

## The BUSY School Ltd

### Reporting Concerns of Harm and Abuse Policy

<b>Purpose:</b>	The purpose of this policy is to provide written processes about –		
	<ul style="list-style-type: none"> <li>a) how The BUSY School Ltd (TBS) will respond to harm, or allegations of harm, to students under 18 years; and</li> <li>b) the appropriate conduct of the School's staff and students to comply with accreditation requirements.</li> <li>c) To comply with accreditation requirements</li> </ul>		
<b>Scope:</b>	Students and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements at the School and covers information about the reporting of harm and abuse.		
<b>Status:</b>	Approved	<b>Supersedes:</b>	v9 August 2025
<b>Authorised by:</b>	Board Chair	<b>Date of Authorisation:</b>	February 2026
<b>References:</b>	<ul style="list-style-type: none"> <li>• Child Protection Act 1999 (Qld)</li> <li>• Child Safe Organisations Act 2024 (Qld)</li> <li>• Queensland Family and Child Commission Child Safe Standards</li> <li>• Education (General Provisions) Act 2006 (Qld)</li> <li>• Education (General Provisions) Regulation 2017 (Qld)</li> <li>• Education (Accreditation of Non-State Schools) Act 2017 (Qld)</li> <li>• Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</li> <li>• Working with Children (Risk Management and Screening) Act 2000 (Qld)</li> <li>• Working with Children (Risk Management and Screening) Regulation 2020 (Qld)</li> <li>• Criminal Code Act 1899 sections 229BB &amp; 229BC</li> <li>• The BUSY School Feedback, Compliments and Complaints Handling Policy</li> <li>• The BUSY School Feedback, Compliments and Complaints Handling Procedure</li> <li>• The BUSY School Child Risk Management Strategy (for the <i>Working with Children (Risk Management and Screening) Act 2000 (Qld)</i>)</li> <li>• The BUSY School Work Health and Safety Policy (for the <i>Work Health and Safety Act 2011 (Qld)</i>)</li> <li>• The BUSY School Child Protection Reporting Form (online via Folio)</li> </ul>		
<b>Review Date:</b>	Annually	<b>Next Review Date:</b>	December 2026
<b>Policy owner:</b>	The BUSY School Ltd – Board of Directors		

### Definitions

- **“Harm”** - means damage to the health, safety or wellbeing of a child. Harm may be caused by abuse or neglect by an adult or by the conduct of other children. Harm may be physical, sexual, emotional or psychological in nature.
- A **“child in need of protection”** is a child who -
  - a) has suffered harm, is suffering harm, or is at unacceptable risk of suffering harm; and
  - b) does not have a parent able and willing to protect the child from the 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.
- **Staff**, in this policy, refers to full-time, part-time, permanent, fixed term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements.

## Child Safe Standards Compliance

TBS is committed to complying with the Queensland Child Safe Standards under the *Child Safe Organisations Act 2024 (Qld)*. These standards require organisations to take proactive measures to prevent, identify and respond to all forms of harm to children, including peer-to-peer harm. TBS will apply the broader Child Safe Standards definition of harm and will act on low-level concerns, emerging patterns of behaviour, and any conduct that may place a child at risk.

## Health and Safety

TBS 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

When TBS receives any information alleging 'harm'<sup>1</sup> to a student (other than harm arising from physical or sexual abuse) it will where possible deal with the situation compassionately and fairly so as to minimise any likely harm to the extent it reasonably can. This is set out in The BUSY School Child Risk Management Strategy. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy<sup>2</sup>.

Consistent with the Child Safe Standards, TBS must take early, proactive steps to prevent escalation of harm. This includes responding to concerns that may appear minor, repeated low-level behaviours, or early indicators of risk. Staff must report concerns promptly to enable intervention.

## Conduct of Staff and Students

All employees, contractors, and volunteers must ensure that their behaviour towards and relationships with students reflect proper standards of care for students. Employees, contractors, and volunteers must not cause harm to students<sup>3</sup>.

## Peer to Peer Behaviour Management

TBS recognises that harm can be caused by other children. Staff must monitor student interactions and respond to behaviours that may cause harm, including bullying, coercion, sexualised behaviour, physical aggression, or concerning patterns of behaviour. All incidents must be documented and escalated in accordance with this policy.

## Reporting Inappropriate Behaviour

If a student considers the behaviour of an employee to be inappropriate, the student should report the behaviour to:

- the Education Youth Worker; or
- the Campus Principal<sup>4</sup>

## Dealing with Report of Inappropriate Behaviour

An employee who receives a report of inappropriate behaviour must immediately report it to the Campus Principal. Where the Campus Principal is the subject of the report of inappropriate behaviour, the employee must inform the Executive Principal, Director of The BUSY School Qld, Executive General Manager or CEO who will immediately

<sup>1</sup> The definition of 'harm' under the Child Safe Standards does not need to reach the threshold of "significant harm" to trigger action.

<sup>2</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)*

<sup>3</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)*

<sup>4</sup> *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2) and s.16(3)*

inform a Director of the School's governing body<sup>5</sup>. Reports will be dealt with under The BUSY School Feedback, Compliments and Complaints Handling Policy and Procedure.

## Reporting All Forms of Harm

TBS employees, contractors, volunteers and students must report *any* form of harm to a student, including low-level concerns and peer to peer harm, even where the behaviour does not meet the threshold of "significant harm" under the Child Protection Act 1999. Early reporting supports TBS's obligations under the Child Safe Standards.

## Reporting Sexual Abuse<sup>6</sup>

Section 366 of the *Education (General Provisions) Act 2006* states that if an employee (the *first person*) becomes aware, or reasonably suspects, in the course of their employment at the School, that any of the following has been sexually abused by another person: -

- a) a student under 18 years attending the School;
- b) a kindergarten aged child registered in a kindergarten learning program at the School;
- 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 School; and
  - ii. is not enrolled in the preparatory year at the School.

then the first person must give a written report about the abuse, or suspected abuse, to the Campus Principal, Executive Principal, Director of The BUSY School Qld, Executive General Manager, CEO or a Director of the School's governing body immediately. The Campus Principal, Executive Principal, Director of The BUSY School Qld, Executive General Manager, CEO or a Director must immediately give a copy of the report to a police officer.

If the first person who becomes aware or reasonably suspects sexual abuse is the Campus Principal, the Campus 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 School'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;
- 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;
  - ii. the identity of the person who has abused, or is suspected to have abused, the student;
  - iii. the identity of anyone else who may have information about the abuse or suspected abuse<sup>7</sup>.

## Reporting Likely Sexual Abuse<sup>8</sup>

Section 366A of the *Education (General Provisions) Act 2006* states that if an employee (the *first person*) reasonably suspects in the course of their employment at the school, that any of the following is likely to be sexually abused by another person: -

- a) a student under 18 years attending TBS;
- b) a kindergarten age child registered in a kindergarten learning program at the school;
- 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 school; and

<sup>5</sup> *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld) s.16(2)

<sup>6</sup> *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld) s.16(2)(c)

<sup>7</sup> *Education (General Provisions) Regulation 2017* (Qld) s.68

<sup>8</sup> *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld) s.16(2)(c)

- ii. is not enrolled in the preparatory year at the school.

then the first person must give a written report about the suspicion to the Campus Principal, Executive Principal, Director of The BUSY School Qld, Executive General Manager, CEO or a Director of the school's governing body immediately. The Campus Principal, Executive Principal, Director of The BUSY School Qld, Executive General Manager, CEO or a Director must immediately give a copy of the report to a police officer.

If the first person who reasonably suspects likely sexual abuse is the Campus Principal, the Campus Principal must give a written report about the suspicion to a police officer immediately and must also give a copy of the report to a Director of the School'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;
- 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 is suspected to be likely to sexually abuse the student;
  - iii. the identity of anyone else who may have information about suspected likelihood of abuse<sup>9</sup>.

## Reporting Physical and Sexual Abuse<sup>10</sup>

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 responsible for administering the *Child Protection Act* 1999. The doctor, nurse, teacher or early childhood education and care professional should also give a copy of the report to the Campus 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, age and sex descriptor;
- c) details of how to contact the child;
- d) details of the harm to which the reportable suspicion relates;
- e) 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;
- f) particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates<sup>11</sup>.

<sup>9</sup> Education (General Provisions) Regulation 2017 (Qld) s.69

<sup>10</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16 (2)(d)

<sup>11</sup> See Child Protection Regulation 2023 (Qld) s.4

Regional Report Contacts (Business Hours)	Phone
Brisbane and Moreton Bay	1300 682 254
Sunshine Coast and Central Queensland	1300 703 762
Far North Queensland	1300 684 062
South West (West Moreton): Ipswich	1800 316 855
North Coast	1300 703 921
North Queensland	1300 706 147
South East	1300 679 849
South West (Darling Downs): Toowoomba	1300 683 390
Child Safety After Hours Service Centre: 1800 177 135	

## 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<sup>12</sup>

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 to 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<sup>13</sup>

Under section 229BB of the Code, all adults in positions of power or responsibility within institutions to reduce or remove the risk of child sexual offences being committed must take reasonable steps to protect children in their care from a child sexual offence. A failure to protect is an offence.

### Additional Responsibilities Under the Child Safe Standards

Staff must take reasonable steps to create and maintain child-safe environments. This includes active supervision, identifying emerging risks, and responding to early indicators of harm. Staff must model appropriate behaviour and intervene to prevent peer-to-peer harm.

## Awareness

TBS will inform employees, students and parents of its processes relating to the health, safety and conduct of staff and students as follows<sup>14</sup>

- by publishing this information on TBS website ([www.busyschools.qld.edu.au](http://www.busyschools.qld.edu.au))
- in shared communications with the school community, students, parents/carers, and staff
- at orientation for students
- with dedicated campus employees (Child Protection Officer's) details displayed on Child Safety posters in all campuses
- with Child Safe Organisation statements listed on all job ads, position descriptions, policies

<sup>12</sup> *Criminal Code Act 1899* (Qld) s.229BC

<sup>13</sup> *Criminal Code Act 1899* (Qld) s.229BB

<sup>14</sup> *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld) s.16(4)(a)

- through questions asked at job interviews and the reference check stage of recruitment
- thorough employee induction and onboarding
- in regular employee training on The BUSY School Child Risk Management Strategy and Reporting Concerns of Harm and Abuse Policy for awareness building of what to do when an allegation or disclosure of abuse made, including reporting and disclosure to the Board of Directors
- with employee attendance and regular training in sector specific child safety/protection courses
- with regular raising of the topic at scheduled employee meetings
- by making this Policy easily accessible through staff intranet/shared network drives.

## Accessibility of Processes

Processes relating to the wellbeing, safety and conduct of employees and students are accessible on the TBS website and will be available on request from TBS administration<sup>15</sup>.

## Training

TBS will train its employees in processes relating to the wellbeing, safety and conduct of staff and students on their induction and will refresh training annually and maintain evidence, including:<sup>16</sup>

- a defined orientation process for all new students, including agreement with The BUSY School Student Code of Conduct
- attendance register for annual training requirements including Child Protection
- employee induction, on-boarding packs and all training records located within 'ELMO', the HR repository for employee training and professional development records
- regular schedule of employee meetings, agendas and minutes
- regular safety committee meetings, agendas and minutes

TBS will ensure that all training includes obligations under the Queensland Child Safe Standards, including the broader definition of harm, recognition of peer-to-peer harm, and requirements for early reporting and intervention.

## Implementing the Processes

TBS will take all reasonable steps to ensure it is implementing processes relating to the wellbeing, safety and conduct of employees and students by auditing compliance with the processes annually<sup>17</sup>.

## Complaints Procedure

Suggestions of non-compliance with TBS's processes may be submitted as complaints under TBS Feedback Compliments and Complaints Handling Policy and Procedure<sup>18</sup>.

## Version Control

Version no.	Date Effective	Approved by	Changes
1.0	September 2020	<ul style="list-style-type: none"> <li>▪ Approved by TBS Board of Directors</li> </ul>	<ul style="list-style-type: none"> <li>▪ Initial draft version</li> </ul>
2.0	September 2021	<ul style="list-style-type: none"> <li>▪ Endorsed by TBS Governance, Compliance and Strategy Committee</li> <li>▪ Approved by TBS Board of Directors</li> </ul>	<ul style="list-style-type: none"> <li>▪ Aligned to ISQ template</li> <li>▪ Added CEO to disclosure process</li> <li>▪ Updated awareness and training sections</li> <li>▪ Version control</li> <li>▪ Formatting</li> </ul>
3.0	June 2022	<ul style="list-style-type: none"> <li>▪ Endorsed by TBS Governance, Compliance and Strategy Committee</li> <li>▪ Approved by TBS Board of Directors</li> </ul>	<ul style="list-style-type: none"> <li>▪ Reviewed against ISQ template</li> <li>▪ Version control</li> <li>▪ Formatting</li> </ul>
4.0	September 2022	<ul style="list-style-type: none"> <li>▪ Endorsed by TBS Governance,</li> </ul>	<ul style="list-style-type: none"> <li>▪ Reviewed against ISQ template</li> </ul>

<sup>15</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(b)

<sup>16</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(c)

<sup>17</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(d)

<sup>18</sup> Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(5) and s.16(6)

		<ul style="list-style-type: none"> <li>▪ Compliance and Strategy Committee</li> <li>▪ Approved by TBS Board of Directors</li> </ul>	<ul style="list-style-type: none"> <li>▪ Updated terminology aligning to School operations and policies / procedures</li> <li>▪ Formatting and grammar</li> </ul>
5.0	January 2023	<ul style="list-style-type: none"> <li>▪ Endorsed by TBS Governance, Compliance and Strategy Committee</li> <li>▪ Approved by TBS Board of Directors</li> </ul>	<ul style="list-style-type: none"> <li>▪ Reviewed against ISQ Template</li> <li>▪ Updated to reflect two new criminal offences for 'failure to report' and failure to protect' under the Criminal Code Act 1899.</li> </ul>
6.0	October 2023	<ul style="list-style-type: none"> <li>▪ Endorsed by TBS Governance, Compliance and Risk Committee</li> <li>▪ Approved by TBS Board of Directors</li> </ul>	<ul style="list-style-type: none"> <li>▪ Reviewed against ISQ Template</li> <li>▪ Amended notification pathway from campus principal directly to director</li> <li>▪ Updated to reflect Child Protection Regulation 2023 which has replaced Child Protection Regulation 2011</li> </ul>
7.0	February 2024	<ul style="list-style-type: none"> <li>▪ Endorsed by TBS Governance, Compliance and Risk Committee</li> <li>▪ Approved by TBS Board of Directors</li> </ul>	<ul style="list-style-type: none"> <li>▪ Updated to include new role in structure: General Manager</li> <li>▪ Implemented recommendations from ISQ's Child Protection Review Report (contracted by The BUSY School)</li> </ul>
7.1	May 2024	<ul style="list-style-type: none"> <li>▪ Endorsed by TBS Governance, Compliance and Risk Committee</li> <li>▪ Approved by TBS Board of Directors</li> </ul>	<ul style="list-style-type: none"> <li>▪ Correction of relevant Qld State Government Department responsible for child safety</li> </ul>
7.2	May 2024	<ul style="list-style-type: none"> <li>▪ Endorsed by TBS Governance, Compliance and Risk Committee</li> <li>▪ Approved by TBS Board of Directors</li> </ul>	<ul style="list-style-type: none"> <li>▪ Updated to include new role in structure: General Manager as per NSSAB feedback</li> </ul>
8.0	March 2025	<ul style="list-style-type: none"> <li>▪ Endorsed by TBS Governance, Compliance and Risk Committee</li> <li>▪ Approved by TBS Board of Directors</li> </ul>	<ul style="list-style-type: none"> <li>▪ Correction of position from General Manager to Executive General Manager</li> <li>▪ Version Control</li> </ul>
9.0	August 2025	<ul style="list-style-type: none"> <li>▪ Endorsed by TBS Governance, Compliance and Risk Committee</li> <li>▪ Approved by TBS Board of Directors</li> </ul>	<ul style="list-style-type: none"> <li>▪ Page 4, insertion of wording "Chief Executive of Department responsible for administering the <i>Child Protection Act 1999</i> "</li> </ul>
10.0		<ul style="list-style-type: none"> <li>▪ Endorsed by TBS Governance, Compliance and Risk Committee</li> <li>▪ Approved by TBS Board of Directors</li> </ul>	<ul style="list-style-type: none"> <li>▪ Change of name from Child Protection Policy to Reporting Concerns of Harm and Abuse Policy</li> <li>▪ Amendment as per ISQ template</li> <li>▪ Updated policy to incorporate Queensland Child Safe Standards</li> <li>▪ Replaced definition of "harm" with new expanded definition</li> <li>▪ Added peer-to-peer harm provisions</li> <li>▪ Updated reporting pathways to include lower-threshold reporting</li> <li>▪ Added requirements for early intervention and proactive harm prevention</li> <li>▪ Updated training, awareness and environmental monitoring obligations</li> </ul>