I, **Lynette Catherine McKenzie,** of Level 22, Education House, 30 Mary Street, Brisbane in the State of Queensland, Deputy Director-General, Department of Education, Training and Employment, solemnly and sincerely affirm and declare:

1. I am the Deputy Director-General of the Department of Education, Training and Employment (DETE).

2. I have held the position of Deputy Director-General since 6 October 2009.

3. My qualifications include a Bachelor of Education, a Graduate Certificate in Business, a Master of Education and Training and an Executive Master of Government Administration.

4. As Deputy Director-General, I have overall responsibility and accountability for the development of policy and the provision of service delivery to the Queensland State Schooling system. This role oversees the areas of State Schooling Implementation, Operations and Policy as well as the direct reporting arrangements of the Department of Education, Training and Employment Regional Directors.

5. Unless otherwise indicated, I am able to talk generally about Child Protection and the Department. Where applicable, I have indicated the Department employees who have a more detailed knowledge of certain areas.

Overview

6. This statement to the Queensland Child Protection Commission of Inquiry is provided by the Department of Education, Training and Employment (DETE). DETE is committed to providing Queenslanders with the knowledge, skills and confidence to maximise their potential, contribute productively to the economy and build a better Queensland. DETE provides education and training across the entire continuum of learning, with universal access from kindergarten, through schooling, training and higher education.

EDUCATION SYSTEM IN QUEENSLAND AND LINK TO CHILD PROTECTION

7. DETE is a strong supporter of child protection in Queensland evidenced through its range of procedures, programs and services designed to keep students safe from harm, as well as its involvement in a range of cross-government initiatives including the Suspected Child Abuse and Neglect (SCAN) Team system, the provision of additional support to students in out-of-home care through the Education Support Funding Program (ESFP) and through the activities of the Child Safety Directors' Network.

8. Education Queensland is one of six divisions within DETE. Education Queensland is focussed on delivering a high-quality education to more than 495,000 state school students in 1,239 state schools across Queensland, and to ensuring consistent implementation of strategies across all state schools.

9. DETE is committed to providing safe, supportive and disciplined learning environments, and providing a strong and supportive culture that promotes positive learning for all students to ensure that every day in every classroom, every student is learning and achieving.

Mandatory reporting of sexual abuse

Current Legislative Framework

10. The mandatory statutory reporting requirements are contained in chapter 12, part 10 of the *Education (General Provisions) Act 2006 (EGPA).*

11. Section 365 states:

    (1) Subsection (2) applies if a staff member of a State school (the ***first person***) becomes aware, or reasonably suspects, in the course of the staff member's 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 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.

    (2) The first person must give a written report about the abuse, or suspected abuse, to the school's principal or the principal's supervisor –

        (a) immediately; and

        (b) if a regulation is in force under subsection (3), as provided under the regulation.

    Maximum penalty – 20 penalty units.

Policy

12. It is important to note that despite the changes to the EGPA that have evolved into the current legislative framework (and are discussed below), Education Queensland has maintained a Child Protection policy since 1989 and since 1998 has mandated the reporting by employees of harm or suspected harm (not just sexual abuse). The suspicion of harm is in relation to any person and is not limited to harm perpetrated by an employee of the school. The Department's current policy is explained in greater detail at paragraphs 37 – 43.

Changes to the EGPA

13. The statutory reporting requirements were first introduced in 2004 into the then *Education (General Provisions) Act 1989* in response to a report of a Board of Inquiry[1] into the handling of complaints of sexual abuse in the Anglican Diocese of Brisbane. The provisions were carried over into the *Education (General Provision) Act 2006*. When first introduced, the provisions placed an obligation on staff to report suspected sexual abuse of students when perpetrated by an <u>employee</u> of the school only.

14. In November 2011, the *Education and Training Legislation Amendment Act 2011* (the Act) was passed by the Queensland Parliament to further improve the protection of Queensland students. From 9 July 2012, it became mandatory under the EGPA for school staff members to immediately report the sexual abuse of a student under 18 years – regardless of who they suspect of committing the abuse (i.e. "by another person" and not limited to an employee of the school). The Act also places obligations on principals to report directly to the police.

15. In response to a 2010 Queensland University of Technology report titled *Teachers reporting child sexual abuse: Towards evidence-based reform of law, policy and practice: Final report*[2], the reporting requirements were also expanded to require school staff to report to police the likelihood of <u>future sexual abuse</u>. The provisions about the requirement to report the likelihood of future sexual abuse will commence on a date as yet to be proclaimed. Commencement of this requirement has been delayed to enable the Government to progress amendments to clarify the original intention that there be no criminal sanction for failing to report the likelihood of future sexual abuse. This aims to mitigate concerns that the imposition of criminal sanction may result in over-reporting of low level matters. It was proposed that failure to report the likelihood of future sexual abuse would be dealt with by education authorities via disciplinary action, in appropriate circumstances.

16. The introduction of the Bill highlights an expectation that school staff must remain vigilant in protecting students from harm caused by sexual abuse.

17. While researching the issues raised by the QUT Report and drafting the amendments in the *Education and Training legislation Amendment Bill 2012*, a detailed analysis was conducted of the requirement to report harm embedded in policy and in legislation across all other Australian jurisdictions. A summary of this analysis known as State and Territory Legislative and Policy requirements for Reporting Harm is attached (Attachment 1). The analysis showed that the proposed amendments would ensure Queensland's statutory reporting requirements are at least equivalent to the reporting requirements of other Australian jurisdictions.

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[1] Mr P O'Callaghan QC & Professor F Briggs, *Report of the Board of Inquiry Into Past Handling of Complaints of Sexual Abuse in the Anglican Church Diocese of Brisbane*, May 2003, at http://www.media.anglican.com.au/news/2003/05/AnglicanReport.pdf.

[2] Mathews, B., Walsh, K., Butler, D., & Farrell, A. (2010). *Teachers reporting child sexual abuse: Towards evidence-based reform of law, policy and practice: Final report.* Brisbane, QLD: Queensland University of Technology.

18. It was clear there was no consistent legislative standard for the reporting of sexual abuse or risk of sexual abuse across Australia. However, most jurisdictions required mandatory reporting of harm and risk of harm – at the time the analysis was conducted only the Australian Capital Territory and Western Australia did not. New South Wales does not provide a penalty for a failure to report harm or risk of harm. For all jurisdictions, apart from the Northern Territory, the requirements are on prescribed professionals (teachers, police, child care workers, etc.). In the Northern Territory the obligation applies to all people.

Authority to protect students under the *Education (General Provisions) Act 2006 (EGPA)*

19. The EGPA gives individual state school principals, principals' supervisors and the Director-General the authority to take a range of actions to ensure the good order and management of schools and the safety of students.

20. State school principals are required to ensure that there is an approved behaviour plan (implemented as a *Responsible Behaviour Plan for Students*) for the school (EGPA Chapter 12, Part 1). The plan must "promote a supportive environment at the school … to create a caring, productive and safe environment for learning" (s277(3) EGPA). The plan must also align with DETE's policies about the management of student behaviour, must be reviewed at least every three years and has no effect unless it is approved by the Director-General (delegated to Regional Directors or delegate).

21. A range of disciplinary actions is available to a principal under the EGPA. This includes:
    - Detention of a student as punishment for disobedience, misconduct, wilful neglect to prepare homework, or for another breach of school discipline (EGPA Chapter 12, Part 2);
    - Suspension of a student for disobedience, misconduct or other conduct prejudicial to the good order and management of the school (EGPA Chapter 12, Part,3 Division 1);
    - Exclusion of a student by principals where the student's disobedience, misconduct or other conduct is so serious that suspension of the student is inadequate to deal with the behaviour (EGPA Chapter 12, Part 3, Division 1A);
    - Recommendation to their supervisor that a previously excluded student, be excluded from certain other state schools (EGPA s290 (2A)).

22. Principals use a range of school based strategies to modify and manage inappropriate student behaviour in consultation with parents/carers. Suspension and exclusion are only used when all other options to address the student's behaviour have been exhausted and there is a need to physically remove the student from the school. When considering the suspension or exclusion of a student, principals take into account the particular circumstances of an incident as well as the particular circumstances of the student. This could include, for example, whether a young student was able to be supervised if they were suspended from the school.

23. Principals are responsible for providing school work (1 – 5 day suspension) or an education program (6 – 20 day suspension) for a suspended student to enable them to continue their education. Where a student is proposed or recommended for exclusion, the principal is responsible for providing an education program while a final decision is made about their exclusion.

24. Principals' supervisors are also able to exclude a student from a school or other schools they supervise for disobedience, misconduct or other conduct that is so serious that suspension is inadequate to deal with the behaviour (EGPA Chapter 12, Part 3, Division 2).

25. The Director-General has the power to exclude a student from a state school at which the student is enrolled, certain State schools or all State schools if she is satisfied that the student's attendance at the school or schools poses an unacceptable risk to the safety or wellbeing of other students or staff of the school or schools (EGPA Chapter 12, Part 3, Division 3).

26. The Director-General also has the power to refuse the enrolment of a prospective student at a school if she believes that the prospective student would pose an unacceptable risk to the safety or wellbeing of members of the school community (EGPA Chapter 8, Part 1, Division 2).

27. DETE has a number of procedures[3] which provide guidance to schools on these legislated behaviour management and disciplinary measures:
    • Safe, Supportive and Disciplined School Environment
    • Refusal to Enrol
    • Temporary Removal of Student Property
    • Appropriate Use of Mobile Phones and Other Electronic Devices by Students.

28. DETE's Safe, Supportive and Disciplined School Environment procedure includes guidelines for principals and their supervisors in relation to students who have been charged with serious criminal offences and whose attendance at a school or schools could represent a risk to the safety or wellbeing of other students or staff. In these circumstances, principals are encouraged to take appropriate disciplinary action against the student, advise the Regional Director should a student pose a risk and consider recommending to their supervisor the student's exclusion from certain other schools.

29. Under this procedure, Regional Directors should consider recommending to the Director-General exclusion from all or certain state schools in Queensland if student poses an unacceptable risk to the safety or wellbeing of other students or staff of the school or schools.

30. All students excluded from a state school or schools, including those in out-of-home care, are allocated a regional case manager. DETE's Case Management Guidelines[4] require a case manager to work with the student and their parents to re-engage in another school or education or training program as soon as possible after their exclusion. Many regional case managers are senior guidance officers. Department of Communities, Child Safety and Disability Services would be included as part of the process of re-engaging a young person who is in out-of-home care in education or another eligible option.

31. The case managers are also required to follow up with students within one month and six months of their exclusion to ensure the student's continued engagement. Records of contact by case managers are recorded in DETE's OneSchool system.

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32. DETE is aware that a decision to suspend or exclude a student in out-of-home care can impact significantly on the student's education outcomes as well as place strain on foster carers who are then required to provide supervision for the student for the period of the suspension.

Mature Age Student Criminal History Checks

33. DETE allows Mature Age Students to enrol in a state school only if enrolment of the applicant would **not** harm the best interests of children (EGPA Chapter 2, Part 5).

34. The Mature Age Student application process includes a criminal history check by the Queensland Police Service. A criminal history includes every conviction and charge made against the person for an offence, in Queensland or elsewhere, at any time and whatever the outcome of the charge.

35. Applications with a criminal history are considered with the key determinate being if the applicant's attendance at a school poses an unacceptable risk to the safety and wellbeing of students and staff.

36. Principals will only enrol a Mature Age Student if they possess a current Positive Mature Age Student Notice. Any change in a criminal history is required to be disclosed immediately under legislation, with a penalty imposed for failure to disclose.

Student Protection Procedures and Training

37. Education Queensland is committed to preventing reasonably foreseeable harm to students and to responding when an Education Queensland employee or an employee of a state school, in the course of their employment, reasonably suspects harm or risk of harm to students.

38. Harm, to a student, is any detrimental effect of a **significant nature** on a student's physical, psychological or emotional wellbeing. This could also include harm to an unborn child. Harm can be caused by physical abuse, psychological or emotional abuse, neglect or sexual abuse or exploitation (Adapted from Section 9, *Child Protection Act 1999*).

39. All state school employees (i.e. Education Queensland employees and non-departmental employees), short-term contractors working on a school site, volunteers and on-going visitors that have regular contact with students are inducted into Education Queensland's student protection procedures.

40. The Student Protection procedure outlines the responsibilities and procedures for responding to:
    * harm caused by another student
    * harm caused by a person not employed by the department, including volunteers and school visitors
    * student self-harm.

41. According to this procedure, upon receiving a written report from a staff member who reasonably suspects the sexual abuse of a student, or upon receiving any other information capable of satisfying the principal that grounds exist to reasonably suspect a student has been harmed or is at risk of harm, or an unborn child may be at risk of harm, a completed SP-4: Report

of Suspected Harm or Risk of Harm is forwarded to Queensland Police Service and/or Department of Communities, Child Safety and Disability Services, as a matter of urgency.

42. Allegations of harm or risk of harm to a student involving employees is managed in accordance with Allegations against employees in the area of student protection procedure.

43. In 2011, following discussions with Queensland Police Service and the Department of Communities, Child Safety and Disability Services, DETE reviewed the SP-4: Report of Suspected Harm or Risk of Harm form. Several changes were made including the introduction of the ability to email reports (previously only facsimile was advised), and an amendment to the previous requirement to send all reports to both Queensland Police Service and the Department of Communities, Child Safety and Disability Services. DETE now requires reports of sexual and physical harm to be sent to Queensland Police Service and the Department of Communities, Child Safety and Disability Services; and reports of emotional/psychological harm or neglect to be sent to the Department of Communities, Child Safety and Disability Services only.

44. Pre-service teacher training in Queensland provides a very brief general introduction to child protection. In addition, Education Queensland provides a 1.5 hour online Student Protection training[5] which must be completed by all employees on commencing work in a state school. Education Queensland also provides a Power Point presentation and discussion module handout which is used by principals to provide an annual revision of student protection responsibilities at the start of each school year.

45. Short-term contractors working on a school site, volunteers and on-going visitors who have regular contact with students are inducted into the Student Protection procedure and responsibilities by completing the appropriate level of training as determined by the principal. This usually includes provision of the Student Protection Fact Sheet.

46. The online Student Protection training course provides an overview of child protection including indicators of various types of harm, as well as the legislative and policy obligations for staff. The online Student Protective training outlines some of the common indicators of harm, some of which are sufficient alone as reasonable grounds to suspect risk of harm, whilst others are meaningful only when they co-exist with other indicators. The training material stresses that the absence of indicators does not necessarily imply that a student is safe, and that the indicators are a guide only.

47. The training provides an overview of child protection concepts however, the material does not provide participants with the necessary expertise to enable assessment of the risk factors and protective factors in a student's situation beyond formulating a very basic suspicion of harm or risk of harm. Investigation and assessment is the role of child safety officers. As a result, teachers and principals tend to err on the side of caution when reporting.

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Allegations against employees

48. Paragraphs 49 to 51 have been provided to me by Mr Craig Allen, Assistant Director-General, Human Resources.

49. Allegations of suspected harm to students in state educational facilities by employees is managed in accordance with Allegations against employees in the area of student protection (http://ppr.det.qld.gov.au/corp/hr/management/Pages/Allegations-Against-Employees-in-the-Area-of-Student-Protection.aspx). The guidelines for implementation of this procedure include:

    • Identification of the three broad categories of complaints including physical, psychological and sexualised harm.
    • The obligation on employees to report allegations of these types to DETE's Ethical Standards Unit.
    • The implementation of a three tier reporting framework:
        o *SP1 : Report of student harm (suitable for local resolution)* referral for allegations including low-level physical contact, verbal berating or comments/interactions with students.
        o *SP2 : Report of significant harm to a student as a result of actions by an employee* referral for allegations including where injury has been caused, is a repetition of previous behaviour or involves allegations of over-familiar and/or unprofessional conduct with students.
        o *SP3: Report of suspected sexual abuse of a student by an employee* referral for allegations of inappropriate relationships, touching students in a sexualised manger and identified 'grooming' behaviours with students.

50. Upon receipt of complaints against employees involving students, the Ethical Standards Unit undertakes an assessment of the allegations to determine:

    o The appropriate level of departmental investigative response.
    o The requirement to refer the allegation to the Crime and Misconduct Commission as suspected Official Misconduct (s. 38 *Crime and Misconduct Act 2001*).
    o The ongoing risk to any person including referral of the allegation to DETE's Workforce Review unit for consideration of secondment or suspension of the employee (*s. 189 Public Service Act 2008*).
    o The requirement to refer an allegation of student harm involving a relevant teacher at a prescribed school to the Queensland College of Teachers (s. 76 *Education (Queensland College of Teachers) Act 2005*).
    o Whether the allegation is subject to investigation by the Queensland Police Service.

51. Throughout and at the completion of the investigation, DETE's Ethical Standards Unit maintains regular liaison with the aforementioned agencies and provides outcome advice as required. Investigations which determine allegations against employees are capable of substantiation are forwarded through DETE's Workforce Review unit for consideration of discipline (s. 187 *Public Service Act 2008*) including penalties up to and including termination of employment (s. 188 *Public Service Act 2008*).

Child Safety Directors Network (CSDN)

52. The Director, Child Safety, Education Queensland represents the Director-General and the Department in the Child Safety Directors' Network which provides leadership, coordination and direction by operating at the strategic whole-of-government level. The Network is responsible for identifying gaps and systemic issues within the operation of the child protection system and developing coordinated resolutions and improving the operation, coordination, planning and delivery of the child protection system in Queensland. The Child Safety Directors Network directs the work of sub-committees for Evolve Interagency Services and the Suspected Child Abuse and Neglect (SCAN) Team system.

53. Over the last twelve months the Network has led the development and trial of the Queensland Child Protection Guide to assist professional reporters within Queensland Government agencies to reduce the numbers of reports to the Department of Communities, Child Safety and Disability Services that do not meet the threshold for tertiary investigation. The Department of Education, Training and Employment is an active member of the Child Safety Directors Network and is a core member of the various sub-committees.

Suspected Child Abuse and Neglect (SCAN)

54. DETE is a core member agency of the Suspected Child Abuse and Neglect (SCAN) Team system coordinated by the Department of Communities, Child Safety and Disability Services. There are 12 FTE senior guidance officers that fulfil the role of DETE core member agency representatives on 30 operational SCAN teams across the State. Their role is to assist state and non-state school principals with the referral of cases to SCAN team meetings. Senior guidance officers attend SCAN meetings and provide information collected from school personnel for case reviews. In addition, they will ensure that relevant information is provided to principals and guidance officers in a timely way and in accordance with confidentiality and privacy requirements.

55. The purpose of the SCAN team system is to enable a co-ordinated, multi-agency response to children where statutory intervention is required to assess and meet their protection needs. This is achieved by timely information sharing between SCAN team core members, planning and co-ordination of actions to assess and respond to the protection needs of children who have experienced harm or risk of harm, holistic and culturally responsive assessment of children's protection needs.

56. The SCAN team system includes provision for Information Coordination meetings (ICM). These provide a forum for discussion of matters where a SCAN team core member representative seeks further information regarding the rationale for a Child Safety intake decision and requires the opportunity for multi-agency discussion. An ICM referral must meet all the following criteria, the matter has been assessed by Child Safety Services as a child concern report (CCR), the SCAN team core member representative has contacted the Child Safety Services regional intake team leader for further discussion regarding the decision and rationale, the matter remains a CCR and the SCAN team core member representative requires the opportunity for multi-agency discussion.

57. The role and responsibilities for SCAN team system members and the relevant information sharing protocols are outlined in sections 159I - 159L of the *Child Protection Act 1999*. Personal information collected by employees of DETE for provision to SCAN team meetings is managed in accordance with the *Child Protection Act 1999*, and where relevant the *Education (General Provisions) Act 2006*, and the IP Act.

58. The Suspected Child Abuse and Neglect (SCAN) Team system has undergone a number of revisions, the most recent was progressively implemented across the State between July and October 2010. The revised SCAN Team system was developed by the SCAN sub-committee chaired by the Department of Communities, Child Safety and Disability Services and comprising SCAN core member agencies (Queensland Police Service, Queensland Health, and DETE) as well as a recognised entity representative and representatives from the Commission for Children and Young People and Child Guardian.

59. Once the most recent changes to the SCAN Team system were finalised, an interagency training team conducted fifteen training sessions across the State, concluding in October 2010, to train core member agency SCAN representatives in the new processes. Representatives were trained from the revised SCAN manual, which had been completed earlier by the SCAN sub-committee.

60. There were two major changes to the SCAN system. The Department of Communities, Child Safety and Disability Services are to provide a response to the principal when they make a child protection report. If the report becomes a child protection notification, the response to the principal must contain the outcome. If the report is deemed a Child Concern Report (CCR) (i.e. does not meet the threshold for a child protection notification) then the response to the principal must contain both the outcome and the rationale used to determine the outcome. The response must be provided to the principal within five days of the report being made.

61. In order to assist the Department of Communities, Child Safety and Disability Services to meet its commitment of providing feedback on referrals within five days, SCAN supports the practice of referring core member agencies identifying which referrals are more urgent for the purposes of prioritisation.

62. The introduction of Information Coordination Meetings ("ICM") provides opportunity for multi-agency case discussion of Child Concern Reports (i.e. those matters that do not meet the threshold for a child protection notification). Upon receiving the feedback that the concerns raised did not meet the threshold for a child protection notification, if principals disagree with the decision and rationale provided, they can contact their local DETE SCAN team representative (Senior Guidance Officer) to discuss. The DETE SCAN team representative will then contact the Child Safety regional intake team leader to discuss the case and the decision. The regional intake team leader can decide from that discussion whether the referral is sufficiently concerning to bring the matter to SCAN or to leave it as a Child Concern Report.

63. After discussing the matter with the Child Safety regional intake team leader, the matter remains a Child Concern Report (CCR) and the DETE SCAN team representative requires the opportunity for a multiagency response. The DETE SCAN team representative can submit an ICM

referral, where the matter must be listed on the ICM agenda within ten business days from receipt of the referral.

Queensland Child Protection Guide

64. The Queensland Child Protection Guide was developed by a multiagency group of stakeholders to assist professional reporters who are concerned about possible abuse or neglect of a child and must make a decision whether or not to report their concerns to Department of Communities, Child Safety and Disability Services – Regional Intake Services, Queensland Police Service or to a non-government agency.

65. The Queensland Child Protection Guide is an online decision support tool that has been designed specifically for health and education professionals who may hold concerns about children and their families. The aim of the Child Protection Guide is to assist these professionals to report their concerns to the appropriate agency or to refer families to the service provider best placed to meet their needs. DETE contributed knowledge and expertise to the cross-government Senior Officer Stakeholder group convened by the Child Safety Directors Network to develop, trial and evaluate the guide.

66. DETE does not collect reporting data centrally. Reporting data is supplied by Department of Communities, Child Safety and Disability Services or Queensland Police Service on request.

67. In 2010-11 the Department of Communities, Child Safety and Disability Services statistics indicated that school personnel (state and non-state schools) made 14,286 reports to Child Safety Regional Intake Services across Queensland. This figure accounts for 13% of the reports that reached the threshold received in that year. Of these reports 11,241 (approximately 78.7%) did not reach the threshold to be recorded as a notification resulting in an investigation. Of the 3,045 reports made by school personnel, only 871 (approximately 28.6%) were substantiated (i.e.: 6% of total reports). In comparison, of the 13,599 (12% of all reports for the year) reports made from health sources, 3,710 (approximately 27.3%) reached the threshold for notification and 1,195 of those (approximately 32.2%) were substantiated (i.e.: 8.8% of total reports).

68. The reporting decision is not an easy one, and the consequences of the decision are considerable. The Reporting Guide was developed in order to achieve the following goals:
    1. help ensure that children and families requiring statutory child protection services are promptly reported
    2. help increase the ability of Department of Communities, Child Safety and Disability Services to provide direct family contact in response to serious reports by reducing time spent on reports that could be diverted to more appropriate service/services
    3. provide alternative options for reporters to assist children, young people and families who would be better served outside of the statutory child protection system.

69. The Guide is intended to compliment rather than replace critical thinking and does not prohibit a professional reporter from any course of action he/she believes is appropriate. Instead, the Guide incorporates proven design principles that help focus on the most critical pieces of information for the decision at hand. The Guide reflects the consensus of multiple government

departments and non-government agencies concerning situations that are best served through statutory responses and those that are best served through alternative interventions.

70. It was agreed by all stakeholders that the Queensland Child Protection Guide be trialled in one region for a period of 12 months. The South East Region was chosen as the trial site due to the enhanced secondary service system of non-government agencies that was currently in place in that region due to the Helping Out Families initiative trial that was already underway. It was agreed that the trial of the Guide would require the additional capacity in the secondary service system to respond to those referrals that were recommended for a non-statutory support response.

71. The use of the Guide in the South East Region is not mandatory. Information about the Guide was circulated to school principals and guidance officers and an officer in the South East Regional office was delegated responsibility to oversee and support the trial.

72. Usage data provided by Department of Communities, Child Safety and Disability Services indicates that the online Guide has been accessed 97 times in the period 30 January 2012 until 1 June 2012 in the South East Region by users from DETE. There is no data available on whether these usage events resulted in reports to Department of Communities, Child Safety and Disability Services or whether users found the resource helpful in the decision-making process. It should be noted that the data in relation to usage of the Guide does not distinguish between use relating to actual cases and training exercises.

73. Feedback from regional employees indicate that principals and guidance officers have found the Guide to be useful but that it did not replace the overriding responsibilities in DETE policies or the principal's professional decision making ability. Whilst the Guide was reported to be useful, in some instances no service providers were available for referrals to Intensive Family Support services, which was particularly evident in some geographic locations in the western part of the South East region, for example Beaudesert and Boonah. Staff in the South East region advised that it was useful to have a reference group chaired by Department of Communities, Child Safety and Disability Services to discuss implementation and progress of the trial.

Education Support for students in out-of-home care

74. Students in out-of-home care receive education support through the development of individual Education Support Plans and subsequent funding under the Education Support Funding Program.

Education Support Funding Program ("ESFP")

75. The Education Support Funding Program is a collaborative initiative funded by the Department of Communities, Child Safety and Disability Services and administered by the Department of Education, Training and Employment. The program is designed to address educational disadvantage experienced by many students in out-of-home care. The ESFP is governed by a

Memorandum of Understanding (MOU)[6] between the Department of Communities, Child Safety and Disability Services and DETE.

76. DETE has also entered into a Memorandum of Understanding with each non-state schooling sector, the Queensland Catholic Education Commission and Independent Schools Queensland, to implement the ESFP within their schools. These MOU outline the roles and responsibilities of each sector for supporting students in out-of-home care, development of ESPs and implementation of the ESFP, and data collection and reporting requirements.

77. The ESFP involves the distribution of funds to support Queensland students subject to child protection orders that grant guardianship or custody to the Chief Executive Officer of the Department of Communities, Child Safety and Disability Services. These funds are made available to assist students across the state, Catholic and Independent schooling sectors.

78. In the 2010-11 financial year $6.3 million was provided by the Department of Communities, Child Safety and Disability Services to the Department of Education, Training and Employment for additional support to 4,064 students in Years 1-12 in out-of-home care in both state and non-state schools in Queensland. In addition, $2.0 million funding is allocated and administered by Department of Communities, Child Safety and Disability Services for education support through the Child Related Costs process.

79. Assistance provided under the ESFP must be linked to goals identified through the Education Support Planning process.

80. The ESFP provided a range of activities for students in out-of-home care during 2010-11 including:
   - literacy and numeracy support
   - teacher aide support for individual students
   - intensive learning support
   - homework and tutoring support
   - behaviour and social skills support
   - coaching and anger management counselling
   - social skills training.

81. Schools value the Education Support Funding Program and can readily provide case studies highlighting the success of individual students. The following case study is one example. Further case studies can be provided if required.

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[6] Copy supplied

Case study

John is 11 years old. When he enrolled at his new primary school, John had a record of severe behaviour problems. He had been suspended from his last school on numerous occasions. Care placement after care placement had broken down.

Working with John's child safety officer, the teachers at his new school developed an Education Support Plan (ESP). John's plan identified being able to participate in lunch-time play as important to John's wellbeing and outlined strategies to help him improve his social skills to enable that to occur. The school applied for funds from the Education Support Funding Program (ESFP) and used the money allocated to employ a teacher aide. The teacher aide worked one-on-one with John on a program of social skills training that included structured learning activities and restitution. When John broke something, he mended it. When he made a mess, he cleaned it up.

Since John began working with his teacher aide on his individual program, his behaviour has improved markedly. He still has some behaviour problems, but they are much less frequent and far less severe. He gets on better with his classmates and is able to go out to play at lunch instead of spending time in a supervised area. He is better at managing his anger, less aggressive to other students and more respectful of school property. John's school credits the ESFP and his more stable home environment with enabling John to achieve his goal of being able to play with his peers during lunch-time without supervision and with improvements to his language, literacy and numeracy skills as well.

Education Support Plans

82. It is the aim of DETE to have an Education Support Plan (ESP) for every student in out-of-home care within one month of the student going into care or within one month of their school principal being notified by the Department of Communities, Child Safety and Disability Services that the student is in out-of-home care.

83. Developing an ESP involves input from the student in out-of-home care, and other significant persons in his or her life. The student's educational goals are established, needs identified, and strategies developed to meet these needs and goals.

84. DETE undertakes an annual data collection from schools for reporting purposes. This year an online application in DETE's OnePortal system was developed to allow schools to enter information about their students in out-of-home care. DETE also collects information from the non-state schooling sectors as part of its role in administering the program.

85. Data from the 2012 data collection for students in out-of-home care, currently being conducted, will be available in late September, therefore cannot be included in this response. The August 2011 collection indicated that there were 4,064 students in Years 1-12 in out-of-home care enrolled in the state and non-state schooling sectors. Of these students, 3,372 (82.8%) had an ESP developed, 441 (10.9%) had an ESP that was under development and 253 (6.2%) were still to be commenced.

86. DETE has recently commenced a project with Department of Communities, Child Safety and Disability Services aimed at improving the educational outcomes for students in out-of-home care. The project aims to focus attention on improving individual student achievement and academic success. Strategies to be employed include:

- regional operational plans which highlight clear performance measures for students in out-of-home care similar to the closing the gap targets set for indigenous students
- showcasing good practice and strategies that are shown to improve attendance and individual academic achievement
- improving the quality of the data exchange between DETE and Department of Communities, Child Safety and Disability Services to support schools and regions in improving outcomes for students in out-of-home care
- the development of a new application as part of OneSchool to allow greater efficiency in data collection and provide significant reporting benefits.

Beam

87. The Beam pilot was funded by the Australian Government Department of Education, Employment and Workplace Relations as part of the Improving our Schools - National Action Plan for Literacy and Numeracy.

88. DETE partnered with Foster Care Queensland and the Department of Communities, Child Safety and Disability Services in developing this initiative.

89. The 'Beam' literacy and numeracy pilot aimed to accelerate achievement and promote sustained positive numeracy and literacy outcomes for primary school students in out-of-home care. By extending the capacity of foster carers through the provision of training modules and online resources, foster carers can engage students in literacy and numeracy activities in the home environment.

90. Carers attended a course where a teacher facilitated a series of six modules to show carers how they can support their children's learning. Four of the modules focussed on oral language, numeracy, reading and writing. Another module was dedicated as an individual session which allowed carers to seek support for specific needs of children in their care. The final module was an excursion where the facilitator modelled how carers can capitalise on everyday 'teachable moments' to improve children's literacy and numeracy.

91. Beam has been extremely well received by schools and carers. The quality and relevance of the resources coupled with the modelling of how to use them has been pivotal to the success of Beam. Beam provides an avenue to engage parents and carers in a positive way with schools, and as a result, the DETE regions have continued to work with the Department of Communities, Child Safety and Disability Services in the continued delivery of Beam throughout the 2011 and 2012 school years.

92. Online training for teachers to become facilitators is available. In addition, facilitators can download the full suite of Beam resources from www.beam.edu.au.

Evolve Interagency Services

93. Evolve Interagency Services are a partnership between the Department of Communities, Child Safety and Disability Services, Queensland Health and DETE. Evolve provides therapeutic and behaviour support services for children on child protection orders and in out-of-home care who have significant behavioural and psychological issues and/or disability behaviour support needs.

94. DETE is not a direct provider of therapeutic services, however is represented on Evolve panels across Queensland. Senior guidance officers represent the department on the Evolve panels.

STATISTICAL INFORMATION

95. DETE does not collect data about reports of harm sent by schools to the Department of Communities, Child Safety and Disability Services or Queensland Police Service. Data provided by Child Safety and published on their web site shows aggregated data from 'school sources'. The number of reports received from state or non-state schools only is not able to be determined from this information.

96. Under the Memorandum of Understanding (MOU) with the Department of Communities, Child Safety and Disability Services regarding education outcomes, the Department of Communities, Child Safety and Disability Services provides DETE annually with a list of students who have been in out-of-home care for 2 years or more. In turn DETE attempts to match the students on the list to students in Queensland state schools for the purpose of providing data on the educational outcomes of these students.

97. For the matched students, data on the following educational outcomes is provided back to the Department of Communities, Child Safety and Disability Services:

- NAPLAN results (Proportion at or above national minimum standard for Years 3, 5, 7 and 9)
- Year 12 outcomes (Proportion of Queensland Certificate of Education awarded and Proportion of VET qualifications awarded)
- School Disciplinary Absences (incidences of suspensions, exclusions and cancellations)
- Student attendance (Student attendance rate for Semester 1)

98. Tables 1 and 2 provide data on significant characteristics of students in out-of-home care and data on the completion of ESP's for these students (Attachment 2)

EARLY INTERVENTION OR OTHER PREVENTION STRATEGIES

99. The following section provides information about the range of support services and support staff that are available to schools to assist students that require additional educational support.

Education Adjustment Program (EAP)

100. DETE provides targeted support to students with disability through the Education Adjustment Program (EAP). The six EAP categories include:
- autism spectrum disorder
- hearing impairment
- intellectual impairment
- physical impairment
- speech-language impairment
- vision impairment.

101. Special education programs and service resources are based within schools and regions to support students' educational programs as well as the provision of special schools for a small number of students with a disability who require very highly individualised education support programs.

102. Special education programs and services for students and children with disability are available across state primary and secondary schools to give support to students with disability and assist classroom teachers in the development and delivery of the students' educational programs. There are approximately 600 special education programs across the state.

103. Special schools provide education programs specifically for students with intellectual impairment with significant educational support needs requiring a highly individualised program. They have teachers with specialised qualifications, and have ready access to DETE's funded nursing and therapy support. There are 42 special schools and one special campus in Queensland. Students need to meet eligibility criteria to access a special school.

104. Students who do not access additional resourcing through EAP, but who have a disability as defined by the *Disability Discrimination Act 1992 (Commonwealth) (DDA)*, are supported through the full array of student support services allocated to regions and schools. The DDA definition of disability is much broader than the criteria for DETE's six EAP categories or special school eligibility criteria.

105. DETE adheres to the DDA definition of disability and requires schools to make reasonable adjustments to ensure that all students with disability are able to participate in education on the same basis as students without disability.

106. Principals manage the resourcing within their schools. Schools provide support in a variety of ways. Some programs might support a wide range of students with disability whilst others might support a smaller identified group. This includes ensuring students have access to augmentative and alternative communication (AAC) if required. The *United Nations Convention on the Rights of Persons with Disabilities 2006* recognises the rights of students to have a communication aid

and strategy that will enable them to access and participate in their lives. DETE provides a coordinated and collaborative approach to developing effective communication for students with little or no speech through the use of AAC. Schools ensure that when sensitive information (for example within the context of student protection procedures) is conveyed via AAC, the message is clarified and the intended message is confirmed by an impartial professional who is competent in the communication method and completed the student protection training.

Regional Behaviour Support Staff

107.   DETE employs a range of dedicated staff to support classroom teachers and deliver professional development for school staff in the area of behaviour support. These staff also provide assistance for students who demonstrate challenging behaviours. These staff include Positive Learning Centre (PLC) teachers, dedicated regional behaviour management personnel, guidance officers, senior guidance officers and guidance officers (Intensive Behaviour Support).

108.   Regional case managers are appointed to work with all students who are proposed or recommended for exclusion from a state school. Case managers facilitate the student's successful re-engagement in another school or other education or training program, such as TAFE. Case managers also follow up with the student within one month of the student's enrolment in a new school or program, and again within six months to ensure the student's continued engagement.

109.   In addition, youth workers and social workers are employed in some schools and regions to provide support to students at risk of disengaging from education or who have already engaged from education.

School-Based Youth Health Nurses (SBYHN)

110.   The School-Based Youth Health Nurse works in partnership with school personnel to promote positive health and well-being for students within a school community.

111.   Queensland Health funds School-Based Youth Health Nurses in state secondary schools. A Memorandum of Understanding between Queensland Health and Education Queensland, which outlines the management guidelines for the program, makes this partnership possible. School-Based Youth Health Nurses work collaboratively with school personnel to provide a range of services to individual students, teachers, and class groups. School-Based Youth Health Nurses:
- provide individual health consultations for students
- provide advice and information to students and their parent in an effort to optimise the management of a student's health and wellbeing
- support teachers with their planning, implementation and evaluation of health related learning experiences
- support the development of a healthy school environment and ethos, and
- facilitate health related teacher in-service, in order to provide advice and information about health education resources and relevant Queensland Health policies and programs.

112.   School-Based Youth Health Nurses are line managed through Queensland Health. As nurses registered in Queensland and employed by Queensland Health, school-based youth health

nurses are required to operate within relevant legislation, policy and guidelines of their agency and professional registration. Whilst they are accountable to this supervisor, they are also required to maintain regular communication with the school principal or a nominee at their base school/s.

Registered nurses employed by DETE

113.   DETE employed nurses meet the health needs of students with a verified disability and/or specialised health need. Registered nurses assist students through assessment, development of Individual and emergency Health Plans, the provision of training and supervision to staff, interventions and collaboration with students, parents and school personnel. Whilst based in a school, registered nurses respond to referrals for the provision of nursing services across the region.

114.   Nursing procedures/interventions include, but are not limited to:
  * enteral feeding (gastrostomy, nasogastric, jejunostomy)
  * urinary management (catheterisation, urostomy care)
  * bowel management (colostomy/ileostomy care)
  * diabetes management (insulin, blood sugar level testing, diabetic emergency)
  * epilepsy management (rectal Valium, nasal/buccal Midazolam, vagus nerve stimulator support)
  * anaphylaxis management (adrenaline auto injector (EpiPen®) use)
  * asthma management (emergency medication).

115.   Registered nurses:
  * aim to build the capacity of school personnel to safely and competently manage the health requirements of students with a verified disability and/or a specialised health need
  * assess students with a verified disability and/or a specialised health need
  * communicate and collaborate with the education team in developing health plans aligned with educational goals for students with a verified disability and/or a specialised health need
  * develop and implement individualised student health and emergency health plans
  * provide training for relevant school personnel in routine and emergency health procedures
  * problem solve in managing students' specialised health needs
  * interpret medical orders, medical reports and medical terminology for the educational team
  * liaise with school personnel, students, parents/carers, doctors, specialists, health agencies and hospital staff
  * act as a resource to teachers by providing relevant up to date information and advice about complex health needs
  * advise and provide information regarding communicable disease control for students with specialised health needs
  * advocate to ensure inclusion of the student with a verified disability and/or a specialised health need in the school and education planning process
  * use evidence based practice to make clinical decisions in a school setting
  * assist the parent and student to identify and access community resources, as required

- contribute to operational planning activities and relevant school based committees, supervise practicum placements of undergraduate nursing students on clinical placement in the school environment, and
- support professional development for teachers in a range of health issues.

Occupational Therapists and Physiotherapists

116.   Occupational therapists and physiotherapists work as part of an educational support team to assist students with disability who have been verified through the Education Adjustment Program (EAP).

117.   Whilst the work of the occupational therapist and physiotherapist target the needs of students with intellectual, physical, vision, hearing, speech-language impairment, autistic spectrum disorder or multiple impairments, their professional roles are quite different and specific.

118.   Occupational therapists aim to enhance students' participation in the education process by assisting to develop their functional skills for work, life and recreation.

119.   Physiotherapists work with those students who have posture and movement disorders or delayed neuro-sensory motor development. Through therapeutic intervention and support they aim to develop and restore students' motor competencies in order to enhance their access and participation in schooling.

120.   Occupational therapists and physiotherapists:
- assess student needs
- provide occupational and/or physiotherapy services to students
- plan, develop, implement and review programs
- consult and network with other members of the support team
- assess, prescribe, and review aids and equipment
- plan and/or deliver professional development
- are involved in the EAP process.

121.   Therapists provide services to designated state primary, secondary and special schools within a region. A member of the regional office provides administrative and organisational support to therapists, and a senior member of the same profession provides professional supervision.

Speech-Language Pathologists

122.   Speech-language pathologists (SLPs) collaborate with school staff to assist students who have special needs in language, speech sounds, fluency, voice, social interaction skills, communication strategies, and eating, drinking and swallowing. The specialised speech-language therapy services they provide are aimed at increasing students' educational access, participation and achievement.

123.   Speech-language pathologists work collaboratively with school staff, the speech-language pathologist in charge, and other service providers within and outside of DETE to provide efficient and effective services to students and schools.

124.   Speech-language pathologists are responsible for:
- working as a member of the education team to determine the educational needs of students with special needs in communication and/or eating and drinking difficulties
- assisting in developing and delivering programs that enhance or support students communication skills
- assisting the education team to adjust the communication demands of the curriculum to enable student participation and achievement of educational goals
- providing professional development activities for teachers, teacher aides and other support staff
- consulting with and providing resources to school staff, parents and the school community
- liaising with other agencies.

Guidance Officers

125.   Guidance officers provide a broad guidance, counselling and support service to students who require assistance resolving personal, social or emotional problems, are experiencing learning difficulties, have a disability or require advice in relation to study skills, subject selection and career planning.

126.   Guidance officers are school-based, working in either a large school or servicing a number of schools within a geographic area.

127.   Guidance officers are able to assist individual students, in collaboration with parents, teachers, and other support personnel, with the identification of factors that are hindering learning, positive participation at school and relationships.

128.   Guidance officers:
- provide professional expertise, leadership, and support to school communities and networks in the development and implementation of plans, programs, and procedures to assist students in achieving positive educational, developmental and lifelong learning outcomes
- collaboratively negotiate, develop and implement programs for students that have a focus on preventative and early intervention strategies, are responsive to identified personal, social and educational needs and aim to foster resilience and personal skills development
- advocate, provide counselling, psychoeducational assessment and/or individual student support, recommendations and advice to students, teachers and parents concerning mental health, educational, behavioural, career development and family issues.

129.   Guidance officers contribute towards and are accountable for the provision of a comprehensive student support program that is responsive to the identified and changing needs of the students, negotiated with and authorised by the school principal.

130.   Guidance officers are required to participate in regular clinical and technical supervision with a senior guidance officer or an appropriate officers nominated by the senior guidance officer.

Youth Support Coordinator Initiative

131.   The Youth Support Coordinator Initiative (YSCI) provides a targeted layer of support to students in the secondary school who are at risk of disengaging from school. The initiative seeks to assist these students to successfully transition into and through their Senior Phase of Learning. The early intervention and prevention program that Youth Support Coordinators provide in secondary schools is an initiative of the Department of Education, Training and Employment and the Department of Communities, Child Safety and Disability Services. Youth Support Coordinators provide a broad range of services to secondary school students including:

- support students in their senior years as they transition to further education, training and employment
- assist young people and their families to resolve social and personal issues and develop skills to support and strengthen educational engagement
- work as part of a multi-disciplinary team to support young people at risk to maintain their engagement in education or training
- develop linkages with the broader community to enhance access by young people and their families to support and assistance.

132.   Youth Support Coordinators are visiting members of a school's student support services unit who are employed by community-based organisations and funded through a partnership arrangement between the Department of Education, Training and Employment and the Department of Communities, Child Safety and Disability Services. Whilst they are line-managed by their agency, school principals lead the YSCI activities when delivered on education premises and during school hours. Youth Support Coordinators liaise with principals and other nominated members of the school community to ensure a collaborative approach to service delivery and a holistic approach to support student wellbeing, attainment and transitions.

School Chaplains / Student Welfare Workers

133.   A chaplaincy or student welfare service is an optional student support service that may exist in a state school. In these schools, chaplains/student welfare workers provide students, staff and parents with an additional dimension of support. If the school has a chaplain, this support may have a religious and/or spiritual component. School chaplains/student welfare workers contribute to students' educational welfare and wellbeing through a support service that is sensitive to and considerate of the broad range of cultural, spiritual and religious backgrounds and belief systems represented in their designated school community. The role of the school chaplain/student welfare worker may vary from school to school and is defined by the school's Local Chaplaincy Committee. The activities in which a school chaplain/student welfare worker may be involved within a school and local community include:

- community development – e.g. contributing to newsletters
- educational support - assisting with classroom activities, under the direction of a teacher, or attending extra curricula activities e.g. sports day or camps.
- mentoring - acting as a role model for students and assisting in the development of supportive relationships for, with and among students.

- social and /or emotional support – assisting students to develop knowledge, understandings and skills that support learning, positive behaviour and constructive social relationships.
- spiritual support – only chaplains may provide an additional dimension to the school's care, guidance and support of students with spiritual, religious needs. Whilst modelling and owning their own faith positions or belief, chaplains must avoid any implications that any one religion, denomination or other set of beliefs is advantageous or superior to any other denomination, religion or belief.

134. Although chaplains/student welfare workers are employees of an Accredited Employing Authority and operate in schools as contractors, they are accountable to the school principal (or delegate) in relation to the day-to-day running of services at the school and are subject to reasonable directions from the principal (or delegate).

School-Based Police Officers

135. School-based police officers play an important role in supporting secondary school students at risk of offending or becoming involved with the juvenile justice system. They also provide a broad educational and preventative service to students through the sharing of information about the law, police duties, and safety programs.

136. The School Based Policing program is a joint initiative of the Queensland Police Service and Education Queensland. School-based police officers are based full-time in forty-seven high school clusters throughout Queensland.

137. In these schools, school-based police officers are able to help build a positive relationship between students and the policy by:
- assisting students with their understanding of the law and legal processes that aid in crime prevention and proactive policing
- developing and presenting curriculum material that addresses locally identified school community and policing issues
- undertaking initial response and investigation of offences within the perimeters of the school
- providing advice, where appropriate, to members of the school community with regard to traffic matters, property and personal safety
- coordinating programs such as *School Watch, Safety House* and *Property Identification.*

138. School-based police officers report directly to the Officer-in-Charge, Child Protection Investigation Unit in the division where the school cluster is located. Whilst they are accountable to this supervisor, they are also required to maintain regular communication with the school principal or a nominee at their base school/s.

Ed-LinQ

139. Ed-LinQ is a statewide initiative funded by Queensland Health. The initiative aims to improve mental health outcomes for children and young people by enhancing partnerships and referral pathways by enhancing partnerships and referral pathways between local school communities, primary care providers and child and youth mental health services.

140. Ed-LinQ aims to:
- Enhance school staff knowledge of how to identify when a student is at-risk of , or is experiencing, mental illness
- Ensure school staff will have access to information regarding local referral and care pathways
- Engage appropriate services to be accessed to provide advice, assessment and intervention for identified students
- Establish the process of supporting strong strategic links at the local level, to improve access to key resources
- Have this process supported through a focus on developing the skills and knowledge of key education and primary care stakeholders
- Ultimately demonstrate an overall improvement in the mental health outcomes of Queensland school students.

141. There are district Ed-LinQ coordinators located throughout Queensland and they are situated within the Child and youth Mental Health Service (CYMHS) clinics. There is a state-wide coordination position that supports the initiative.

142. The coordinators work across the mental health, education and primary care sectors by:
- Facilitating a strategic framework for collaboration and communication between the sectors and,
- Providing mental health consultation, information and training opportunities

143. Paragraph 144 has been provided to me by Mr Ian Mackie, Assistant Director-General, Indigenous Education and Training Futures.

Community education counsellors

144. Counsellors work closely with guidance officers and their local communities, and provide a significant service to Aboriginal and Torres Strait Islander students. Community education counsellors are located generally in schools with significant numbers of Aboriginal and Torres Strait Islander students, as well as in clusters of schools throughout the state. Community education counsellors provide a range of services including:

- Provide educational counselling and support services within specific secondary school/s to ensure that the best possible assistance services are available to Aboriginal and/or Torres Strait Islander secondary students and communities.
- Establish and maintain links with out of school sources of information and support services to assist Aboriginal and Torres Strait Islander secondary students.
- Provide information to the school community about Aboriginal and/or Torres Strait Islander social and cultural perspectives.
- Provide advice and information to school administrators regarding Aboriginal and/or Torres Strait Islander social and cultural protocols in order to meet the needs of schools and their communities.
- Ensure that relevant information concerning Aboriginal and/or Torres Strait Islander social and cultural issues is readily available to all members of the school community.
- Participate in activities to develop productive partnerships between members of the school community.
- Establish and maintain links with "out of school" sources of information and support services to assist in the advancement of Aboriginal and Torres Strait Islander secondary students.

Support for pregnant and parenting students

145.   Young parents who leave school early often face greater hardship and poverty than young people who complete their education. In particular, young mothers may experience social isolation, a higher than average likelihood of a second pregnancy during their teenage years, a higher risk of involvement in unstable and violent relationships, and poorer than average outcomes for their children in terms of health, welfare and educational achievement.

146.   One of the most effective ways to minimise the risk of negative outcomes is to support pregnant young women and young parents to remain connected to learning. By working together, schools, parents/carers and students determine a plan for supporting the pregnant or parenting young person to continue their education.

147.   School-based and community-based support is available to assist students to complete their education by identifying barriers and finding solutions to make the path to learning easier.

School-based support

148.   Pregnant and parenting students are entitled to the same level of educational opportunity as other students. Schools provide appropriate arrangements to support them to complete their education through flexibility in:
   o   classroom and school management
   o   curriculum design, teaching and learning strategies, and assessment
   o   uniform/dress codes
   o   temporary alterations in attendance.

149.   The creation of flexible pathways and a range of opportunities for achievement have provided a level of support that enables all young people to complete their education and training. For pregnant and parenting young people, continuation of their learning may occur through:
   o   Mainstream school - schools can provide support, for example, through flexible arrangements in timetabling and attendance.
   o   Distance education - studying while staying at home by enrolling in courses via a number of institutions on correspondence or online basis.
   o   Alternative Education Centres - which may provide on-campus support such as a creche or child care centre or a designated area where parents can study, rest or feed their babies. An example is the Albert Park Flexible Learning Centre .
   o   Tertiary Institutions - such as TAFE that offers education and training in a wide range of fields.
   o   Home Education - where individually tailored education is provided by parents for their children. Within home education, parents are responsible for developing their own program for their child, conducting learning activities, setting assessment and monitoring the child's progress.

150.   A number of schools in Queensland have specific programs in place to support pregnant and/or parenting students e.g. Burnside State High School runs the STEMM program (Supporting Teenagers Education Mothering Mentoring) and Mabel Park State High School runs the POWER program (Parents Overcoming Work and Education Restrictions).

Community-based support

151.   Schools can facilitate access to a range of community-based support services such as health
services, counselling services, childcare options and housing by:

- o   establishing strong links with the support agencies in their community
- o   negotiating with students for time-off school to attend appointments
- o   having community agency staff on campus or arranging for them to come to the student
for appointments.

Daniel Morcombe Child Safety Curriculum

152.   The Department of Education, Training and Employment is developing the Daniel Morcombe
Child Safety Curriculum (the Curriculum) in partnership with the Daniel Morcombe Foundation.
The Curriculum is being developed using evidence based research to align with principles of best
practice in child safety education. An analysis of child safety education programs available across
all Australian jurisdictions was conducted prior to commencing the drafting of this Curriculum.
The results (Attachment 3) confirmed that this Curriculum will provide a modern, best practise
approach to the subject not currently available in the market. A network of renowned experts
involved in researching child abuse and its prevention are also providing feedback on the
Curriculum materials being developed.

153.   The Curriculum aims to teach children about personal safety and awareness, including cyber
safety and telephone safety. It will build their knowledge and skills in recognising, reacting and
reporting when they are unsafe or find themselves in harm's way.

154.   The Curriculum will be targeted at Prep to Year 9 students in state and non-state schools and
will consist of classroom lessons delivered across each of the following three phases of learning:
Prep to Year 2, Year 3 to Year 6, and Year 7 to Year 9.

155.   Denise and Bruce Morcombe, who have been engaged by the Department of the Premier
and Cabinet until September 2013 as Child Safety Ambassadors, will travel throughout
Queensland during 2012 and 2013 visiting schools and community centres to deliver key child
safety messages and create awareness of the Curriculum.

Information sharing in relation to juvenile offenders

156.   There have been extensive discussions with the Department of Justice and Attorney-General
(DJAG) to establish internal processes to ensure DJAG officers provide DETE officers with
information about juvenile offenders (or alleged offenders) in a proactive and timely manner.
While current provisions exist for the sharing of this information between the Directors-General
of each department under the *Youth Justice Act 1992* in the past the process has been
inconsistently applied due to the administrative requirements for releasing information and
legislative interpretations at an officer level.

157.   As a result of recent discussions, the DJAG is currently developing an internal protocol that
places a positive duty on DJAG officers to disclose to DETE officers that a student has been
charged or convicted of an offence which may mean they pose a risk to the safety of children,

teachers or other staff. The protocols will place a positive duty on DJAG officers to disclose information on students who have been charged or convicted of an offence as identified on a list of offences that have been agreed to by both departments. The proposed subset of offences have been drawn from *Schedule 2: Current serious offences* in the *Commission for Children and Young People and Child Guardian Act 2000.*

158.   It is acknowledged that generally juvenile offenders benefit from a stable home and school environment as part of their rehabilitation. Accordingly, it is not DETE's objective to use information obtained as part of an automatic process to exclude all students identified as alleged or convicted juvenile offenders, or to use disciplinary processes, as additional punishment for an alleged crime. A viable option in many cases may be to offer support through school-based programs or risk-management within the school.

159.   DJAG is currently drafting the internal protocol and it is anticipated DETE will receive the draft protocol for review by 31 August 2012.

Office of Early Childhood Education and Care (OECEC)

160.   I have been provided with a separate submission statement from Kathryn Woods (Executive Director, Program Management, Funding & Performance) and Jennifer Shaw (Director, Regulation & Quality Improvement) of the OECEC. The statement is attached (Attachment 4).

Non-State School Sector

161.   I have been provided with a separate submission statement from Pat Parsons, Director, Non-State Schools Accreditation Board. The statement is attached (Attachment 5).

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1867.*

Signed ....

Lynette Catherine McKenzie

Taken and declared before me, at Brisbane this *10th* day of August 2012,

Witness..

THOMAS JUMPERTZ

Solicitor/~~Barrister/Justice of the Peace/Commission~~ n ~~for Declarations~~

I, **Lynette Catherine McKenzie,** of Level 22, Education House, 30 Mary Street, Brisbane in the State of Queensland, Deputy Director-General, Department of Education, Training and Employment, solemnly and sincerely affirm and declare:

1. I refer to my statement dated 10 August 2012 and make the following amendments as identified with underline and strike through below.

    (a) Paragraph 67:

    In 2010-11 the Department of Communities, Child Safety and Disability Services statistics indicated that school personnel (state and non-state schools) made 14,286 reports to Child Safety Regional Intake Services across Queensland. This figure accounts for 13% of the reports that Child Safety ~~reached the threshold~~ received in that year. Of these reports 11,241 (approximately 78.7%) did not reach the threshold to be recorded as a notification resulting in an investigation. Of the 3,045 reports made by school personnel that reached the threshold for notification, only 871 (approximately 28.6%) were substantiated (i.e.: 6% of total reports). In comparison, of the 13,599 (12% of all reports for the year) reports made from health sources, 3,710 (approximately 27.3%) reached the threshold for notification and 1,195 of those (approximately 32.2%) were substantiated (i.e.: 8.8% of total reports).

    (b) Paragraph 75:

    Education Support Funding Program ("ESFP")

    The Education Support Funding Program is a collaborative initiative funded by the Department of Communities, Child Safety and Disability Services and administered by the Department of Education, Training and Employment. The program is designed to address educational disadvantage experienced by many students in out-of-home care. The ESFP is governed by the Education Outcomes (including Education Support Funding Program)~~a~~ Memorandum of Understanding (MOU) between the Department of Communities, Child Safety and Disability Services and DETE.

    (c) Paragraph 82:

    Education Support Plans

    Schedule 3 of the MOU referred to in paragraph 75 above, sets out the mandatory criteria for an Education Support Plan (ESP) to be completed. Importantly, the Department of Communities, Child Safety and Disability Services determines whether a student meets the mandatory criteria to have an ESP completed and notifies DETE (through the school principal). It is the aim of DETE to have an ~~Education Support Plan (~~ESP~~)~~ for every student in out-of-home care, who meets the criteria set out in the MOU, within ~~one month of the student going into care or within~~ one month of their school principal being notified by the Department of Communities, Child Safety and Disability Services ~~that the student is in out-of-home care~~.

(d) Paragraphs 96 and 97:

Under the Memorandum of Understanding (MOU) with the Department of Communities, Child Safety and Disability Services regarding education outcomes, the Department of Communities, Child Safety and Disability Services provides DETE annually with the details of individuals in out-of-home care for the purpose of matching these details to students in ~~a list of students who have been in out-of-home care for 2 years or more. In turn DETE attempts to match the students on the list to students in~~ Queensland state schools for the purpose of providing data on the educational outcomes of these students.

For the matched students, data on the following educational outcomes is provided back to the Department of Communities, Child Safety and Disability Services:

For individuals who have been in out-of-home care for two years or more:

- NAPLAN results (Proportion at or above national minimum standard for Years 3, 5, 7 and 9)
- Year 12 outcomes (Proportion of Queensland Certificate of Education awarded and Proportion of VET qualifications awarded) – Note: while Year 12 outcomes data is in the MOU it has never been provided by DETE. It is our understanding that Year 12 outcomes data will be removed from the next MOU with the intention of it being sourced from the Queensland Studies Authority (QSA).

For individuals who were in out-of-home care at any time during the reference period:
- School Disciplinary Absences (incidences of suspensions, exclusions and cancellations)
- Student attendance (Student attendance rate for Semester 1)

- Next Step Survey (Proportion of Year 12 completers 'learning' or 'earning' six months after leaving school) – this matching process is for 15-18 year olds and done in conjunction with the Office of the Government Statistician which conducts the Next Step Survey.

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1867*.

Signed ...*LCM McKenzie*...........

Lynette Catherine McKenzie

Taken and declared before me, at Brisbane this 21st day of August 2012.

Witness...*R Wall*.....................
REBECCA WALSH

Reg. No. 65705

Solicitor/Barrister/Justice of the Peace/Commission

for Declarations