult being present.
- a child under 18 years of age volunteering (except "trainee students" undertaking a course of study with an "education provider")

Executive Committee members of a P&C Association operating an Outside School Hours Care facility must have Blue Cards whether they are a parent of a child at the school or not.

Paid employees

Paid employees must apply for a blue card if they work, or are likely to work over a 12 month period, for at least:

- eight consecutive days; or
- once a week, each week, over four weeks; or
- once a fortnight, each fortnight, over eight weeks; or
- once a month, each month, over six months.

Note: A paid employee or Executive member of a P&C operating an Outside Hours Care Facility can commence work pending the outcome of their blue card application.

More information on Blue cards can be found at <http://www.ccypcg.qld.gov.au/index.html>

Student Protection Activity Risk Management Plan

The Student Protection Activity Risk Management Plan records details of the risks identified for the life of the activity, their grading in terms of likelihood of occurring and seriousness of impact on the activity, initial plans for mitigating each high level risk and subsequent results. (See Template).

All Student Protection Activity Risk Management Plans need to be filed together for reference and referral when necessary. This process needs to be completed as a provision of conducting activities that involve students. Risks identified at a high level **MUST** be reported to the principal before the activity is approved.

Definitions

Terminology used in this strategy is as defined in the Education Queensland Student Protection Policy and procedures. Education Queensland Student Protection Policy:

<http://education.qld.gov.au/strategic/eppr/students/smspr012/>

In addition:

- **A P&C employee** is any person employed by the school Parents and Citizens Association (P&C) on a temporary, casual, permanent or contract basis.
- **Volunteer** is any person who is engaged for a specific purpose in an unpaid capacity.
- **Blue Card** is issued by the Commission for Children and Young People and Child Guardian once it has carried out the Working with Children Check to see if a person is eligible. If a person is eligible, they are issued a positive notice and a blue card.
- **Working with Children Check** is a detailed national check of a person's criminal history, including any charges or convictions. Also considered is:
 - Disciplinary information held by certain professional organisations for teachers, child care providers, foster carers, nurses, midwives and certain health practitioners, and
 - Police investigation information into allegations of serious child-related sexual offences, even if no charges were laid because the child was unwilling or unable to proceed.

Commission for Children and Young People and Child Guardian:
<http://www.ccypcg.qld.gov.au/index.html>

Source of information

- Child Protection Act 1999:
<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/ChildProtectA99.pdf>
- Commission for Children and Young People and Child Guardian Act 2000:
<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/CommisChildA00.pdf>
- Commission for Children and Young People and Child Guardian Regulation 2001:
<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/C/CommisChildR01.pdf>
- Commission for Children and Young People Amendment Regulation (No. 1) 2006:
<http://www.legislation.qld.gov.au/LEGISLTN/SLS/2006/06SL102.pdf>
- Education Queensland Student Protection Policy:
<http://education.qld.gov.au/strategic/eppr/students/smspr012/>
- Education Queensland Code Of conduct:
<http://education.qld.gov.au/corporate/codeofconduct/index.html>
- Education Queensland Code of school behaviour:
<http://education.qld.gov.au/publication/production/reports/pdfs/code-school-behaviour-a3.pdf>
- Education General Provisions Act 2006:
<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EducGenPrA06.pdf>
- Anti Discrimination Act 1991:
<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/A/AntiDiscrimA91.pdf>