

## The BUSY School Ltd

### Child Risk Management Strategy

**Purpose:** The purpose of this strategy is to minimise and eliminate risk to student safety to ensure the safety and wellbeing of all students. It also provides written processes to demonstrate The BUSY School Ltd (TBS) complies with legislation regarding the care and protection of children.

**Scope:** The BUSY School directors, 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.

**Status:** Approved **Supersedes:** V7.1 (May 2024)

**Authorised by:** Board Chair **Date of Authorisation:** 28 May 2024

- References:**
- Working with Children (Risk Management and Screening) Act 2000 (Qld)
  - Working with Children (Risk Management and Screening) Regulation 2020 (Qld)
  - Child Protection Act 1999 (Qld)
  - Child Protection Regulation 2023 (Qld)
  - Education (Accreditation of Non-State Schools) Act 2017 (Qld)
  - Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)
  - Education (General Provisions) Act 2006 (Qld)
  - Education (General Provisions) Regulation 2017 (Qld)
  - Education Services for Overseas Students (ESOS) Act 2000 (Cth)
  - Education Service of Overseas Students (ESOS) Regulation 2019 (Cth)
  - Education (Queensland College of Teachers) Act 2005 (Qld)
  - Education and Care Services National Law (Queensland)
  - Education and Care Services National Regulations
  - Criminal Code Act 1899 (Qld)
  - Blue Card Services Child and Youth Risk Management Strategy Toolkit
  - Restricted Person Declaration Form
  - The BUSY School Child Protection Policy
  - The BUSY School Staff Code of Conduct
  - The BUSY School Student Code of Conduct
  - The BUSY School Complaints Handling Policy and Procedure
  - The BUSY School Recruitment and Selection Policy
  - The BUSY School Enterprise Risk Management Framework
  - The BUSY School Blue Card Register

**Review Date:** Annually **Next Review Date:** 28 May 2025

**Policy owner:** The BUSY School Ltd – Board of Directors

## Statement of Commitment

TBS is committed to taking all reasonable steps to promote the safety and wellbeing of students enrolled at the school and their protection from foreseeable harm<sup>1</sup>. In practice, TBS is committed to acting in accordance with the Working with Children (Risk Management and Screening) Act 2000 (Qld) (“the Act”) to promote the safety and wellbeing of students, meaning TBS will implement the measures outlined in the point below.

## Code of Conduct

At TBS, we expect our employees to conduct themselves according to TBS Staff Code of Conduct, as follows:

School employees are expected to always behave in ways that promote the safety, welfare and wellbeing of our students. Employees must actively seek to prevent harm to students, and to support those who have been harmed.

Specific responsibilities include:

- Employees should avoid situations where they are alone in an enclosed space with a student.
- When physical contact with a student is a necessary part of the teaching/learning experience, employees must exercise caution to ensure that the contact is appropriate and acceptable. Employees must always advise the student of what they intend doing and seek their consent.
- Employees must not develop a relationship with any student that is, or that can be interpreted as having a personal rather than a professional interest in a student.
- Employees must not have a romantic or sexual relationship with a student.

This commitment is evidence of TBS’s fulfilment of the requirements of Schedule 1 s.2(2).

## Recruitment, selection, training and management procedures

TBS is committed to recruiting, selecting, training and managing employees in such a way that limits risks to students. In particular, TBS will:

- Ensure that its recruitment and selection procedures act to reduce the risk of harm to children from employees via:
  - Accurate position descriptions, including whether the successful applicant must be a teacher registered with the Queensland College of Teachers (who has been subject to relevant police and other safety checks), whether a Blue Card is necessary for the successful applicant, the responsibilities and supervision associated with the position, the nature and environment of the service provided to students, and the experience and qualifications required by the successful applicant.
  - Advertising the position with a clear statement about the school’s commitment to safe and supportive work practices and identifying that candidates will be subject to a teacher registration check or Blue Card screening, a police check, referee checks, identification verification and the requirement to disclose any information relevant to the candidates’ eligibility to engage in activities including children.
  - A selection process that includes assessing the application via an interview process and referee and other checks (as identified above) based on the accurate position description.
  - A probationary period of employment, which allows the school to further assess the suitability of the new employee and to act as a check on the selection process
- Ensure that its training and management procedures act to reduce the risk of harm to students from employees via:
  - Management processes that are consistent, fair and supportive.
  - Performance management processes to help employees to improve their performance in a positive manner.
  - Supportive processes for staff when they are experiencing challenges, such as mentoring, mediation, conflict resolution, coaching, additional training, and external support and counselling services.

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<sup>1</sup> Working with Children (Risk Management and Screening) Regulation 2020 (Qld) sch 1 s.2(1)

- An induction program which thoroughly addresses the school's policies and procedures, particularly its expectations regarding student risk management and to assist employees to understand their role in providing a safe and supportive environment for students.
- Training new and existing staff on an ongoing basis to enhance skills and knowledge and to reduce exposure to risks, as follows:
  - the school's policies and procedures
  - identifying, assessing and minimising risks to students
  - handling a disclosure or suspicion of harm to a child.
- Keeping a record of the training provided to employees.
- Exit interviews to assist the school to identify broader issues of concern that may impact on the safety and wellbeing of students at the school.

This commitment is evidence of TBS's fulfilment of the requirements of the Regulation Schedule 1 2(3).

### Handling disclosures or suspicions of harm

Any of the types of concerns or reports below should be reported and managed under the TBS Child Protection Policy and TBS Complaints Handling Policy and Procedure, as follows:

- all staff with concerns about sexual abuse or likely sexual abuse or a child sexual offence committed by an adult
- teachers, nurses and early childhood education and care professionals with concerns of sexual or physical abuse
- all staff who have received a report of inappropriate behaviour by another staff member.

To report any type of harm, all staff members should use the Report of Suspected Harm or Sexual Abuse Form as accessed online via the Folio system ([The Hive/The BUSY School/Report a Child Safety Incident/Child Safety Mandatory Reporting Register](#)) as outlined in Appendix 2 of this document.

Furthermore, and in accordance with section 76 of the *Education (Queensland College of Teachers) Act 2005*, the Campus Principal of TBS will report to the Queensland College of Teachers any investigations into allegations of harm caused, or likely to be caused, to a student because of the conduct of a relevant teacher at the school.

Any report made, or actions taken (by an accountable person with the power or responsibility to reduce or remove risk) under this section or the TBS Child Protection Policy will fulfill the reporting and protection obligations of all adults under the *Criminal Code Act 1899*.

This commitment is evidence of TBS's fulfilment of the requirements of Schedule 1 s.2(4).

### Managing breaches of this child risk management strategy

TBS is committed to appropriately managing breaches of this Child Risk Management Strategy in accordance with its other relevant policies as appropriate in the circumstances, such as TBS Child Protection Policy, TBS Code of Conduct for Staff, TBS Student Code of Conduct, TBS Complaints Handling Policy and TBS Complaints Handling Procedure.

This is evidence of fulfilment of the requirements of Schedule 1s.2(5).

### Implementing and reviewing the child risk management strategy

This Strategy in its entirety and its related policies and procedures are evidence of fulfilment of the requirements of Schedule 1 s.2(6)(a) relating to implementation.

The introduction of this Child Risk Management Strategy and the "Compliance and Monitoring" section below state TBS's commitment to reviewing the Strategy annually and are evidence of fulfilment of the requirements of the Schedule 1 s.2(6)(a) in relation to review.

### Blue card policies and procedures

TBS is committed to acting in accordance with chapters 7 and 8 of the Act relating to the screening of employees in such a way that limits risks to children. In particular, TBS will:

- Require relevant prospective or current employees, volunteers, trainee students and school board members to have working with children authority and check the validity and appropriateness of any currently held notices, in accordance with TBS position descriptions and the Act prior to the commencement of their engagement.
- Not allow a person to continue to work with children if their working with child authority is cancelled or suspended or a negative notice is received after a change of police information.
- Have all relevant prospective employees and volunteers engaging in Restricted Employment acknowledge and sign a Restricted Person Declaration Form (Appendix 3) declaring they are not a restricted person prior to commencing their engagement.
- Not allow a person relying on an exemption to continue to work with children if they become a restricted person.
- Link and unlink individuals as they commence and conclude their engagement with the school.
- Appoint a school contact person who will be responsible for managing the working with child screening process and all related documentation and records.
- Keep written records of all the above actions, decisions and outcomes, including the dates of expiry for working with children authority.
- Ensure that all information in relation to working with children authority is kept confidential.
- Act to remind employees to keep their working with children authority up to date and apply for a renewal prior to expiry.
- Take appropriate action if an employee, volunteer, trainee student or school board member fails to submit a renewal application prior to their working with children authority expiring.

This commitment is evidence of TBS's fulfilment of the requirements of Schedule 1 s.2(6)(b).

## High-risk management plans

TBS is committed to identifying risks, assessing risks, eliminating and minimising risks and the monitoring of risk to the safety of students on an ongoing basis. TBS will utilise various risk management tools to assist it in this process and will keep appropriate records of decisions made and actions taken in relation to risks to children.

This commitment is evidence of TBS's fulfilment of the requirements of Schedule 1 s.2(7).

## Strategies of communication and support

TBS's commitment to making this Child Risk Management Strategy available to students, parents and employees via enrolment interviews and agreement, new staff on-boarding packs, website ([www.busyschools.qld.edu.au](http://www.busyschools.qld.edu.au)), and staff intranet/shared network drive is evidence of fulfilment of the requirements of Schedule 1 s.2(8)(a).

TBS is committed to training employees in relation to risks to students and will conduct this training regularly via new staff induction/on-boarding, annual formal training events (internally and externally), informal updates at staff meetings and regular discussions between managers and their staff. This is evidence of fulfilment of the requirements of Schedule 1 s.2(8)(b).

## Responsibilities

TBS is responsible for developing and implementing this Child Risk Management Strategy and related policies and procedures to ensure it fulfils its obligations.

All employees at TBS are responsible for acting in compliance with this Child Risk Management Strategy and related policies and procedures.

## Compliance and monitoring

TBS is committed to the annual review of this Strategy. TBS will also record, monitor and report to the School's governing body, the Campus Principal team and others as appropriate at the School regarding any breaches of the strategy.

In addition, the School is committed to other various compliance and monitoring arrangements made under relevant policies and procedures.

## Helpful links

- Independent Schools Queensland's [Child Protection Decision Support Trees](#)
- Department of Child Safety, Seniors and Disability Services [Child Protection Guide](#) resource
- [Blue Card Services resources](#)

## Appendices

Appendix 1 - Summary of Reporting Harm

Appendix 2 - Details of recording suspected harm or sexual abuse (accessed online via the Folio system)

Appendix 3 - Restricted Person Declaration Form

## APPENDIX 1

### Summary of Reporting Harm Matrix

Who	What abuse	Test	Report to	Legislation
All staff	Sexual	Awareness or reasonable suspicion Sexually abused or likely to be sexually abused	Campus Principal, General Manager, CEO or Director through to Police	EGPA, sections 366 & 366A
Teacher Nurse (currently no nurses in TBS structure)	Sexual and physical	Significant harm; & Parent may not be willing and able	Campus Principal, General Manager, CEO or Director, through to Police, Child Safety	CPA, sections 13E and 13G
All staff	Physical, psychological, emotional, neglect, exploitation	Significant harm, & Parent may not be willing and able	Campus Principal, through to Child Safety	Accreditation Regulations, section 16
All staff	Any	Not of a level that is otherwise reportable to Child Safety, refer with consent	Campus Principal, through to Family and Child Connect	CPA, sections 13B and 159M
Campus Principal	Any	Not of a level that is otherwise reportable to Child Safety, refer without consent	Family and Child Connect	CPA, sections 13B and 159M
Employing authority (Board/ CEO/ General Manager/ Executive Principal/ Board)	Harm or likely harm due to the conduct of a teacher	When you start to deal with an allegation; & When you finish dealing with an allegation	Queensland College of Teachers	QCT sections 76 and 77
Any member of the public	Any	Significant harm & Parent may not be willing and able	Child Safety	CPA, section 13A
Any adult	A child sexual offence against a child by another adult	Gains information that causes the adult to believe on reasonable grounds, or ought reasonably to cause the adult to believe, that: (a) child sexual offence is being or has been committed and (b) at the relevant time, the child is or was - (i) under 16 years; or (ii) a person with an impairment of the mind	Police	Criminal Code section 229BC
Accountable person - an adult associated with The BUSY School (the institution) who has the power or responsibility to reduce or remove the risk.	Significant risk that an adult will commit a child sexual offence in relation to a child	Knows there is a significant risk that another adult (the alleged offender) will commit a child sexual offence in relation to a child; and (a) the alleged offender - (i) is associated with The BUSY School; or (ii) is a regulated volunteer; and (b) the child is under the care, supervision or control of The BUSY School; and (c) the child is either - (i) under 16 years; or (ii) a person with an impairment of the mind; and (d) the person has the power or responsibility to reduce or remove the risk; and	Police and Campus Principal, Executive Principal General Manager and/or CEO (as required to remove the risk)	Criminal Code section 229BB

		(e) the person willingly or negligently fails to reduce or remove the risk.		
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## APPENDIX 2

### Reporting of Suspected Harm or Sexual Abuse

The BUSY School have implemented a Child Protection Reporting Form via an internal notification and reporting system (Folio) accessed through 'The Hive' intranet page: ([The Hive/The BUSY School/Report a Child Safety Incident/Child Safety Mandatory Reporting Register](#))

The Folio Child Protection Reporting Form captures the following mandatory information:

For a report about sexual abuse:

- 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 -
  - the student's age
  - the identity of the person who has sexually abused, or is suspected to have sexually abused, the student
  - the identity of anyone else who may have information about the abuse or suspected abuse

For a report about suspicion of likely sexual abuse:

- 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. details of the abuse or suspected abuse;
- e. any of the following information of which the first person is aware -
  - the student's age
  - the identity of the person who is suspected to be likely to sexually abuse the student
  - the identity of anyone else who may have information about the suspected likelihood of abuse

The following additional information is also captured in the Child Protection Reporting Form:

- Date of report
- The BUSY School Campus and contact details of the campus (name and address of the school the child attends)
- Further Details of student/child suspected of having suffered, be suffering, or be at risk of suffering, the harm to which the suspected harm or sexual abuse relates, including:
  - address (where the student/child usually lives),
  - phone number,
  - sex descriptor,
  - date of birth and age,
  - year level,
  - cultural background, including ATSI indicator if relevant,
  - primary language spoken,
  - disability category if relevant.
- Details of the harm to which the reportable suspicion relates
- 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;
- Particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates.
- The action taken i.e., which agencies the report was made to e.g., Queensland Police Services (QPS), Department of Child Safety, Seniors and Disability Services
- Who else in The BUSY School has been informed e.g., Director of The BUSY School Board of Directors.

## APPENDIX 3

### Restricted Person Declaration Form

The BUSY School Ltd (TBS) has a responsibility to ensure that all commencing and continuing individuals, working or volunteering with children, at TBS are not a restricted person.

As of the 31 August 2020, Blue Card Services have made changes which mean certain individuals are no longer able to rely on the current exemptions to work or volunteer with children. The amended legislation introduced 2 new terms - restricted person and restricted employment. It is now an offence for a restricted person to commence or continue working or volunteering in restricted employment.

A restricted person is a person who:

- has been issued a negative notice, or
- has a suspended blue card, or is a disqualified person, or has been charged with a disqualifying offence which has not been finalised.

Restricted employment refers to the situations or exemptions that allow a person to work with children without a blue card. These include:

- a volunteer parent;
- a volunteer who is under 18;
- paid or unpaid staff who work in child regulated employment for not more than 7 days in a calendar year.

If you are a restricted person it is an offence for you to commence or continue working or volunteering at TBS. The maximum penalty is \$66,725 (500 penalty units) or 5 years in prison. It is also an offence for TBS to engage or continue to engage a restricted person. The maximum penalty is \$26,690 (200 penalty units) or 2 years in prison.

If you become a restricted person whilst working or volunteering at TBS you must cease all child related work immediately and notify the Campus Principal that you are no longer able to work or volunteer for TBS.

#### Declaration:

Which one of the restricted employment exemptions are you relying on to work or volunteer for The BUSY School?

- a volunteer parent
- a volunteer who is under 18
- child-related engagement for not more than 7 days in a calendar year

#### I declare:

1. I am not a restricted person.
2. I understand it is an offence to start or continue working or volunteering in restricted employment if I am currently, or become, a restricted person.
3. I will cease all child related work immediately and notify The BUSY School if my circumstances change.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Version Control

Version no.	Date Effective	Approved by	Changes
1.0	June 2020	<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>▪ Initial draft version</li> </ul>
2.0	June 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>▪ Version Control</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>▪ Version Control</li> </ul>
4.0	August 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>▪ Version Control</li> </ul>
5.0	August 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>▪ Version Control Table Added</li> <li>▪ The BUSY Schools changed to The BUSY School</li> <li>▪ Reviewed against ISQ Template no changes required</li> <li>▪ Version Control</li> <li>▪ Student Code of Behaviour changed to Conduct</li> <li>▪ Review Date Annually</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>▪ Updated to indicate reporting of suspected harm or sexual abuse via the online reporting tool Folio</li> <li>▪ Checked against Child Protection Regulation 2023 reporting requirements</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 Appendix 1 to note all staff as first persons have an option of reporting sexual abuse or likely sexual abuse of students to the Campus Principal, the CEO or a Director (per NSSAB feedback)</li> <li>▪ Updated links to Folio Child Safety Mandatory Reporting Register</li> <li>▪ Updated escalation pathways 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>▪ Appendix 2 amended to mirror legislative requirements for reporting</li> <li>▪ Changes made to Mandatory reporting form (in Folio system) to align with Appendix 2</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>▪ Appendix 2 amended to mirror legislative requirements for reporting as per NSSAB feedback.</li> </ul>