

Policy and Procedure Register updates – Summary of changes to:

1. *Complaints and grievances policy*
2. *Allegations against employees in the area of student protection procedure*
3. *Complaints involving the 'public official' (Director-General) procedure*
4. *Individual employee grievances procedure*
5. *Reporting fraud and corruption procedure*
6. *Making and managing a public interest disclosure procedure*
7. *Information privacy breach and privacy complaints procedure*
8. *Customer complaints management procedure*

1. Reason for new/updated policy or procedure (select all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Change of policy/procedure requirements | <input type="checkbox"/> Audit/review recommendation |
| <input checked="" type="checkbox"/> Change to legislation/delegations | <input type="checkbox"/> Due for review <input type="checkbox"/> Other |

The *Victims' Commissioner and Sexual Violence Review Board Act 2024* (the Act) allows a person to make a complaint if they believe their rights under the Charter of Victims' Rights have not been respected. The Act requires the department to:

- provide a complainant with information about the process that will be used to resolve their complaint, and take all reasonable steps to resolve the complaint as soon as reasonably practicable; and
- include information in the department's Annual Report about all Charter right complaints received, including which Charter right the complaint is about, how each complaint was dealt with, and if any complaints were referred to other agencies.

These requirements commenced in September 2024 and the review of, and updates to, the Complaints and grievance policy and related procedures are needed in order to provide guidance to employees on how to implement requirements.

2. Summary of changes

The policy has been updated to outline the Charter of Victims' Rights requirements and need to consider the Charter as part of every complaint process.

All the procedures have been updated to embed information about considering the Charter as part of dealing with a complaint, and noting reporting requirements, where relevant. Some of the procedures have also been updated to align with the *Human Rights Act 2019* (Qld). This alignment is embedded within the responsibilities and processes outlined in each procedure, ensuring both human rights and the rights of victims of violent crime are considered throughout.

References to supporting resources have also been added, including a new Victims of Crime Complaints Guideline to provide further guidance and support for implementing the updated procedures.

These changes reinforce the government's commitment to upholding the rights of victims.

3. Impacts to roles and responsibilities

- | | | |
|--|---|-----------------------------|
| Does the new/updated content change staff roles/responsibilities <i>in any way</i> ? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
|--|---|-----------------------------|

If yes, select the type of change: (select all that apply)

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Revised responsibilities | <input checked="" type="checkbox"/> New/additional responsibilities | <input type="checkbox"/> Removed responsibilities |
|--|---|---|

Position title	Summary of change	Page #
Complaints and grievances policy		
n/a	n/a	n/a
Allegations against employee in the area of student protection procedure		
Principals/Managers/Supervisors	Additions have been made to include consideration of human rights and Charter of Victims' Rights	5
Regional/Institute/Statutory Authority Directors		6
Director, Intake, Referrals and Partnerships		7
Manager, Intake Referrals and Partnerships		
Director, Investigations, Delegated Decision-Maker		
Complaints involving the 'public official' (Director-General) procedure		
Integrity and Employee Relations	An addition has been made to include the consideration of human rights	2
Integrity and Employee Relations	An addition has been made to include the consideration of the Charter of Victims' Rights	3
Director, Intake, Referrals and Partnerships		
Deputy Director-General, People, Information and Communication Services		
Individual employee grievances procedure		
Managers, Principals and Supervisors	An addition has been made to include the consideration of the Charter of Victims' Rights	3
Reporting fraud and corruption procedure		
Integrity and Employee Relations	Additions have been made to include consideration of human rights and Charter of Victims' Rights	2
Making and managing a public interest disclosure procedure		
Integrity and Employee Relations	Additions have been made to include consideration of human rights and Charter of Victims' Rights	2
Information privacy breach and privacy complaints procedure		
Managers, principals, directors and above	Additions have been made to include consideration of human rights and Charter of Victims' Rights	2
Privacy and Safer Technologies (Privacy team)	Additions have been made to include consideration of human rights and Charter of Victims' Rights	3

Privacy and Safer Technologies (Privacy team)	An addition has been made to include the provision quarterly and annual privacy complaints, human rights, and Charter of Victims' Rights complaint reporting	3
Customer complaints management procedure		
All staff involved in managing customer complaints (complaints officers)	An addition has been made to include the consideration of the Charter of Victims' Rights	2
Customer complaints coordinators, Strategy and Performance	An addition has been made to include the provision quarterly and annual Charter of Victims' Rights complaint reporting	3
4. Communication and support for implementation		
<ul style="list-style-type: none"> Information sessions will be provided following publication of updated policies and procedures. A Guideline: Charter of Victims' Rights Complaints will also be published on OnePortal. 		
For further assistance, please contact: Governance and Complaints, Governance, Strategy and Planning or customercomplaintsGS@qed.qld.gov.au		



Procedure

Allegations against employees in the area of student protection procedure

Version: 2.9 | **Version effective:** 14/07/2025

Audience

Department-wide

Purpose

All students have a right to be free from harm, and the Department of Education (the department) is dedicated to preventing incidents of harm to students and to acting quickly when an employee reasonably suspects harm or the risk of harm to a student has or may occur.

This procedure applies to suspected harm caused to students learning in a state educational facility, including failure to report sexual abuse and failure to protect students from sexual abuse, and is supported by the [Allegations against employees in the area of student protection – guidelines](#). Harm caused to students over the age of 18 years is managed in accordance with the Code of Conduct for the Queensland Public Service and the department's Standard of Practice, and/or the complainants, as adults, retain the right to make a complaint directly to the Queensland Police Service.

All other student harm matters not relating to employees will be managed in accordance with the [Student protection procedure](#).

This procedure covers the obligations of employees with regard to their employment. Should an employee become aware of likely or actual sexual abuse of a child in a private capacity, they should report directly to the Queensland Police Service.

Overview

The Department of Education is committed to providing a safe and supportive learning environment for students and requires its employees to model and encourage behaviour that upholds the welfare and best interests of students.

This procedure outlines the responsibilities and commitment of the department to provide a safe and supportive learning environment for all students. It covers the steps required to be undertaken when an employee causes harm or where there is a suspicion that an employee has caused, or is likely to cause, harm to a student.

Legislative frameworks may differ depending on the circumstances surrounding the incident of alleged harm; therefore it is crucial this procedure is followed carefully, particularly with respect to departmental employees reporting sexual abuse of a person under the age of 18 years at a state educational institution.

From 5 July 2021, there are additional responsibilities under sections 229BB, Failure to protect child from child sexual offence, and 229BC, Failure to report belief of child sexual offence committed in relation to child, of the [Criminal Code Act 1899 \(Qld\)](#). Under the new offences, for employees:

- 'failure to protect' is where a departmental employee knows there is a significant risk that another adult associated with the institution will commit a child sexual offence in relation to a child, however, that employee wilfully or negligently fails to reduce or remove the risk.
- 'failure to report' is where a departmental employee gains information that causes the employee to believe on reasonable grounds, or ought reasonably to cause the employee to believe, that a child sexual offence is being or has been committed against a child by another adult, however, that employee fails to report the alleged conduct to the appropriate authority, as soon as reasonably practicable after the belief is formed.

Whilst there are four categories of harm identified, this procedure responds only to the first category:

- student harm involving employees (including failure to report sexual abuse, and failure to protect a student from sexual abuse).

Other categories are managed in accordance with the [Student protection procedure](#)

- harm caused by another student
- harm caused by someone outside the department
- student self-harm.

Incidents of harm caused by an employee must be reported on the appropriate student protection form. In circumstances where the allegations relate to failure to report or failure to protect by an employee these should be reported as a Code of Conduct breach.

SP1 Referrals

Matters that are categorised as low-level type incidents that are not considered to be repetitious on the part of the employee are to be reported to the Intake Referral and Partnerships team for assessment and review using the [SP1 format: Report of student harm \(suitable for local resolution\)](#) iRefer. The Intake Referral and Partnerships team will provide advice when appropriate subsequent to the referral as to any patterns of behaviour that may be evident with a particular employee.

An SP1 notification is to be completed also in situations where an employee has interacted with a student resulting in low-level emotional or psychological harm. This can be a result of yelling or verbal abuse by the employee, or physical contact or assault of a student. It is acknowledged that SP1 incidents may give rise to an event of slight physical injury or discomfort to a student (i.e. minor scratching/bruising).

Incidents of harm caused by an employee, which are initially considered to be more serious than the incident criteria of an SP1, must be referred to the Intake Referral and Partnerships team on a:

- [SP2: Report of significant harm to a student as a result of actions by an employee](#) iRefer or

- [SP3: Report of suspected sexual abuse of a student by an employee](#) iRefer.

SP2 Referral

An SP2 notification is required in instances where the employee conduct or incident is considered more significant than that of an SP1 type matter. Reportable incidents in this category would range from more significant emotional, psychological harm and/or contact and/or physical assault resulting in some injury to a student. SP2 type matters may also include a repetition of SP1 type matters, if known by the referrer, and other instances of repetitious use of belligerent language towards or discussions with students for no apparent justifiable or educational purpose.

On a case by case basis, the Intake Referral and Partnerships team will determine at the time of assessment if a pattern or behaviour or course of conduct is evident concerning an employee. In addition, the assessment will determine if any inappropriate discussions between an employee and student could amount to **grooming** type behaviours.

SP3 Referral

An SP3 notification is required when a complaint or report relates to suspected sexual abuse or, based on the information available, it is likely that a student could be sexually abused by an employee. This type of notification would include proper consideration of employee behaviours and/or conduct as it relates to grooming indicators.

In instances where the suspicion or observations of an employee's interactions with a student/s meets or aligns to some or all of the grooming indicators, a low-level threshold is to be maintained by employees for referring matters to a school principal for consideration, or the principal's supervisor in the case where the principal is the person under suspicion for the alleged incident. Referral of this type of conduct may amount to suspected sexual abuse as defined under s364 of the [Education \(General Provisions\) Act 2006 \(Qld\)](#) and as such, is reportable under s365 and/or s365A of the *Act*.

Should you need advice on how to identify this type of conduct by an employee toward a student you are encouraged to contact the Intake Referrals and Partnerships team on telephone 1800 INTAKE (1800 468 253) or intake@ged.qld.gov.au.

From 5 July 2021, it is an offence under sections 229BB and 229BC of the *Criminal Code Act 1899*:

- to fail to protect a child from significant risk of a child sexual offence; and
- to fail to report to police a belief of child sexual offence being committed against a child.

Failure to adhere to the reporting obligations of the *Education (General Provisions) Act 2006*, the *Child Protection Act 1999*, and/or the *Criminal Code Act 1899*, and failure to protect, may result in a Code of Conduct breach.

Reporting of suspected sexual abuse or likely sexual abuse by an employee is mandatory, and in line with employee obligations under the Code of Conduct for the Queensland Public Service to report suspected wrongdoing, and comply with the laws of Queensland. Employees should make a written report to the principal or the principal's supervisor in the case of where the principal is suspected.

Principals or the principal's supervisor must make a written report to the Queensland Police Service and send a copy to the Intake Referral and Partnerships team via an Electronic Lodgement ([iRefer](#)) (DoE employees only) format available on the How to make a complaint [OnePortal page](#).

This procedure should be read in conjunction with the [Code of Conduct for the Queensland Public Service](#) and the [Facts sheets](#) (DoE employees only) relating to the reporting of sexual abuse and the department's [Standard of Practice](#) which applies to all departmental employees.

Responsibilities

All school-based employees:

- Immediately report to the relevant **principal/manager/supervisor**, in writing for allegations relating to sexual abuse or likely sexual abuse by an employee, and keep appropriate records of any allegation or information about an employee suspected of causing harm to a student.
- Report to relevant director of a region/institute/statutory authority any allegation or suspicion of misconduct by principal/manager/supervisor, in writing for allegations relating to sexual abuse or likely sexual abuse by an employee.
- Monitor and support a student subjected to harm.

All non-school-based employees

- Where a school location is known, immediately report to the relevant principal/manager/supervisor, in writing for allegations relating to sexual abuse or likely sexual abuse by an employee, and keep appropriate records of any allegation or information about an employee suspected of causing harm to a student.
- Where a school location is known, report to relevant director of a region/institute/statutory authority any allegation or suspicion of misconduct by principal/manager/supervisor, in writing for allegations relating to sexual abuse or likely sexual abuse by an employee.
- Where a school location is not known, refer to Queensland Police Service and the Intake Referrals and Partnerships team any matter of student harm defined as sexual abuse (definition) using the electronic lodgement service iRefer by selecting [SP3: Report of suspected sexual abuse of a child by an employee](#), without unreasonable delay. The referrer is not to inform the employee who is the subject of the allegation, unless otherwise directed or approved by the Intake Referrals and Partnerships team.

Principals/Managers/Supervisors:

- Refer the details, management, findings and outcomes of any SP1 type incident to the Intake Referrals and Partnerships team using the electronic lodgement service iRefer by selecting [SP1: Report of student harm \(suitable for local resolution\)](#).
- Refer particulars of any allegations of alleged harm as defined in this procedure the Intake Referrals and Partnerships team using the electronic lodgement service iRefer by selecting [SP2: Report of significant harm to a student as a result of actions by an employee](#). The referrer is not to inform the employee who is the subject of the allegation, unless otherwise directed or approved by the Intake Referrals and Partnerships team.
- Refer to Queensland Police Service and the Intake Referrals and Partnerships team of any reasonable suspicion of student harm as defined as sexual abuse (definition) using the electronic lodgement service iRefer by selecting [SP3: Report of suspected sexual abuse of a student by an employee](#). The referrer is not to inform the employee who is the subject of the allegation, unless otherwise directed or approved by the Intake Referrals and Partnerships team.

- Refer to the Intake Referrals and Partnerships team any allegation of a failure by an employee to protect a student from sexual abuse and/or failure to report suspected sexual abuse or likely sexual abuse of a student using the electronic lodgement service iRefer by selecting COC Breach. The referrer is not to inform the employee who is the subject of the allegation, unless otherwise directed or approved by the Intake Referrals and Partnerships team.
- Manage any ongoing risk to students presented by the employee remaining in the workplace, in consultation with Intake Referrals and Partnerships, without compromising any police or departmental investigation.
- Ensure employees undertake online student protection training when they commence work in a state school or other state educational institution and undertake annual student protection training updates.
- Consider human rights when dealing with a matter
Consider the Charter of Victims' Rights when dealing with a matter

Regional/Institute/Statutory Authority Directors:

- Refer using the electronic lodgement service iRefer, allegations that raise a reasonable suspicion of harm to a student made against a principal, manager or supervisor to the Intake Referrals and Partnerships team and not inform the principal, manager or supervisor, who is the subject of the allegation, unless otherwise directed by the Intake Referrals and Partnerships team.
- Refer to the Intake Referrals and Partnerships team any allegation of a failure by a Principal/Manager/Supervisor to protect a student from sexual abuse and/or failure to report suspected sexual abuse or likely sexual abuse of a student using the electronic lodgement service iRefer by selecting COC Breach. The referrer is not to inform the employee who is the subject of the allegation, unless otherwise directed or approved by the Intake Referrals and Partnerships team.
- Manage any ongoing risk to students presented by the principal, manager or supervisor, remaining in the workplace, in consultation with Intake Referrals and Partnerships, without compromising any police or departmental investigation.
- Consider human rights when dealing with a matter
Consider the Charter of Victims' Rights when dealing with a matter

Director, Intake Referrals and Partnerships:

- Monitor, review and provide advice on legislative, policy and procedural obligations relevant to student protection matters where employees are involved
- Provide advice to employees regarding student protection matters
- Oversee matters referred to the Manager, Intake Referrals and Partnerships
- Provide objective and impartial advice to the delegated decision-maker for the purpose of making risk management decisions
- Oversee the development and delivery of staff training packages on student protection which concern employee involvement
- As the Crime and Corruption Commission (CCC) Liaison Officer, report suspected official misconduct to the CCC and criminal matters to the Queensland Police Service (QPS) as necessary

- Consider human rights when dealing with a matter

Consider the Charter of Victims' Rights when dealing with a matter

Manager, Intake Referrals and Partnerships:

- Receive and manage all SP1, SP2, SP3 and COC Breach type referrals and complaints from principals, managers and supervisors in line with established departmental protocols
- Receive and manage all referrals of alleged breaches of this procedure, (non-referral of student protection matters), as underpinned by the department's [Standard of Practice](#) and [Code of Conduct for the Queensland Public Service](#)
- In line with established protocols for the assessment and appropriate dissemination of SP1, SP2, SP3 and COC Breach matters, ensure student protection referrals are processed as required either internally and/or referred, as legally or operationally necessary, to the Queensland College of Teachers (QCT), CCC, QPS and the department's Investigations unit for consideration
- Provide advice and guidance to employees, parents/carers, principals, managers, supervisors, regional directors and TAFE directors on appropriate responses to student protection incidents. Such advice will include the identification of proposed actions with regards to assessing and implementing relevant risk management strategies to prevent or minimise the recurrence of any further harm, loss or detriment to the department, and not impede any QPS or departmental investigation
- Consider human rights when dealing with a matter
- Consider the Charter of Victims' Rights when dealing with a matter
- Liaise with all stakeholders as necessary throughout and upon completion of the referral and complaint management process
- Provide input in the ongoing risk identification and minimisation of issues affecting all stakeholders and involved parties
- Manage and maintain SP1, SP2, SP3 and associated complaint matters using the department's incident management system
- Provide objective and impartial advice to the delegated decision-maker for the purpose of making risk management decisions
- Provide data on trends and issues to assist the effective utilisation of resources.

Director, Investigations

- Manage investigations against employees relating to student protection matters
- Liaise with all stakeholders as necessary throughout and upon completion of the referral and complaint management process
- Provide input in the ongoing risk identification and minimisation of issues affecting all stakeholders and involved parties
- Provide objective and impartial advice to the delegated decision-maker for the purpose of making risk management decisions

- Manage and maintain SP1, SP2, SP3 and associated complaint matters using the department's incident management system.
- Consider human rights when dealing with a matter

Consider the Charter of Victims' Rights when dealing with a matter

Delegated decision-maker

- Make risk management decisions based on authorised delegations under the department's HR Delegations Manual, and in line with legislative, policy and procedural obligations relevant to student protection matters where employees are involved.
- Consider human rights when dealing with a matter

Consider the Charter of Victims' Rights when dealing with a matter

Process

The process is outlined in the role responsibilities of each individual employee group specified in the 'Responsibilities' section of this procedure.

Detailed information concerning the established protocols for the [Intake Referral and Partnerships](#) (DoE employees only) of referrals and complaints to the Intake Referral and Partnerships unit is located on the [How to make a complaint page](#) (DoE employees only).

Definitions

The following definitions are applied to this procedure and the allegations against employees in the area of student protection [guidelines](#).

Term	Definition
Adult	A person of or above 18 years of age
Adult associated with an institution	<p>An adult is associated with an institution (s.229BB(3) of the Criminal Code Act 1899) if the adult:</p> <ul style="list-style-type: none"> • owns, or is involved in the management or control of, the institution; or • is employed or engaged by the institution; or • works as a volunteer for the institution; or • engages in an activity in relation to the institution for which a working with child authority under the Working with Children (Risk Management and Screening) Act 2000 is required; or • engages in the delivery of a service to a child who is under the care, supervision or control of the institution.

Term	Definition
Bullying	<p>Refers to repeated, unreasonable behaviour directed towards a student or a group of students that creates a risk to health and safety.</p> <p>‘Repeated behaviour’ refers to the persistent nature of the behaviour and can refer to a range of behaviours over time.</p> <p>‘Unreasonable behaviour’ means behaviour that a reasonable person, having regard for the circumstances, would see as victimising, humiliating, undermining or threatening.</p>
Child/Children	A person under 18 years of age (s.8 of the Child Protection Act 1999).
Child sexual offence	An offence of a sexual nature committed by an adult in relation to a child. Includes offences against a provision in Chapter 22 or 32 of the Criminal Code.
Employee	<p>A person engaged by the department to carry out work for financial reward. For the purposes of this policy, includes:</p> <ul style="list-style-type: none"> • staff members who normally perform their daily duties within one or more state schools or State Delivered Kindergartens, whether on a temporary, permanent or casual basis • employees located in central and regional offices who have contact with children or students
Grooming	<p>Grooming is the act of deliberately establishing an emotional connection to lower a child’s inhibitions. The act of grooming is to prepare, as for a specific position or purpose: groom a child for advancement or preparation for other activities. An adult may groom a child for purposes of gratification later in life when the child becomes of age or earlier when, and if, an opportunity arises. Some indicators of grooming behaviour by an employee may include:</p> <p>Over-familiarity</p> <ul style="list-style-type: none"> • Student/s are permitted to call an employee by their first name • Students are seen to be in close proximity to an employee • The frequency of contact between an employee and a student is seen to be unusual • An employee takes or offers to transport students in their car • An employee offers to transport a student or students home of an afternoon or bring them to school <p>Special consideration</p>

Term	Definition
	<ul style="list-style-type: none"> • Special treatment is given to the student such as selection to do privileged tasks in school • Differential standard of treatment from other students in areas of punishment and or duties • Gives menial tasks or jobs to do such as cleaning, tidying, sorting, photocopying, etc. <p>Touching or caressing</p> <ul style="list-style-type: none"> • Non-sexual touching can be rubbing shoulders, massages, brushing past, holding hands, playing with hair, checking fingernails, preening, etc. • Sexual touching can be all of the above and touching of breasts, buttocks and the genitals or genital area. This touching can be obvious or inadvertent grazes or accidental brushing or bumping <p>Establish relationships</p> <ul style="list-style-type: none"> • Employee establishes a social bond with the student's family or family members • An unusual interest in a student's siblings or the activities of siblings • Grandparents and other family members, carers or guardians or any other person can also be targeted to establish a bond <p>Unnecessary out of school hours contact</p> <ul style="list-style-type: none"> • Attendance or interest in sporting events external to school sports activities • Meets with the student or family at clubs or other social events such as shows, expos, concerts, etc. • Develops a similar interest in the same hobbies that the student is involved in • Organises sleepovers where the student is involved • Involves other family members in most activities to limit suspicion that then enables access to the student at other times when the opportunity arises <p>Contact</p> <ul style="list-style-type: none"> • Visits the family home at night to tutor or just to talk • Repeated phone calls out of hours • Text messaging that has no legitimate educational focus • Conversing, offering to meet and/or sending images via email

Term	Definition
	<ul style="list-style-type: none"> • MSN or similar - assuming a profile or establishing a cluster where students have to be invited in by the employee • Conversing on and or joining as friends on social media sites such as Facebook <p>Supplying of gifts and treats</p> <ul style="list-style-type: none"> • Expensive or inexpensive presents are provided as rewards • Engaging in co-purchasing items that they both can share • Supplying of comfort food on a regular basis • Easy access to lollies or sweets as treats for good behaviour • Lends the student money on the false pretence that they expect the student to pay it back sometime <p>In summary</p> <p>Some of the behaviours likely to be seen when a student is being groomed by an employee include:</p> <ul style="list-style-type: none"> • Secrecy (probably the most important indicator) • Sharing of gifts/bribes – purchasing things the student wants • Anything that will make the student feel special • Isolating the student from family, friends and other support networks – creating ‘us’ (abuser and student) versus others style of relationship • Inappropriate sharing of personal information about the abuser to the student and inappropriate ‘equality’ in the relationship • Offenders often groom the family and environment of the student • Gradual desensitisation of the student to touch and gradual sexualisation of the relationship <p>These behaviours may not always be reportable conduct where they occur in isolation. However, a repetition of behaviour or patterns or several of these behaviours together could indicate that the conduct may amount to grooming and therefore would be reportable conduct.</p> <p>Mentoring, coaching or tutoring programs in schools often involve individual attention being given to students from employees. Appropriate conduct within these programs that is consistent with departmental policies should not be confused with grooming behaviour.</p>
Harm	<p>Any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by physical, psychological or emotional abuse or neglect</p>

Term	Definition
	or sexual abuse or exploitation. Harm can be caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances. (s.9 of the CPA).
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 the QPS. 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.
Misconduct	As defined in the Public Sector Act 2022 (Qld) section 91 (5) (a) (b), misconduct means: <ul style="list-style-type: none"> • inappropriate or improper conduct in an official capacity; or • inappropriate or improper conduct in a private capacity that reflects seriously and adversely on the public sector entity in which the employee is employed.
Official misconduct	As defined in the Crime and Corruption Act 2001 (Qld) (s. 14-15) official misconduct is conduct that could, if proved, be: <ul style="list-style-type: none"> • a criminal offence or a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is a holder of an appointment and; • is a breach of trust by virtue of their position.
Principal/Manager/Supervisor	Refers to the principal or manager working in a state educational institution or a business unit in the department.
Reasonable suspicion	A suspicion formed on grounds that are reasonable in the circumstances. The CPA (s.13C) also states that: <ul style="list-style-type: none"> • matters that may be considered when forming a reasonable suspicion include: <ul style="list-style-type: none"> ○ whether there are detrimental effects on the child's body or psychological or emotional state that are evident or likely to become evident in the future; and ○ the nature and severity of the detrimental effects and the likelihood they will continue; and ○ the child's age.

Term	Definition
	<ul style="list-style-type: none"> a reasonable suspicion may be informed by observation of the child, other knowledge of the child or any other relevant knowledge, training or experience the person forming the suspicion may have.
Sexual abuse	<p>For the purposes of this procedure, sexual abuse:</p> <ul style="list-style-type: none"> means sexual behaviour involving a student or child 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 or child; the student or child has less power than the other person; or there is a significant disparity between the student or child and the other person in intellectual capacity or maturity; and includes a child sexual offence.
State Educational Institution	<p>An institution established under Chapter 2 of the EGPA:</p> <ul style="list-style-type: none"> at which the State provides primary, secondary or special education (s.13); or at which the State provides educational instruction to persons enrolled at state schools as an adjunct to the educational programs provided to the persons at the state schools, including, for example, environmental education centres and outdoor education centres (s.14); or which are centres for the support and development of teachers and officers of the department, student hostels or student residential colleges (s.15).
State school	For the purposes of this procedure, means a state educational institution.
Student	A student is defined as a person who is enrolled in a state educational institution, including a kindergarten age child registered in a State Delivered Kindergarten, and who is under the age of 18 years. This definition is extended to include students who are enrolled in a state education institution, are identified as having a disability, are over the age of 18 years of age, and where a carer or adult guardian has been appointed as the student's interim decision maker.
Suspicion	A suspicion that a student or child 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.

Term	Definition
Visitor	Any person who visits a state educational institution on a one-off or regular basis to provide services. This includes volunteers assisting in the classroom, on excursion, or as a presenter of one-off program.

Legislation

- [Child Protection Act 1999 \(Qld\)](#)
- [Criminal Code Act 1899 \(Qld\)](#)
- [Education \(General Provisions\) Act 2006 \(Qld\)](#)
- [Education \(Queensland College of Teachers\) Act 2005 \(Qld\)](#)
- [Human Rights Act 2019 \(Qld\)](#)
- [Victims' Commissioner and Sexual Violence Review Board Act 2024 \(Qld\) Chapter 3, parts 3-4](#)

Delegations/Authorisations

- [Human Resources Delegations Manual 02/2023](#)

Policies and procedures in this group

- [Child and student protection policy](#)
- [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

- [Allegations against employees in the area of student protection - guidelines](#)
- [Student protection forms - allegations against employees in the area of student protection](#)

Other resources

- [Code of Conduct for the Queensland Public Service](#)
- [Standard of Practice](#)
- [Student protection fact sheet](#) (DoE employees only)
- [Charter of Victims' Rights](#)
- [Guideline: Charter of Victims' Rights Complaints](#) (DoE employees only).

Contact

For further information, please contact:

Manager

Intake Referrals and Partnerships

Integrity and Employee Relations

Phone: 1800 INTAKE (1800 468 253)

Email: intake@qed.qld.gov.au

Review date

30/04/2014

Superseded versions

Previous seven years shown. Minor version updates not included.

Nil

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Guidelines for implementing “Allegations against employees in the area of student protection”

Purpose

The Department of Education is committed to ensure the safety, welfare and wellbeing of all students and is therefore committed to respond to allegations of student harm resulting from the conduct or actions of employees.

This commitment includes the provision of a safe and supportive learning environment for all students and requires all employees to model and encourage behaviour that upholds the dignity and protection of students from harm.

Context

This guideline reflects the legislative requirements and protocols of the department to respond to student harm allegations made against employees in relation to the management and reporting of harm **only** in instances where it has been alleged that an employee has caused harm to a student.

This guideline should be read in conjunction with the [Allegations against employees in the area of student protection procedure](#).

Employee harm to students

Identifying types of harm

Three broad categories of employee conduct have been identified as having the potential to cause student harm. These are:

1. Physical harm by way of contact, intervention or restraint (directly or indirectly)
2. Psychological harm by way of inappropriate verbal or unauthorised communication
3. Sexualised harm by way of sexual abuse, including grooming

The following explanations are detailed to inform and provide guidance to principals/managers/supervisors in the identification of possible harm and in determining what response might be required if a complaint or allegation is received.

1. Physical harm by way of contact, intervention or restraint (directly or indirectly)

There are circumstances when it is appropriate for employees to touch or make contact with students. It can be a normal, caring gesture to make physical contact with students when offering praise, encouragement, guidance or comfort. If a reasonable person would consider that the emotional needs of the student (e.g. to be comforted, reassured or encouraged) are met, then this type of contact could be considered acceptable.

In other instances physical contact may occur between an employee and a student that could be initially considered and later determined as punitive or otherwise for the purpose of re-direction of the student or to protect the student from impending harm to the student, employee or others.

In such instances the appropriate student protection referral should be made to the Intake and Assessment team for assessment and a decision made as to an appropriate intervention as necessary. Referrers should choose either an SP1 or SP2 type referral for this type of harm category. The selection of an SP1 or SP2 referral is dependant on the severity, and circumstances of the alleged incident and other localised knowledge available to the referrer. The Intake and Assessment team may alter the matter type upon assessment of all available information.

It is also important that employees actively discourage students from initiating physical contact with them; however judgments about contexts, familiarity, regularity, and age of students will need to be made.

Reasonable physical intervention/restraint is an option when:

- a student threatens or engages in acts of violence towards another student, students or employees
- a student threatens to or engages in harm to themselves

The use of physical restraint should always be consistent with department's [Restrictive practices procedure](#).

Action required

The departmental response to an allegation of physical contact between a student and an employee will vary, depending upon the circumstances of the particular incident.

If there is no physical injury or minor scratches and minor bruising to the student and the employee has no known adverse history or pattern of behaviour, this incident may be dealt with via localised fact finding culminating in informal resolution being facilitated between the parties. An incident report including the proposed findings and outcomes must be reported to the Intake and Assessment team for final assessment and review on the SP1: Report of student harm (suitable for local resolution) using iRefer or form (SP1 referral).

In all other circumstances, incidents involving more serious physical contact and/or a pattern of known conduct by an employee must be referred to the Intake and Assessment team for formal assessment on the SP2: Report of significant harm to a student as a result of actions by an employee using iRefer or form (SP2 referral).

2. Psychological harm by way of inappropriate verbal or unauthorised communication

When employees communicate with students it should be respectful and appropriate for the situation. It should not contain sexual references or innuendo, nor should it involve threats of punishment or physical action against students. Employees of a state educational institution will occasionally need to raise their voices to restore order to a disruptive group or individual student. This type of interaction should be occasional, should incorporate an appropriate response and should not be demeaning, intimidating, insulting or overbearing.

There may be times where an employee may have contact with a student out of hours for family reasons or other genuine reasons concerning out of school activities connected to a state education institution education program or external independent sporting club or event. In such circumstances employees should be cognisant of maintaining professional boundaries and take steps to avoid abusing or taking advantage of the position of power and trust they hold over students. Where a complaint is received about such contact, an employee may be asked to provide details of the circumstances of such contact which also may include the employee having to sight a legitimate and endorsed education reason or focus or some prior parental approval and departmental acknowledgement of such contact occurring. The department's [Standard of Practice](#) provides further detail concerning contacting and conversing with students via electronic devices and other social media forums.

Action required

If an instance of inappropriate verbal behaviour occurs that is considered excessive, disrespectful and/or inappropriate, and the employee has no known adverse history or pattern of behaviour, this incident may be dealt with via localised fact finding culminating in informal resolution being facilitated between the parties. An incident report including the proposed findings and outcomes must be reported to the Intake and Assessment team for final assessment and review on the [SP1: Report of student harm \(suitable for local resolution\)](#) using iRefer or form (SP1 referral)

In all other circumstances, including incidents involving more serious or suspected psychological harm by way of verbal contact, face to face contact or via an electronic medium, a student harm referral is required to be forwarded to the Intake and Assessment team for formal assessment. This may include isolated instances of discussion or presentation of inappropriate material or adult themes being discussed or the telling of sexualised or racist jokes and/or a pattern of known conduct by an employee. See [SP2: Report of significant harm to a student as a result of actions by an employee](#) using iRefer or form (SP2 referral).

3. Sexualised harm by way of sexual abuse, including grooming

For the purpose of the department's student protection procedure, the definition of sexual abuse is detailed under s.365 and s.365A of the *Education (General Provisions) Act 2006* (Qld). It states, **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.

A 'relevant person' is defined as:

- (a) a student under 18 years attending the school;
- (b) a pre-preparatory age child registered in a pre-preparatory learning program at the school;
- (c) a person with a disability who—
 - (i) under section 420(2), is being provided with special education at the school; and
 - (ii) is not enrolled in the preparatory year at the school.

Section 229BB *Failure to protect child from child sexual offence* of the *Criminal Code Act 1899* (the Criminal Code) makes it an offence to fail to take steps to protect children from sexual offenders, within an institutional setting. The offence will require a person in a position of power or responsibility (i.e. departmental employee, volunteer or contractor) to reduce or remove a known risk of offending against a child by an adult associated with an institution (i.e. departmental employee, volunteer or contractor).

Section 229BC *Failure to report belief of child sexual offence committed in relation to child* of the Criminal Code makes it an offence for any adult not to report sexual offending against a child by another adult to police.

For the purpose of this procedure; grooming, sexual misconduct and/or sexual harassment may also include behaviours which amount to sexual abuse.

Employees need to be mindful that a student may attempt to initiate sexual contact. Any flirtatious comments or sexual contact by students directed at an employee requires an immediate response to neutralise the incident. Employees should discuss such matters with their principal or manager. The student should be advised the conduct is highly inappropriate.

Action required

All employees have an obligation to report behaviours and/or conduct of any employee if they suspect that the employee has sexually abused, committed a child sexual offence against, or attempted to establish a sexual relationship with a student at the educational institution. This will include situations where an employee reasonably suspects that a student is likely to be sexually abused.

Any sexualised conduct between an employee and a student under the age of 18 years is reportable, irrespective of whether this contact was consensual.

There are no provisions for fact finding in these types of matters. All cases of likely or actual sexual abuse must be referred to the Queensland Police Service and the Intake and Assessment team using an SP3 notification.

In the event of a situation where an employee forms a reasonable suspicion that a student under the age of 18 years has been sexually abused or is likely to be sexually abused by an employee, the employee is required to make a written report to the principal or the principal's supervisor in the case where the principal is the person under suspicion for the alleged abuse. The principal or the principal's supervisor must immediately report the matter to the Queensland Police Service in writing and provide a copy of such report to the Intake and Assessment team.

The Queensland Police Service is to be notified using an [SP3: Report of suspected sexual abuse of a student by an employee](#) using iRefer or form (SP3 form). When an SP3 matter is sent to the Queensland Police Service using the iRefer electronic lodgement service, a copy is automatically sent to the Intake and Assessment team for action as necessary.

Where an allegation of sexual abuse of a child is against a non-school-based employee and/or a school location is not known, refer directly to Queensland Police Service and the Intake and Assessment team any matter of student harm defined as sexual abuse (definition) using the electronic lodgement service iRefer by selecting SP3: Report of suspected sexual abuse of a child by an employee, without unreasonable delay. The referrer is not to inform the employee who is the subject of the allegation, unless otherwise directed or approved by the Intake and Assessment team.

For all other instances where an adult gains information that causes them to suspect that a child sexual offence has been or is being committed by another adult against a child, report directly to the Queensland Police Service by calling Policelink on 131 444 without unreasonable delay.

Reporting or receiving the information or allegation

Employees that have concerns about interactions between an employee and a student should report the behaviour to the relevant principal/manager/supervisor or regional/institute/statutory authority director as soon as possible. Employees may also contact the [Intake and Assessment team](#) (departmental employees only) for advice. If after receiving advice an employee determines a reasonable suspicion of harm to a student by an employee exists, they must immediately provide a verbal or written report to their principal/manager/supervisor regarding the matter. If the suspicion involves the principal or manager, the report must be provided to the relevant regional/institute/statutory authority director, who will immediately provide a copy to the Intake and Assessment team and the Queensland Police Service in the case of a sexual abuse matter.

If a student makes a complaint or reports directly to an employee, the employee should listen attentively in a non-judgemental manner and record the student's exact words as best as possible. If clarification is required, leading questions should not be used. The employee should exercise care not to pre-judge the information provided and should respond with student safety foremost in their minds.

Employees must maintain confidentiality; however an employee has an obligation to report information or allegations disclosed to them under the [Crime and Corruption Act 2001 \(Qld\)](#) (s.38 and s.39). Under this *Act* an employee, as a public official, who suspects that a complaint or information being disclosed may constitute official misconduct, has a duty to notify the department irrespective of any other obligation the employee has to maintain confidentiality about a matter to which the complaint or information relates.

Record keeping

It is recommended that employees of the department maintain diary notes, or record in OneSchool for school-based employees, outlining any signs of harm and all other relevant information. The diary notes should contain factual information about observable events, rather than opinion, and should include the dates and times of observations, and the exact wording of any relevant statements spontaneously made by a student.

Support and protection for employees

Reporting suspected harm caused by an employee can be very difficult, particularly in small communities. The department recognises these difficulties and will provide all reasonable support to an employee who experiences any difficulty meeting their obligation to report suspected harm of a student by an employee. Furthermore, if a report by an employee is assessed as meeting thresholds as defined within the *Public Interest Disclosure Act 2010 (Qld)* the employee may be identified as making a [public interest disclosure \(PID\)](#) and be afforded protections under the *Act*.

While the aim of this guideline in conjunction with the [Allegations against employees in the area of student protection procedure](#) is to safeguard students, the department is aware that employees who are the subject of allegations involving student harm are under considerable strain. This situation can be even more testing in small communities, particularly if the allegations are broadly known.

In certain circumstances, especially if the allegations are of a serious nature, an employee may be moved to an alternative state educational institution until the investigation is complete. It is acknowledged that this option may cause disruption and inconvenience, however, the department's commitment to student safety is paramount and for that reason this is an appropriate course of action. Employees that are the subject of allegations relating to student harm have access to confidential counselling assistance from the department's employee assistance advisors.

If allegations are found to be without substance, the affected employee will normally return to their substantive position, unless exceptional circumstances exist. Where allegations are substantiated, the employee may be subject to public service disciplinary processes.

Support for students

Reporting suspected harm is only part of the student protection process. The department has a responsibility to offer a long-term, supportive learning environment. Students who may need protection can be supported by:

- treating them with respect and dignity
- being sensitive to their needs, feelings and concerns
- monitoring their situation, and
- advising other employees who have contact with them of the special circumstances, without revealing more background information.

Additional student support and assistance can be obtained from guidance officers, counsellors, and in some cases school-based nurses. In some circumstances, consultation with a support person from another agency can help an employee to provide a supportive learning environment for the student.

Confidentiality

As employees we may have access to certain information which must be treated as confidential, especially where it concerns allegations of suspected harm to a student. The [Code of Conduct](#) and the department's [Standard of Practice](#) require employees to maintain confidentiality at all stages of an investigation. Failure to adhere to these principles could result in the matter being referred to the Intake and Assessment team resulting in a breach of the department's disciplinary standards.

Examples of appropriate and inappropriate actions or responses

The following examples are typical of the types of conduct that would constitute harm to a student, and conduct that would not constitute harm. These examples are provided to assist employees and management to maintain appropriate professional standards in their relationships with students and to properly respond to instances of suspected student harm by an employee.

Physical intervention/restraint

Example 1: Appropriate touching

A six year old student falls over in the playground, skins his knees and starts to cry. A janitor working nearby picks him up and comforts him until he stops crying. He then puts the boy back on the ground and walks with him, holding his hand, to a first-aid station.

Example 2: Appropriate touching

To instruct a student in the proper use of an implement, an employee places her hands over a student's hand while the student is using a mallet and chisel. The contact ceases after the demonstration is completed.

Example 3: Inappropriate touching

An employee walks around the playground with one arm around the waist of a secondary school student. In all such circumstances, this type of prolonged contact is inappropriate.

Example 4: Inappropriate touching

An employee strokes the hair of a 14 year old female student, remarking what pretty hair she has.

Example 5: Inappropriate touching

An employee at an athletics meeting moves to congratulate a student who has successfully completed an event. While walking alongside the student, the employee places their arm around the student's back area, at the same time pulling the student towards them to make body contact.

Example 6: Inappropriate physical intervention/restraint

A fourteen year old student is threatening others with a ruler and has ignored repeated directions to desist. The employee holds the student's arm to try and remove the ruler from the student's grasp. The student drops the ruler and calms down but the employee continues to grip the student's arm without a good reason. This is considered unreasonable and inappropriate and should be dealt with as a minor incident.

Example 7: Inappropriate physical intervention/restraint

A student is standing up displaying disruptive, but non-violent behaviour, defiant of instructions and insolent. The employee walks up to the student, grabs their right arm and twists it behind the student's back and with their left hand the teacher places pressure on the student's left shoulder and pushes the student down on the chair.

Example 8: Physical assault

A student is taunting another student in class and refuses to stop. The employee grabs the student's ear, twists and lifts the student so the student rises from their seat.

Example 9: Physical assault

A student chases a cricket ball onto a newly prepared garden bed. An employee firmly pushes the student on the shoulder causing the student to fall over, while shouting at the student to stay off the garden.

Example 10: Physical assault

During class, a student throws a small piece of wood that strikes another student. The employee responds by twisting the student's arm behind the student's back and pushes the student from the classroom. The force of the contact results in some physical injury.

Example 11: Physical assault

Without any prospect of physical contact with others, a student swears at a physical education teacher who responds by grabbing the student's arm very firmly, leaving distinct fingernail marks.

Verbal communication/intervention

Example 12: Appropriate verbal communication

A year 6 student is fooling around with another student by removing his pens from the desk, putting them out of sight and refusing to give them back. An employee approaches the offending student, makes eye contact, and says in a firm and controlled voice, "[Name] please give [other student's name] pens back now."

Example 13: Inappropriate verbal communication

A student is struggling to understand a maths problem. An employee orders the student to the front of the class, stands very close to the student and shouts at the student using words such as, "What's the matter with you? Why don't you understand?"

Example 14: Appropriate verbal intervention

Two students are chatting noisily at the rear of a classroom and have ignored several requests to stop. More students are becoming distracted by and involved in the disruptive behaviour. An employee moves towards the students and uses a raised voice and a clear statement to attract attention, but reverts to a normal tone once their attention is gained.

Example 15: Inappropriate verbal intervention

A twelve year old student has exhausted his allocated time on a computer and is refusing to allow the next student to access it. After repeated instructions, the employee in a raised voice yells from a distance to, "Get off the computer!" The student continues to ignore the employee who screams at the student, "Didn't you hear me you ignorant pig? Do as you are told!"

Non-physical contact/behaviour

Example 16: Appropriate non-physical behaviour

An employee is driving home and sees a student caught in a sudden downpour. The employee stops the car and the student accepts a lift home. It may be appropriate, especially in a small community for the employee to accompany the student to the door and explain the circumstances to the parent or carer.

Example 17: Inappropriate non-physical behaviour

An employee is aware that a student has advanced computer skills and invites the student to their house on the weekend to help load some software. The employee regularly invites the student to their home whenever they have a computing problem. This private arrangement exceeds the boundaries of a professional employee/student relationship.

Example 18: Appropriate non-physical behaviour

A 17 year old female student advises her male teacher that she is having problems at home with her alcohol dependent father and would like some advice. The teacher advises the student of the range of assistance available and invites the student to speak to him again if needed. The teacher discusses the issue with the principal and guidance officer before making a referral for the student to relevant assistance providers.

Example 19: Inappropriate non-physical behaviour

A physical education teacher accompanying students to a sporting carnival in a neighbouring town suggests sharing a motel room with several of the students to reduce expenses. While the employee's motivation may be entirely honourable, the risks associated with the conduct are too high. Consequently, such an arrangement would be considered inappropriate.

Sexual abuse and or sexual misconduct

Example 20: Appropriate response

A male employee is walking down a narrow corridor. Groups of students are talking animatedly and a 15 year old female student steps back suddenly and turns, apparently to attract the attention of a friend in another group and not being aware that the male employee is approaching. The employee's upper arm comes into contact with the girl's breasts. The teacher stops and apologises for bumping into the student.

Example 21: Sexual misconduct

An employee shows sexually explicit material to a student or leaves the material in a place where a student would be likely to access it. Such conduct would be regarded as sexual misconduct by the employee and may even represent a criminal offence.

Example 22: Sexual misconduct

After a school play, an employee approaches one of the student actors, saying, "I didn't realise how grown up you were until I saw you in that outfit. The play went over really well. After we tidy up here, maybe you and I can get together to celebrate."

Example 23: Sexual misconduct

An employee stands behind a 13 year old female student while she is playing the clarinet. The employee clasps her hands around the student's ribs and diaphragm area to demonstrate proper breathing technique. The employee's hands intentionally come into contact with the student's breasts.

Example 24: Sexual misconduct

An employee engages in a sexual relationship with a student from a different state educational institution than where they are employed knowing the student is 17 years old. This is a breach of the department's Standard of Practice and could amount to a report of sexual abuse under s.365 of the *Education (General Provisions) Act 2006*.

Example 25: Sexual abuse

An employee makes suggestive gestures to a student such as blowing kisses, rubbing hands over their own body, or unzipping or unbuttoning items of their own clothing. Such flirtatious behaviour exceeds the boundaries of a professional relationship between an employee and a student, is inappropriate and would be considered sexual harassment. If the employee exposed their genitalia to the student, such behaviour would be regarded as sexual abuse and a criminal offence.

Example 26: Sexual abuse

During quiet individual study time in class, an employee moves close to a student who is seated at a desk. The employee places their hand between the student's legs and deliberately touches the student's upper inner thigh and genital area saying, "I've always thought you were very attractive."

Failure to protect or report**Example 27: Failure to protect**

Allegations of sexual abuse of a child have been made against an employee. The employee resigns from their employment and the Principal does not report the allegations to the Queensland Police Service and/or the Intake and Assessment team. Failure to act on the allegations in this instance would allow the employee to seek employment either with the department or in other child related employment and continue to sexually abuse children.

Example 28: Acting protectively

Allegations of sexual abuse have been made against an employee. The employee resigns from their employment and the Principal refers the allegations to the Queensland Police Service and the Intake and Assessment team. The matter is fully investigated by either the Queensland Police Service or the department, and if found to be substantiated the department undertakes a post-separation discipline process against the employee.

Example 29: Failure to protect

An employee in Human Resources discloses to their manager that they are going through a marriage breakdown and that they have engaged in a sexual relationship with their friend's child, who is a state school student. The employee says that the sexual relationship has now ceased. The manager does not report the employee as they feel sorry for them and do not want to cause personal or financial strain which may come with reporting the allegation.

Example 30: Failure to report

A student discloses to their teacher that they have been sexually abused by another adult. The teacher does not provide a written report to their Principal until one week after the disclosure.

Example 31: Appropriate reporting

During class a teacher overhears students discussing a teacher being in a relationship with a 15 year old student. The teacher intervenes in the discussion and asks the students not to discuss the matter any further. The teacher at the end of the class provides a written report to their principal.

Example 32: Failure to report

A principal is notified by a teacher that a student has been sexually abused by a volunteer at the school. The student is known to the principal as someone who "makes up stories for attention or to get out of trouble". The principal does not report the allegation to Queensland Police Service or the Intake and Assessment team.

Example 33: Appropriate reporting

A teacher aide supporting a student with a disability sees a text message on the child's phone that the child is meeting with another person for sex. The teacher aide immediately provides a written report through OneSchool Student Protection Reporting module to the principal.

Example 34: Failure to report

An employee in IT is completing a job on another employee's departmental device, and locates a folder containing sexualised images of children (i.e. child exploitation material). The IT employee does not report the employee to any other person within the department (i.e. their manager, the other employee's manager or Intake and Assessment) or to the Queensland Police Service.

Example 35: Failure to report

An employee is at a barbecue with family members and friends. Their 14-year-old niece discloses that earlier in the afternoon an 18-year-old, who is not an employee, at the party took her into a bedroom and got her to pose for a nude photograph. The employee does not report the allegation to the Queensland Police Service.

**Note: as this circumstance is in a private capacity and does not involve allegations against an employee, the department would only become involved if police charged the employee with the Failure to report offence. The subsequent court process would be monitored to determine if further action were required by the department.*

Allegations Against Employees in the Area of Student Protection

Student Protection

Employees of the Department of Education must report incidents of harm or suspicion of harm to a student by an employee that meet criteria SP1, SP2 or SP3 as outlined in the [Allegations against employees in the area of student protection](#) procedure via [iRefer](#).

Referral forms are also available:

- [SP1: Report of student harm \(suitable for local resolution\)](#)
- [SP2: Report of significant harm to a student as a result of actions by an employee](#)
- [SP3: Report of suspected sexual abuse of a student by an employee](#)

If you are a parent/carer or a member of the public and wish to make a report regarding alleged harm to a state school student by a departmental employee, or need further assistance, please contact your school principal in the first instance.

If the matter relates to allegations against your principal, you may contact:

The Manager, Intake and Assessment

Integrity and Employee Relations

Ph: 1800 INTAKE (1800 468 253)

Email: intake@qed.qld.gov.au

For information on reporting incidents of harm to a student, other than by a departmental employee, please refer to the [Student Protection](#) procedure.

If your complaint or concern does **not** relate to a student being harmed by an employee, but rather a dissatisfaction with the services provided by the department, including a state school, refer to <https://www.qld.gov.au/education/schools/information/contact/complaint> for information on how to lodge a complaint, make an enquiry or provide feedback.

Uncontrolled copy. Refer to the Department of Education Policy and Procedure Register at <https://ppr.qed.qld.gov.au/pp/allegations-against-employees-in-the-area-of-student-protection-procedure> ensure you have the most current version of this document.

