



St Ursula's College

TOOWOOMBA

Student Protection Guidelines

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St Ursula's College
TOOWOOMBA

STUDENT PROTECTION GUIDELINES 2019

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Student Protection Guidelines

Ensuring all students are kept safe from harm in educational establishments

Adapted for St Ursula's College, Toowoomba using Queensland Catholic Education Commission Template and the Toowoomba Catholic Schools Office which have been approved by the Non-State Accreditation Board

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Preface

These guidelines have been developed by the Queensland Catholic Education Commission (QCEC) in conjunction with Catholic School Authorities in order to provide information to support the implementation of the *Student Protection Processes for Queensland Catholic Schools*. These guidelines may be subject to change in line with child protection practice developments, and may be subject to customisation to reflect the resources and systems in place for a particular Catholic School Authority.

Policy updates

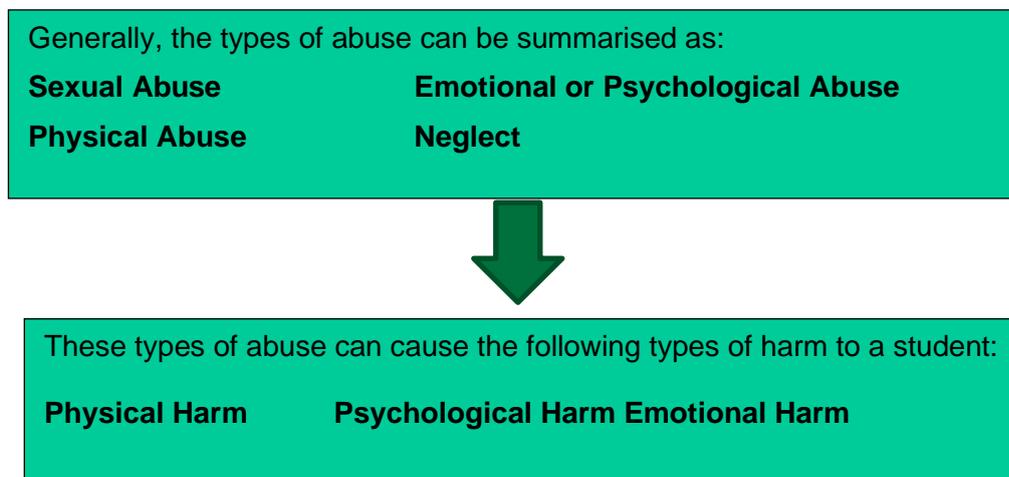
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1. Understanding abuse and harm

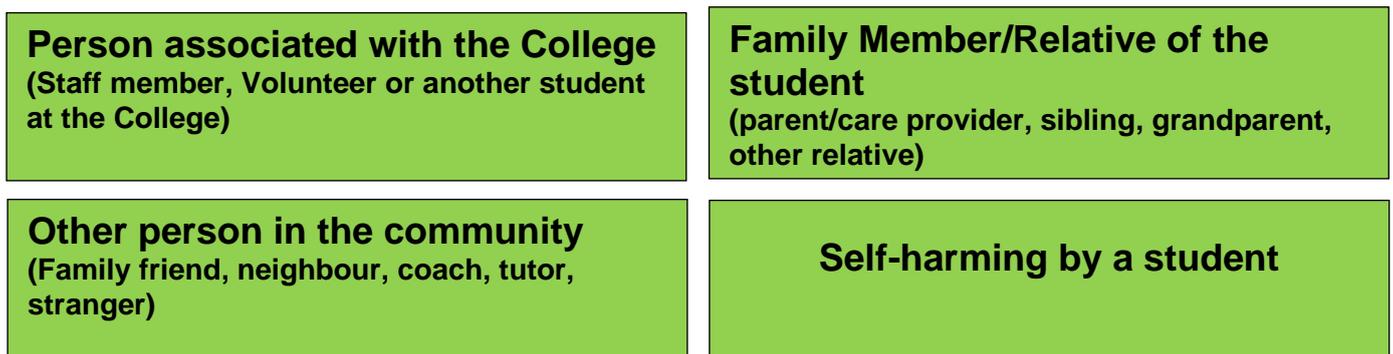
All children have the right to be safe in environments free from abuse and harm. Where this is not the case, adults have a responsibility to act. This part explains the key concepts that underpin the processes for ensuring the safety of students, in order to inform the actions staff members must take if they form a reasonable suspicion of abuse, harm or staff inappropriate behaviour towards a student.

As a first step, it is important that staff members have an understanding of what is meant by the terms 'abuse' and 'harm'.



1.1 Sources of abuse and harm

Students can be abused, or experience harm from a number of sources. These include:





2. Types of Abuse

2.1 Sexual Abuse and Likely Sexual Abuse

Sexual abuse of a student occurs where a person engages in sexual behaviour with a student, and:

- the other person bribes, coerces, exploits, threatens or is violent toward the relevant person; and/or
- the student has less power than the other person; and/or
- there is a significant disparity between the student and the other person in intellectual capacity or maturity.¹

Characteristics of a power imbalance include: significant differences in age, developmental ability, authority, influence or some kind of control over the student.

Likely sexual abuse is where it is more probable than not that a student will be sexually abused in the future. One situation where a reasonable suspicion of likely sexual abuse could be formed is where 'grooming' behaviours towards a student are identified.

IMPORTANT NOTE: Sexual Activity between staff members and students
The involvement of any staff member or volunteer within a school in sexual activity with, or sexual exploitation of, a student attending that school is always to be regarded as sexual abuse.

What is sexual abuse involve?

Sexual abuse involves an imbalance of power between a student and the other person. The imbalance of power allows force, trickery, emotional bribery, blackmail or emotional pressures to be used against the student to involve him/her in sexual activity or to sexually exploit him/her. Secrecy, the misuse of power and distortion of adult-child relationships may also be involved.

Sexual abuse involving physical contact with a student could include:

- touching, kissing, holding or fondling a student's body in a sexual manner;
- touching, kissing or fondling a student's genital area;
- engaging in or attempting to engage in vaginal or anal intercourse with a student;
- penetrating or attempting to penetrate a student's vagina or anus with a finger or other object;
- engaging or attempting to engage in oral sex with a student; or
- engaging or attempting to engage in masturbation with a student.

It does not matter whether the student is clothed or unclothed whilst sexual abuse involving physical contact takes place. Engagement of a student in sexual acts by duress or through inducements of any kind is considered sexual abuse.

¹ See Section 364 of the *Education (General Provisions) Act 2006*



Sexual abuse/likely sexual abuse of a student may not necessarily involve physical contact. It could, for example, involve behaviour that occurs in the student's direct presence or that occurs indirectly including through electronic communications. Examples include:

- exposing a sexual body part to a student
- requesting a student to expose a sexual body part
- making obscene or sexually explicit remarks to a student
- sending obscene or sexually explicit material to a student
- blatant or persistent intrusion into a student's physical privacy
- voyeurism - covertly observing intimate behaviour that is normally private
- exposing a student to pornographic films, photographs, magazines or other material
- having a student pose or perform in a sexually explicit manner
- exposing a student to a sexual act
- forcing a student to witness a sexual act; or
- communicating with a student in a sexually intrusive way.

What is Grooming?

Sexual offending against a child is rarely a random act by a stranger. It is commonly based on a relationship with the child that has been formed over time. The abuse is commonly well thought out and planned in advance. Offenders may often take time to 'groom' their victim, often over a lengthy period. They will also often 'groom' the child's parents, care-providers or others who might otherwise protect them from the abuse. This occurs so that the child and his/her parents or care-providers will trust the offender and not suspect any intended wrongdoing.

The establishment of a relationship of trust which is then misused is often very confusing and damaging to the child, who may not even immediately recognise what is happening to them as abuse. Grooming behaviour is unlikely to be recognised when observed as a one-off event, but a pattern of grooming of the intended victim and/or the intended victim's parents or care-providers is likely to be recognised. Grooming will tend to develop in intensity over time. It will also tend to include elements of secrecy and concealment. It is important to be aware of the types of behaviours that can be used in the process of grooming a child or young person, while remembering that some of the behaviours might equally reflect normal interactions based on genuine motives of care and concern. This is the reason that, for staff members, the observance of clear professional boundaries and transparency in the declaration of potential conflicts of interest is a vital part of the protection of children and of the professional integrity of staff members themselves.

Recognition of the grooming process that is used as a preparation for the sexual abuse of a child is an indicator of likely sexual abuse.



9.1 Examples of Boundary Violations*

*See also The *Professional Boundaries: A Guideline for Queensland Teachers* as published by the QCT

Physical Boundary Violations	Emotional Boundary Violations	Behavioural Boundary Violations
<ul style="list-style-type: none"> • pushing • pulling • grabbing • hitting • poking shoving • shaking • throwing • kicking • pinching • punching • using physical force to ensure a child cooperates • holding or restraining a child (unless in imminent danger of harm) • using an object (ruler, book, whiteboard marker) to manage a student • refusing biological necessities • applying painful or noxious conditions to a student • inappropriately touching or massaging a student • unnecessary or unwanted physical contact 	<p>Making inappropriate comments about a student and/or a student's family by:</p> <ul style="list-style-type: none"> • shaming, • embarrassing, humiliating • using sarcasm • making derogatory remarks belittling • teasing • unprofessional criticism <p>Exerting power over a student through the use of:</p> <ul style="list-style-type: none"> • intimidating behaviour • fear • threats • moral pressure <p>Shouting at a student</p>	<p>Having inappropriate interactions with a student through:</p> <ul style="list-style-type: none"> • inappropriate use of social media in relation to a student • phone calls emails or texts to the student's personal email or phone • gift giving or showing special favours • sharing secrets with a student • disclosing inappropriate personal information to a student • inappropriate questioning of a student about personal and private matters • engaging in social activities with students (with whom there is not a declared personal relationship) outside school • driving students without appropriate authority • visiting students at home without appropriate authority <p>Using unprofessional language:</p> <ul style="list-style-type: none"> • swearing at or in the presence of a student • making otherwise inappropriate comments to or in the presence of a student <p>Failing to follow a school's behaviour support policy and procedures:</p> <ul style="list-style-type: none"> • unreasonable, unfair and/or unjust disciplinary measures • the imposition of manifestly unreasonable expectations or excessive demands on a student • using inappropriate locations or social isolation outside of the school's behaviour support guidelines as punishment <p>Using a personal device or private email address to make contact with a student (with whom there is not a declared personal relationship or appropriate authority)</p> <p>Photographing a student other than for an appropriate professional reason Supplying substances to a student (e.g. unauthorised medication, tobacco, alcohol, illicit drugs)</p> <p>Exposing students to material that contains adult content or themes that is offensive or inappropriate to the age and/or maturity of the student</p>



10. Historical allegations

When a staff member receives information that a former student has been sexually abused, or has suffered significant harm, by a staff member at the school, the staff member must follow the processes detailed in section 2.1.

If the allegation is against a current staff member or Principal, then the processes detailed in section 2.6.1 and 2.6.2 of the Student Protection Procedures apply.

In relation to historical complains of harm other than sexual or physical abuse matters, where the person against whom the allegation has been made is still employed by St Ursula's College Toowoomba, the matter should be addressed by St Ursula's College Toowoomba.

Where the person is no longer an employee of St Ursula's College Toowoomba, the matter should be referred to the Director of the Office of Professional Standards Qld (Towards Healing) who can make an assessment as to whether the information should be provided to the Queensland Police Service.

Where the staff member is a cleric or member of a religious order, or was a cleric or member of a religious order at the time of the alleged behaviour, the Director of the Office of Professional Standards Qld (Towards Healing) will be informed as soon as possible.

Where an allegation of sexual abuse, suspected sexual abuse, likely sexual abuse or significant harm towards a student is made against an employee of St Ursula's College, Toowoomba, and the date of the allegation was during the period in which the Governing Body was the Community of Ursuline Nuns, then in addition to meeting all reporting requirements as detailed in these procedures, Bishop McGuckin will notify in writing the appropriate contact within the Community of Ursuline Nuns that the allegation has been made, and this notification will occur without unreasonable delay.