



Reporting Concerns of Harm and Abuse Policy

(OHAED) RCHA-POL-2026:1.0

<p>Purpose:</p>	<p>The purpose of this policy is to provide written processes about:</p> <p>(a) how the school will respond to harm, or allegations of harm, to students under 18 years; and</p> <p>(b) the appropriate conduct of the school’s staff and students to comply with accreditation requirements.</p>	
<p>Scope:</p>	<p>This policy applies to all educational entities and programs operated by Ohana Education Ltd. It covers students and staff, including full-time, part-time, permanent, fixed-term, and casual employees, as well as contractors, volunteers, and individuals undertaking work experience or vocational placements within any Ohana Education Ltd school, campus, or program.</p>	
<p>References:</p>	<p>Sources of Obligation</p> <ul style="list-style-type: none"> ● <i>Child Protection Act 1999 (Qld)</i> ● <i>Child Safe Organisations Act 2024 (Qld)</i> ● <i>Education (General Provisions) Act 2006 (Qld)</i> ● <i>Education (General Provisions) Regulation 2017 (Qld)</i> ● <i>Education (Accreditation of Non-State Schools) Act 2017 (Qld)</i> ● <i>Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</i> ● <i>Working with Children (Risk Management and Screening) Act 2000 (Qld)</i> ● <i>Working with Children (Risk Management and Screening) Regulation 2020 (Qld)</i> ● <i>Criminal Code Act 1899 (sections 229BB and 229BC)</i> <p>Related</p> <ul style="list-style-type: none"> ● Complaints Handling and Disputes Policy ● Complaints Handling and Disputes Procedure ● Work Health and Safety Policy ● Student Safety and Wellbeing Policy ● Child Protection Reporting Form ● Child Protection and Safe Guarding Framework 	
<p>Status:</p>	<p>Approved</p>	<p>Supersedes: CP-POL-2025:1.0</p>
<p>Authorised by:</p>	<p>Board Chair</p>	<p>Date of Authorisation: 3rd February 2026</p>

Review Cycle:	Annually, or as appropriate, to reflect changing legislation and environment.	Next Review Date: February 2027
Policy Owner:	Board	

Definitions

Harm, as per s.9 of the Child Protection Act 1999, 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.

Child in need of protection, as per s10 of the Child Protection Act 1999, 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.

Sexual abuse, as per s364 of the Education (General Provisions) Act 2006, 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.

Staff, in this policy, refers to full-time, part-time, permanent, fixed term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements.

Health and Safety

Ohana Education Ltd 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 (Risk Management and Screening) 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 – refer to the Student Safety and Wellbeing Policy. 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 will 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.

Reporting Inappropriate Behaviour

If a student considers the behaviour of a staff member to be inappropriate, the student should report the behaviour to:

If a student considers the behaviour of a staff member to be inappropriate, the student should report the behaviour to¹:

- Principal; or
- Deputy Principal (7-9); or
- Deputy Principal (10-12); or
- Head of Behaviour; or
- Senior Psychologist. ⁴

Dealing with Report of Inappropriate Behaviour

A staff member who receives a report of inappropriate behaviour must report it to the Principal. Where the Principal is the subject of the report of inappropriate behaviour, the staff member must inform a Director of the school's governing body ⁵. Reports will be dealt with under the Ohana Education Ltd's Complaints Handling and Disputes 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 with Ohana Education Ltd, 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 with Ohana Education Ltd.;

¹ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2) and s.16(3)

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 Ohana Education Ltd; and

ii. is not enrolled in the preparatory year with Ohana Education Ltd.

then the staff member must give a written report about the abuse or suspected abuse to the Principal or to a Director of the Ohana Education Ltd's governing body immediately.

The Ohana Education Ltd's Principal or the Director must immediately give a copy of the report to a police officer.

If the first person who becomes aware or reasonably suspects sexual abuse is the 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.

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 with Ohana Education Ltd.;

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 with Ohana Education Ltd.; and

ii. is not enrolled in the preparatory year with Ohana Education Ltd.

then the staff member must give a written report about the suspicion to the Principal or to a Director of Ohana Education Ltd's governing body immediately.

The Ohana Education Ltd'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. 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.

Director Delegation Under Section 366B

Under section 366B of the Education (General Provisions) Act 2006, the Directors of a school's governing body may delegate the Directors' function under section 366 to an appropriately qualified individual (this will not be the Principal or any other staff member of the school). Directors will ensure they are well briefed about the requirements of section 366B before delegating this function, including the identification of the delegation in this policy and informing the school community of the delegate/s name/s their contacts, and their role in the school's processes.

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.

Child Safety Regional Intake Service:

ARCADIA COLLEGE - GOLD COAST

Note, a business hours (from 9am to 5pm Monday to Friday) phone number for your Regional Intake Service can be found [here](#).

Mermaid Beach Child Safety Service Centre – Shop 9, 2532 – 2540 Gold Coast Highway, Mermaid Beach. Telephone (07) 5675 4100

Gold Coast Assessment and In Home Service – 24 White Street, Nerang. Telephone: (07) 5675 4400

Outside of these hours, you can contact the Child Safety After Hours Service Centre on phone free call 1800 177 135 (Queensland only).

OHANA ACADEMY CAIRNS

Note, a business hours (from 9am to 5pm Monday to Friday) phone number for your Regional Intake Service can be found [here](#).

Cairns Child Safety Service Centre – 107 Lake Street, Cairns, Qld 4807. Telephone (07) 4255 7200

Cairns South Child Safety Service Centre – 1 Ravizza Drive, Edmonton, Qld 4869. Telephone (07) 4255 7600

Outside of these hours, you can contact the Child Safety After Hours Service Centre on phone freecall 1800 177 135 (Queensland only).

OHANA ACADEMY LOGAN

Note, a business hours (from 9am to 5pm Monday to Friday) phone number for your Regional Intake Service can be found [here](#)

Loganlea Child Safety Service Centre – 1-9 Juers Street, Kingston, Qld 4114. Telephone (07) 3094 7300

Logan Central Child Safety Service Centre – Level 1, 20-22 Blackwood Road, Logan Central, Qld 4114. Telephone: 07 3094 7400

Outside of these hours, you can contact the Child Safety After Hours Service Centre on phone freecall 1800 177 135 (Queensland only).

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.

Ohana Education Ltd 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 website².

Ohana Education Ltd also promotes child safety through promoting:

- child protection pastoral care;
- student empowerment, purposeful engagement, including appropriate student behaviours, healthy respectful relationships and resilience; and
- inclusiveness of all students, including students from culturally and linguistically diverse backgrounds, Aboriginal and Torres Strait Islander students and students with disability.

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

Ohana Education Ltd 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.

Ohana Education Ltd implements training through:

- documenting induction and annual training for ISQ child protection courses;
- printed staff meeting agendas for staff meetings that have child protection as part of the agenda
- regular child protection professional development staff meetings; and
- reviews of handling complaints.

Implementing the Processes

Ohana Education Ltd 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 Ohana Education Ltd processes may be submitted as complaints under Ohana Education Ltd's *Complaints Handling and Disputes Procedure* ¹⁹.

References

- 1 *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(4)(a) 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)*
- 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)*
- 7 *Education (General Provisions) Regulation 2017 (Qld) s.68*
- 8 *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*
- 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"*
- 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)*
- 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)*