WONDERWOOD MONTESSORI SCHOOL

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Child Protection Policy

Purpose:	The purpose of this policy is to provide written processes about (a) how the school will respond to harm, or allegations of harm, to students under 18 years; and (b) the appropriate conduct of the school's staff and students to comply with accreditation requirements.	
Scope:	Students and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements at Wonderwood Montessori School (WMS)	
Status:	Current	Supersedes: Initial policy
Authorised by:	School Governing Body	Date of Authorisation: Authorised by the School Board on 13/03/2026
References:	• *Child Protection Act 1999 (Qld)* • *Education (General Provisions) Act 2006 (Qld)* • *Education (General Provisions) Regulation 2017 (Qld)* • *Education (Accreditation of Non-State Schools) Act 2017 (Qld)* • *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)* • *Working with Children Check Act 2000 (Qld)* • *Criminal Code Act 1899 (sections 229BB and 229BC)* • WMS Complaints Handling Policy • WMS Complaints Handling Procedure • WMS Child Risk Management Strategy • WMS Work Health and Safety Policy (for the *Work Health and Safety Act* 2011 (Qld)) • WMS child protection reporting form	
Review Date:	Annually	Next Review Date 13/3/2027
Policy Owner:	School Governing Body	

Definitions

- Section 9 of the *Child Protection Act* 1999 - “Harm”, to a child, is any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing.
    1. It is immaterial how the harm is caused.
    2. Harm can be caused by—
        a) physical, psychological or emotional abuse or neglect; or
        b) sexual abuse or exploitation.
    3. Harm can be caused by—
        a) a single act, omission or circumstance; or
        b) a series or combination of acts, omissions or circumstances.
- Section 10 of the *Child Protection Act* 1999 - A “child in need of protection” is a child who—
    a) has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and
    b) does not have a parent able and willing to protect the child from the harm.
- Section 364 of the *Education (General Provisions) Act* 2006 - “Sexual abuse”, in relation to a relevant person, includes sexual behaviour involving the relevant person and another person in the following circumstances—
    (a) the other person bribes, coerces, exploits, threatens or is violent toward the relevant person;
    (b) the relevant person has less power than the other person;
    (c) there is a significant disparity between the relevant person and the other person in intellectual capacity or maturity.

Health and Safety

The school has written processes in place to enable it to comply with the requirements of the *Work Health and Safety Act 2011* (Qld) and the *Working with Children Check Act 2000 (Qld).*

Responding to Reports of Harm

When the school receives any information alleging 'harm'[1] to a student (other than harm arising from physical or sexual abuse) it will deal with the situation compassionately and fairly so as to minimise any likely harm to the extent it reasonably can. This is set out in the school’s Child Risk Management Strategy. Information relating to physical or sexual abuse is handled under obligations to report set out in this policy[2].

Conduct of Staff and Students

All staff, contractors and volunteers must ensure that their behaviour towards and relationships with students reflect proper standards of care for students. Staff, contractors and volunteers must not cause harm to students[3].

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1 *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(7):* the definition of 'harm' for this regulation is the same as in section 9 of the *Child Protection Act 1999 (Qld)* 2 *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)* 3 *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(1)*

Reporting Inappropriate Behaviour

If a student considers the behaviour of a staff member to be inappropriate, the student or the student's parent should report the behaviour to **Desmond Reuben** or **Hanna Cavallaro**.

Dealing with Report of Inappropriate Behaviour

Where the principal is the subject of the report of inappropriate behaviour, the matter must be reported to a member of the school's governing body[5]. Reports will be dealt with under the school's Complaints Handling Policy.

Reporting Sexual Abuse[6]

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

a) a student under 18 years attending the school;

b) a kindergarten aged child registered in a kindergarten learning program at the school;

c) a person with a disability who:

   i. under section 420(2) of the *Education (General Provisions) Act* 2006 is being provided with special education at the school; and

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

then the staff member must give a written report about the abuse or suspected abuse to the principal or to a director of the school's governing body immediately.

The school's principal or the director must immediately give a copy of the report to a police officer.

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

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

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

If the first person who becomes aware or reasonably suspects sexual abuse is the school's principal, the principal must give a written report about the abuse, or suspected abuse to a police officer immediately and must also give a copy of the report to a director of the school's governing body immediately.

A report under this section must include the following particulars:

a) the name of the person giving the report (the *first person)*;

b) the student's name and sex;

c) details of the basis for the first person becoming aware, or reasonably suspecting, that the student has been sexually abused by another person;

d) details of the abuse or suspected abuse;

e) any of the following information of which the first person is aware:

i. the student's age;

ii. the identity of the person who has abused, or is suspected to have abused, the student;

iii. the identity of anyone else who may have information about the abuse or suspected abuse[7].

Reporting Likely Sexual Abuse [8]

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

a) a student under 18 years attending the school;

b) a kindergarten aged child registered in a kindergarten learning program at the school;

c) a person with a disability who:

i. under section 420(2) of the *Education (General Provisions) Act* 2006 is being provided with special education at the school; and

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

then the staff member must give a written report about the suspicion to the principal or to a director of the school's governing body immediately. The school's principal or the director must immediately give a copy of the report to a police officer.

If the first person who reasonably suspects likely sexual abuse is the school's principal, the principal must give a written report about the suspicion to a police officer immediately and must also give a copy of the report to a director of the school's governing body immediately.

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7 *Education (General Provisions) Regulation 2017 (Qld) s.68*

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

A report under this section must include the following particulars:

a) the name of the person giving the report (the *first person*);

b) the student's name and sex;

c) details of the basis for the first person reasonably suspecting that the student is likely to be sexually abused by another person;

d) any of the following information of which the first person is aware:

i. the student's age;

ii. the identity of the person who is suspected to be likely to sexually abuse the student;

iii. the identity of anyone else who may have information about suspected likelihood of abuse[9].

Reporting Physical and Sexual Abuse [10]

Under Section 13E (3) of the *Child Protection Act 1999*, if a doctor, a registered nurse, a teacher or an early childhood education and care professional forms a 'reportable suspicion' about a child "in the course of their engagement in their profession", they must make a written report.

A reportable suspicion about a child is a reasonable suspicion that the child:

a) has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse; and

b) may not have a parent able and willing to protect the child from the harm.

The doctor, nurse, teacher or early childhood education and care professional must give a written report to the Chief Executive of the Department of Families, Seniors, Disability Services and Child Safety (or another department administering the *Child Protection Act 1999*). The doctor, nurse, teacher or early childhood education and care professional should give a copy of the report to the principal.

A report under this section must include the following particulars:

a) the basis on which the person has formed the reportable suspicion[11];

b) the child's name, age and sex descriptor;

c) details of how to contact the child;

d) details of the harm to which the reportable suspicion relates;

e) particulars of the identity of the person suspected of causing the child to have suffered, suffer, or be at risk of suffering, the harm to which the reportable suspicion relates;

f) particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates[12].

The phone number for the North Queensland Regional Intake Service (RIS) during business hours Monday to Friday 9.00 a.m. to 5.00 p.m. is1300 706 147. Or for after-hours emergencies you can contact the Child Safety After Hours Service Centre on 1800 177 135

9 *Education (General Provisions) Regulation 2017 (Qld) s.69*

10 *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16 (2)(d)*

11 *Child Protection Act 1999 s.13G (2)(a)*

12 See *Child Protection Regulation 2023 (Qld) s.4 "Information to be included in reports"*

Responsibilities under Criminal Code Act 1899 (Qld)

The *Criminal Code Act 1899* includes two offences that pertain to the failure to report a child sexual offence and the failure to protect a child against a child sexual offence. A child sexual offence is an offence of a sexual nature by an adult against a child under 16 years or a person with an impairment of the mind.

Failure to Report [13]

Under section 229BC of the Code, all adults must report sexual offences against a child by another adult to police as soon as reasonably practicable after the belief is, or ought reasonably to have been, formed. Failure to make a report, without a reasonable excuse, is a criminal offence. This offence applies to all adults inclusive of students 18 years or older, as well as parents/guardians and volunteers at the school. A reasonable excuse not to make a report under the *Criminal Code Act 1899* includes that a report has already been made under the *Education (General Provisions) Act 2006* (reporting sexual abuse or likely sexual abuse) and the *Child Protection Act 1999* (reporting significant harm or risk of significant harm) as per this policy.

Failure to Protect [14]

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

Awareness

The school will inform staff, students and parents of its processes relating to the health, safety and conduct of staff and students in communications to them and it will publish these processes on its website[15].

Accessibility of Processes

Processes relating to the health, safety and conduct of staff and students are accessible on the school website and will be available on request from the school administration[16].

Training

The school will train its staff in processes relating to the health, safety and conduct of staff and students on their induction and will refresh training annually [17].

13 *Criminal Code Act 1899 (Qld) s.229BC*

14 *Criminal Code Act 1899 (Qld) s.229BB*

15 *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(a)*

16 *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(b)*

17 *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(c)*

Implementing the Processes

The school will ensure it is implementing processes relating to the health, safety and conduct of staff and students by auditing compliance with the processes annually [18].

Complaints Procedure

Suggestions of non-compliance with the school's processes may be submitted as complaints under the Wonderwood Montessori School Complaints Procedure Policy[19].

18 *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(d)*

19 *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(5) and s.16(6)*