



Norfolk Island Central School student protection procedure

Version: 1.1 | Version effective: 09/02/2022

Audience

All employees and visitors to Norfolk Island Central School

Purpose

This procedure outlines the responsibilities of employees and visitors to Norfolk Island Central School (NICS) when dealing with student protection matters, and the process for responding when, in the course of their employment or duties, an employee or visitor suspects a student, child or young person has been harmed or is at risk of harm.

Overview

By complying with this procedure, employees and visitors will meet the reporting requirements applicable to their role under relevant Norfolk Island and Queensland legislation (known as mandatory reporting obligations), as well as additional student protection responsibilities required by the Queensland Department of Education (DoE).

Mandatory reporting obligations for NICS are included in the [Education \(General Provisions\) Act 2006 \(Qld\)](#) (EGPA) and the [Child Welfare Act 2009 \(NI\)](#) (CWA). Obligations for NICS differ from other Queensland state schools in the following ways:

- The obligations under the CWA apply to NICS instead of obligations under the *Child Protection Act 1999* (Qld), which apply to Queensland state schools
- Failure to protect and failure to report offences under sections 229BB and 229BC of the *Criminal Code Act 1899* (Qld) also do not apply to NICS.

Mandatory reporting obligations applicable to NICS are outlined below:

- Under ss.365 and 365A of the [Education \(General Provisions\) Act 2006 \(Qld\)](#) a **school staff member must** immediately give a written report to the principal or principal's supervisor when they become aware of or reasonably suspect, in the course of their employment, the sexual abuse or likely sexual abuse of a student under 18 years. The principal or principal's supervisor must immediately give a copy of the report to a police officer (for the purposes of the application in Norfolk Island this will mean the Norfolk Island Police Force).

- Under s.41 of the [Child Welfare Act 2009 \(NI\)](#) mandatory reporting applies to **a teacher at a school; a person employed to counsel children or young people at a school; a public sector employee who, in the course of his or her employment, provides services related to the health or wellbeing of children, young people or families; or any other person who provides health care, welfare, education and residential services to children or young people**. If, during the course of or from the person's work (whether for remuneration or otherwise), they reasonably suspect that a child or young person has suffered, is suffering, or is at risk of suffering sexual abuse or non-accidental physical injury they must, as soon as practicable, report to the Child Welfare Officer the name, or a description, of the child or young person and the grounds for the person's suspicion. On Norfolk Island, this means the Chief Operating Officer of NI-Connect.

This procedure outlines the process for reporting suspicions that do not relate to harm caused by Queensland Department of Education employees. Suspicions of harm or risk of harm to students caused by Queensland Department of Education employees must be reported by referring to and taking actions under the [Allegations against employees in the area of student protection procedure](#), with the exception that SP3 matters for NICS must be lodged directly with [Intake and Assessment team](#) rather than through iRefer.

The [Student protection guidelines](#) (DoE employees only) may provide further guidance on principles and concepts of student protection, although NICS staff should refer to this procedure for key elements of legislation, process and definitions.

Responsibilities

Principal

- report suspicions of harm or risk of harm to a student, child or young person, formed in the course of their employment, in accordance with the process outlined in this procedure.
- progress all student protection reports that meet the reporting threshold to NI-Connect and, where applicable, the Norfolk Island Police Force without unreasonable delay.
- complete student protection training and ensure all employees and visitors complete appropriate student protection training, as advised by the Darling Downs South West regional Principal Advisor, Student Protection, or other officer determined by the Regional Director, DDSW.
- keep a record of employee and visitor completion of student protection training.
- delegate the principal's student protection responsibilities to an appropriate school staff member (e.g. deputy principal) if the principal is unable to meet their responsibilities (e.g. on leave).
- determine the most appropriate way to provide support to students involved in student protection matters, and communicate this to relevant school staff members.
- maintain confidentiality of student protection matters by not discussing a matter outside of the process outlined in this procedure.

School staff members

- report suspicions of harm or risk of harm to a student, child or young person, formed in the course of their employment, in accordance with the process outlined in this procedure.
- complete student protection training as directed by the principal.

- maintain confidentiality of student protection matters by not discussing a matter outside of the process outlined in this procedure.

Non-departmental employees

- report suspicions of harm or risk of harm to a student, child or young person, formed in the course of their employment, in accordance with the process outlined in this procedure.
- complete student protection training as directed by the principal.
- maintain confidentiality of student protection matters by not discussing a matter outside of the process outlined in this procedure.

Employees based in regional and central offices who have contact with students

- report suspicions of harm or risk of harm to a student, child or young person, formed in the course of their employment, in accordance with the process outlined in this procedure.
- complete student protection training as directed by the principal.
- maintain confidentiality of student protection matters by not discussing a matter outside of the process outlined in this procedure.

Visitors

- report suspicions of harm or risk of harm to a student, child or young person, formed in the course of their duties, in accordance with the process outlined in this procedure.
- complete student protection training as directed by the principal.
- maintain confidentiality of student protection matters by not discussing a matter outside of the process outlined in this procedure.

Darling Downs South West regional Principal Advisor, Student Protection

- advise the principal what student protection training is appropriate for NICS employees and visitors.
- as required, provide support and advice to the principal and notifiers regarding sharing information for child welfare under the CWA.

Process

1. An employee or visitor to NICS may form a suspicion, in the course of their employment or duties, that a student, child or young person has been harmed or is at risk of harm.
2. All visitors, employees based in central and regional offices, and non-departmental employees must:
 - report all suspicions that a student, child or young person has been harmed or is at risk of harm to the principal without unreasonable delay; and
 - if the suspicions relate to physical abuse or sexual abuse, complete the [Child protection report form](#); and
 - provide the completed form (if applicable) and any other related documents or notes to the principal.
3. All school staff members, including the principal, will determine whether they have formed a suspicion that meets the reporting threshold. That is, a reasonable suspicion that:

- a student, child or young person has been sexually abused or is likely to be sexually abused; or
 - a student, child or young person has suffered, is suffering, or is at risk of suffering abuse or neglect.
4. If required, school staff members may use one or more of the following to determine whether they have formed a suspicion that meets the reporting threshold:
 - consultation with the Darling Downs South West [regional Principal Advisor, Student Protection](#) (DoE employees only)
 - making enquiries and/or asking questions (refer to the [Questioning students in relation to student protection matters fact sheet](#) (DoE employees only) for more information)
 - conferral with relevant colleagues
 - consultation with NI-Connect
 - consultation with Norfolk Island Police Force
 - consultation with the [Student protection guidelines](#) (DoE employees only), although NICS staff should refer to this procedure for key elements of legislation, process and definitions.
 5. If school staff members **do not** form a suspicion that meets the reporting threshold, they should consider taking the following actions:
 - documenting their concerns for a student in a secure location in OneSchool
 - discussing their concerns with the principal.
 6. If school staff members **do** form a suspicion that meets the reporting threshold, they must provide a written report to the principal using the [Child protection report form](#) without unreasonable delay.
 7. Upon receipt of a completed [Child protection report form](#), the principal will make an electronic copy of the form, and provide the original hard copy of the form to NI-Connect without unreasonable delay. The principal must do this by:
 - contacting NI-Connect on +6723 51115 and arranging for the form to be collected; or
 - delivering the form in a sealed envelope to NI-Connect, Bounty Centre, Taylors Road.
 8. In addition, where the concerns relate to sexual abuse or likely sexual abuse, the principal will provide a hard copy of the form to the Norfolk Island Police Force without unreasonable delay. The principal must do this by:
 - contacting Norfolk Island Police Force on +6723 22222 and arranging for the form to be collected; or
 - delivering the form in a sealed envelope to Norfolk Island Police Force, 54 New Cascade Road.
 9. School staff members must provide all forms, documents and notes related to student protection matters to the principal.
 10. Principals must store all forms, documents and notes related to student protection matters, including an electronic copy of the [Child protection report form](#), in a secure location.
 11. If asked by NI-Connect and/or Norfolk Island Police Force, notifiers and the principal may verbally or in writing provide clarifying or additional information relating to a student protection matter and must provide a record of the additional information to the principal for storage in a secure location. Refer to [s.27 of the CWA](#) for detailed information about sharing information for child welfare. Contact the Darling Downs South West Principal Advisor, Student Protection for support.

Definitions

Term	Definition
Abuse	<p>Abuse, in relation to a student, child or young person, means:</p> <ul style="list-style-type: none"> • physical abuse; or • sexual abuse; or • emotional abuse (including psychological abuse) if the student, child or young person: <ul style="list-style-type: none"> ○ has suffered, is suffering or is likely to suffer in a way that has caused, is causing or is likely to cause or at risk of causing significant harm to their wellbeing or development; or ○ the student, child or young person has seen or heard the physical, sexual or psychological abuse of a person with whom the student, child or young person has a domestic relationship, the exposure to which has caused or is causing significant harm to the wellbeing or development of the student, child or young person; or ○ the student, child or young person has been put at risk of seeing or hearing abuse mentioned in subparagraph (ii), the exposure to which may cause significant harm to the wellbeing or development of the student, child or young person. ○ has been, is being or is likely to be exposed to behaviour that is a domestic violence offence and that has caused, is causing or is likely to cause significant harm to the student, child or young person's wellbeing or development. (s.33 (1) of the CWA).
Adult	A person who is 18 years old or older.
Australian Government	Refers to the Australian Government department administering the <i>Norfolk Island Act 1979</i> (Cth).
Child	A person under 12 years of age (s.7 of the CWA).
Child welfare officer	Appointed by the Commonwealth Minister, the child welfare officer is the Chief Operating Officer of Key Assets, which operates services through NI-Connect. The child welfare officer may delegate their powers and functions under the CWA. Delegates include staff at NI-Connect.
Employee	<p>A person engaged by the Queensland Department of Education or the Australian Government to carry out work for financial reward. This includes:</p> <ul style="list-style-type: none"> • school staff members (see definition); • employees located in central and regional offices who have contact with children or students, for example senior guidance officers; and

Term	Definition
	<ul style="list-style-type: none"> non-departmental employees such as employees of other Queensland government departments, employees of organisations contracted by the Australian Government to provide services, or employees of organisations accredited by the Queensland Department of Education to provide services, for example Youth Support Coordinators, school-based youth health nurses, school-based police officers, student welfare workers and chaplains.
Immediately	The EGPA requires school staff members to immediately submit a written report regarding sexual abuse to the principal, and for the principal to immediately forward reports regarding sexual abuse to a police officer. In this context, 'immediately' means the report must be progressed without unreasonable delay, once a reasonable suspicion of sexual abuse or likely sexual abuse has been formed.
In the course of employment or duties	Any time when performing paid work or volunteer duties at NICS. This includes during activities such as excursions, school camps, trips within or outside Australia, sporting activities, online activities and other extracurricular activities.
Neglect	A failure to provide the student, child or young person with a necessity of life that has caused, is causing or is likely to cause the student, child or young person significant harm to their wellbeing or development. (s.33 (2) of the CWA).
NI-Connect	The NI-Connect, Child and Family Wellbeing Unit, delivers child protection, child wellbeing and family support services on Norfolk Island and is managed by Key Assets.
Notifier	For the purpose of this procedure, a person who informs NI-Connect and/or Norfolk Island Police Force of a suspicion of abuse or neglect of a student, child or young person.
Physical abuse	Non-accidental physical injury.
Reasonable suspicion	A suspicion formed on grounds that are reasonable in the circumstances.
Reporting threshold	<p>The threshold at which point school staff members are required to complete a Child protection report form. The threshold is reached when school staff members form a reasonable suspicion that:</p> <ul style="list-style-type: none"> a student, child or young person has been sexually abused or is likely to be sexually abused; or a student, child or young person has suffered, is suffering, or is at risk of suffering abuse or neglect.
School staff member	An individual who is employed by the Queensland Department of Education or the Australian Government and normally performs their daily duties at NICS, whether on a temporary, permanent or casual basis. This includes, but is not limited to principals, teachers, teacher aides, supply teachers, early childhood education and

Term	Definition
	care professionals, specialist and support staff such as guidance officers, state schools registered nurses, administration staff and grounds and facilities employees.
Secure location	A location determined by the principal which is appropriate for confidential storage of information relating to student protection matters. Electronic copies should be saved in the student's OneSchool record as a Record of Contact, with access restricted to the principal, deputy principal and guidance officer. Hard copies should be stored in a locked cabinet with access restricted to the principal, deputy principal and guidance officer. Records relating to the abuse of vulnerable persons must be retained for 100 years. For further information about records management, visit the Recordkeeping OnePortal page (DoE employees only).
Sexual abuse	For the purposes of this procedure, sexual abuse means sexual behaviour involving a student, child or young person and another person in the following circumstances: <ul style="list-style-type: none"> • the other person bribes, coerces, exploits, threatens or is violent toward the student, child or young person; • the student, child or young person has less power than the other person; or • there is a significant disparity between the student, child or young person and the other person in intellectual capacity or maturity.
Student	Any person who is enrolled at or attends NICS and for the purposes of this procedure, includes a kindergarten age child registered in a kindergarten learning program at the school.
Suspicion	A suspicion that a student, child or young person has been harmed or is at risk of harm may be based on a variety of sources, including disclosures, observations, student behaviours or contact with parents and siblings.
Teacher	An approved teacher under the Education (Queensland College of Teachers) Act 2005 (Qld) , who is employed at NICS, but does not include a teacher aide, a teacher's assistant or a student teacher.
Visitor	Any person other than an employee, who, in order to provide services to NICS on a one-off or regular basis: <ul style="list-style-type: none"> • visits NICS; or • has contact with students, children or young people off-site or online. This includes volunteers and external contractors such as tradespeople, guest speakers, pre-service teachers and people assisting in the tuckshop, on excursions or at sporting activities.
Young person	A person who is 12 years old or older, but not yet 18 years old (s.8 of the CWA).

Legislation

- [Education \(General Provisions\) Act 2006 \(Qld\)](#) Sections 10, 13-15, 364-365A, 419A, 419F, 426.
- [Child Welfare Act 2009 \(NI\)](#) Sections 7, 8, 9, 26-27, 33 & 41.

Delegations/Authorisations

- Nil

Policies and procedures in this group

- [Child and student protection policy](#)
- [Allegations against employees in the area of student protection procedure](#)
- [Disclosing personal information to law enforcement agencies procedure](#)
- [Information sharing under the Child Protection Act 1999 \(Qld\) procedure](#)
- [Student protection procedure](#)
- [Working with children authority procedure](#)

Supporting information for this procedure

- [Child protection report form](#)

Other resources

- [Code of Conduct for the Queensland Public Service](#)
- [Standard of Practice](#)
- [Student protection OnePortal page](#) (DoE employees only)
- [Questioning students in relation to student protection matters fact sheet](#) (DoE employees only)
- [Recordkeeping OnePortal page](#) (DoE employees only)

Contact

For further information, please contact the Darling Downs South West [regional](#) Principal Advisor, Student Protection.

Review date

2/02/2025

Superseded versions

Previous seven years shown. Minor version updates not included.

Nil

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