

CHILD SAFE ENVIRONMENT POLICY

Mandatory – Quality Area 2

PURPOSE

This policy provides a clear set of guidelines and procedures for Camberwell Kindergarten and Child Care Centre Inc. to ensure to:

- Provide a safe environment for all children which promotes their health, safety and wellbeing.
- Promote an organisational culture of child safety.
- Identify, reduce and remove risks of child abuse.
- Intervene when a child may be at risk of abuse or neglect.
- Make staff aware of their legal and duty of care obligations in reporting child abuse and neglect.
- Involve children in child safety including listening to children and incorporating their views about how to provide a safe environment.
- Inform all other policies, procedures and activity planning in addition to general occupational health and safety risks.

POLICY STATEMENT

1. VALUES

Camberwell Kindergarten and Child Care Centre Inc. has a moral and legal responsibility to ensure the health and safety of all children at the service, and will provide training, resources, information and guidance to support this. Camberwell Kindergarten and Child Care Centre Inc. is committed to:

- The rights of all children to feel safe and be safe at all times including
 - Promoting the cultural safety of Aboriginal children.
 - Promoting the cultural safety of children from culturally and linguistically diverse backgrounds.
 - Promoting the safety of children with a disability.
 - Promoting children's development and wellbeing.
- Developing and maintaining a culture in which children feel valued, respected and cared for.
- Fosters opportunities for each child to participate, express their views and to learn to develop.
- Always acts in the best interests of each child and has zero tolerance of child abuse.
- Actively manages the risks of abuse or harm to each child, including fulfilling our duty of care (refer to *Definitions*) and legal obligations to protect children and prevent any reasonable, foreseeable risk of injury or harm
- Continuously improves the way our service identifies risks of and responds to child abuse and encourages reporting and improved responses to allegations of abuse.
- Ensuring that the health, safety and wellbeing of children at the service is protected at all times while also promoting their learning and development.
- Fulfilling its duty of care (refer to *Definitions*) and legal obligations to protect children from any reasonable, foreseeable risk of injury or harm.
- Ensuring that people caring for children at the service act in the best interests of the child and take all reasonable steps to ensure the child's safety and wellbeing at all times.
- Encouraging active participation from parents/guardians and families at the service and ensuring that best practice is based on a partnership approach and shared responsibility for children's health, safety, wellbeing and development.

2. SCOPE

This policy applies to the Approved Provider, Persons with Management or Control, Nominated Supervisor, Responsible Person in day to day Charge, educators, staff, contractors, students on placement, volunteers, parents/guardians, children and others attending the programs and activities of Camberwell Kindergarten and Child Care Centre Inc., including during offsite excursions and activities.

3. BACKGROUND AND LEGISLATION

Background

Under the *Education and Care Services National Regulations 2011*, the Approved Provider OR Person Responsible, must ensure that all staff are familiar with current policies and procedures with regard to child safety and protection, including state and territory legislative responsibilities and their obligations under these laws (Regulation 84).

The Approved Provider, Person with Management or Control, Nominated Supervisor, Responsible Person in day to day Charge, staff, contractors and volunteers of early childhood services have legal and duty of care obligations to protect children under their supervision and care, from harm and from any hazards likely to cause injury (national Law – Section 167).

Duty of care obligations (refer to *Definitions*) require the Approved Provider, Nominated Supervisor, Person Responsible, and staff to take reasonable steps to protect children from injury that is reasonably foreseeable.

“Every child has the right to live a full and productive life. It is up to all of us to ensure our children grow up in environments that build confidence, friendship, security and happiness, irrespective of a person’s family circumstances and background” (*Protecting the safety and wellbeing of children and young people* – refer to *Sources*). The protection of children, one of the most vulnerable groups in society, is a shared community responsibility and involves ensuring that all children are safe, their needs are met, and the possibility of child abuse is minimised.

In addition, organisations have a duty of care to take reasonable precautions to prevent the abuse of a child by an individual associated with the organisation while the child is under its care, supervision or authority (refer to Organisational duty of care in *Definitions*).

The duty will relate to individuals associated with an organisation, including but not limited to committee members, employees, volunteers and contractors.

Employees also have a legal responsibility to provide, as far as is practicable a safe workplace that is free from discrimination, bullying and harassment.

The Children, Youth and Families Act 2005 (CYFA) provides the legislative basis for the provision of services to vulnerable children, young people and their families, and places children’s best interests at the heart of decision-making and service delivery.

Child Safe Standard 3 requires services to develop and review codes of conduct that establish clear expectations for appropriate behaviour with children including:

- How to respond to risks adults may pose to children or that children may pose to each other.
- How to ensure the cultural safety of Aboriginal children and culturally and linguistically diverse children.
- How to be inclusive of all children, including children with a disability.

A Code of Conduct should be informed by the services philosophy, beliefs and values and based on ethical principles of mutual respect, equity and fairness.

Any person who forms a reasonable belief (refer to *Definitions*), that a child is in need of protection may report their concerns to the Child Protection (refer to *Definitions*).

“Mandated staff members must make a report to Child Protection as soon as practicable after forming a belief on reasonable grounds (refer to *Definitions*) that a child or young person is in need of protection from significant harm as a result of abuse [refer to *Definitions* – Child abuse] and the child’s

parents are unable or unwilling to protect the child” (Protecting the safety and wellbeing of children and young people – refer to Sources).

Early childhood teachers are required to be registered with the Victorian Institute of Teaching and are mandatory reporters (refer to *Definitions*). All mandatory reporters must make a report to Victoria Police and/or Child Protection (refer to *Definitions*) as soon as practicable if, during the course of their roles and responsibilities they form a reasonable belief that:

- A child is likely to suffer, or has suffered, significant harm as a result of physical abuse and/or sexual abuse, **and**
- The child’s parents have not protected, or are unlikely to protect, the child from harm of that type.

Victorian organisations that provide services to children are required under the *Child Safety and Wellbeing Act 2005* to ensure that they implement compulsory minimum Child Safe Standards to protect children from harm. The standards aim to drive continuous improvement in the way services prevent and report child abuse and respond to allegations of child abuse. Standard 2 requires services to have a child safe policy or statement of commitment to child safety.

Three **criminal offences** in the *Crimes Amendment (Protection of Children) Act 2014* protect children from child abuse:

- **Failure to disclose:** All adults (not just those working with children) have a legal duty to report information about child sexual abuse to Victoria Police. The offence applies to any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 and must report that information to the Victoria Police.
- **Failure to protect:** The offence applies to people within organisations who hold positions of authority within an education and care service, such as the Approved Provider, Person with Management or Control, the Nominated Supervisor or the Responsible Person in day to day Charge, and who know of the substantial risk that another adult associated with the organisation may commit a sex offence and they have the power or responsibility to remove or reduce the risk but negligently fail to do so. If you fail to take reasonable steps in these circumstances, this may amount to a criminal offence
- **Grooming offence:** The offence targets predatory conduct by an adult with the intent of committing child sexual abuse. Conduct may include communication, including online communication, with a child under the age of 16 or their parents.

Legislation and standards

Relevant legislation and standards include but are not limited to:

- *Children, Youth and Families Act 2005* (Vic).
- *Child Wellbeing and Safety Act 2005* (Vic).
- *Child Safe Standards* (Vic).
- *Charter of Human Rights and Responsibilities Act 2006* (Vic).
- *Crimes Amendment (Protection of Children) Act 2014* (Vic).
- *Education and Care Services National Law Act 2010* (Vic): including but not limited to Sections 165, 166, 167.
- *Education and Care Services National Regulations 2011* (Vic): including but not limited to Regulations 84, 85, 86, 99, 100, 101, 102, and 168(2) (h).
- Education Training and Reform Act 2006 (Vic) (As amended in 2014).
- *Family Law Act 1975* (Cth).
- *Reportable Conduct Scheme administered by the Commission for Children and Young People* (Vic).
- *National Quality Standard, Quality Area 2: Children’s Health and Safety*
 - Standard 2.3: Each child is protected

- Element 2.3.4: Educators, co-ordinators and staff members are aware of their roles and responsibilities to respond to every child at risk of abuse and neglect
- *Working with Children Act 2005* (Vic).
- *Working with Children Regulations 2006* (Vic).
- *Wrongs Act 1958* (Vic).

The most current amendments to listed legislation can be found at:

- Victorian Legislation – Victorian Law Today: <http://www.legislation.vic.gov.au/>
- Commonwealth Legislation – ComLaw: <http://www.comlaw.gov.au/>

4. DEFINITIONS

The terms defined in this section relate specifically to this policy. For commonly used terms e.g. Approved Provider, Nominated Supervisor, Regulatory Authority etc. refer to the *General Definitions* section of this manual.

Abuser: A person who mistreats and/or harms a child or young person.

Abuse: see Child abuse definition below

Bullying: Repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons¹. Bullying occurs when one or more people deliberately and repeatedly upset or hurt another person, damage their property, reputation or social acceptance.

Child: In Victoria, under the *Children, Youth and Families Act 2005*, a child or young person is a person under 18 years of age.

Child abuse: (In the context of this policy) refers to an act or omission by an adult that endangers or impairs a child's physical and/or emotional health or development. Child abuse can be a single incident but often takes place over time. Abuse, neglect and maltreatment (refer to *Definitions*) are generic terms used to describe situations in which a child may need protection. Child abuse includes any and all of the following:

Physical abuse: When a child suffers or is likely to suffer significant harm from an injury inflicted by a parent/guardian, caregiver or other adult. The injury may be inflicted intentionally or be the consequence of physical punishment or the physically aggressive treatment of a child. Physical injury and significant harm to a child can also result from neglect by a parent/guardian, caregiver or other adult. The injury may take the form of bruises, cuts, burns or fractures, poisoning, internal injuries, shaking injuries or strangulation.

Sexual abuse: When a person uses power or authority over a child, or inducements such as money or special attention, to involve the child in sexual activity. It includes a wide range of sexual behaviour from inappropriate touching/fondling of a child or exposing a child to pornography, to having sex with a child² and grooming with the intent of committing child sexual abuse.

Emotional and psychological abuse: When a child's parent or caregiver repeatedly rejects the child or uses threats to frighten the child. This may involve name calling, put downs or continual coldness from the parent or caregiver, to the extent that it significantly damages the child's physical, social, intellectual or emotional development.

¹ www.bullyingnoway.gov.au

² Child Safety Commissioner, Victoria (now Commission for Children and Young People): http://www.ccp.vic.gov.au/childsafetycommissioner/downloads/childsafe_organisation.pdf

Neglect: The failure to provide a child with the basic necessities of life, such as food, clothing, shelter, medical attention or supervision, to the extent that the child's health and development is, or is likely to be, significantly harmed.

Family violence: When children and young people witness or experience the chronic, repeated domination, coercion, intimidation and victimisation of one person by another through physical, sexual and/or emotional means within intimate relationships. Contrary to popular belief, witnessing episodes of violence between people they love can affect young children as much as if they were the victims of the violence. Children who witness regular acts of violence have greater emotional and behavioural problems than other children.

Racial, cultural, religious abuse: Conduct that demonstrates contempt, ridicule, hatred or negativity towards a child because of their race, culture or religion. It may be overt, such as direct racial vilification or discrimination, or covert, such as demonstrating a lack of cultural respect (attitude and values) and awareness (knowledge and understanding) or failing to provide positive images about another culture.

Child FIRST: A Victorian community-based intake and referral service linked with Family Services. Child FIRST ensures that vulnerable children, young people and their families are effectively linked to relevant services, including Child Protection <http://www.dhs.vic.gov.au/for-service-providers/children.-youth-and-families/family-and-parenting-support/how-to-make-a-referral-to-child-first>.

Child sex offender: Someone who sexually abuses children, and who may or may not have prior convictions.

Child protection: The term used to describe the whole-of-community approach to the prevention of harm to children. It includes strategic action for early intervention, for the protection of those considered most vulnerable and for responses to all forms of abuse.

Child protection notification: A notification to the Child Protection Service by a person who believes that a child is in need of protection.

Child Protection Service: (also referred to as Child Protection): The statutory child protection service provided by the Victorian Department of Health and Human Services, to protect children and young people at risk of abuse and neglect. This service also works closely with Family Services (including Child FIRST) to support the assessment and engagement of vulnerable children and families in community-based services. **Code of conduct:** A set of rules or practices that establish a standard of behaviour to be followed by individuals and organisations. A code of conduct defines how individuals should behave towards each other and towards other organisations and individuals in the community (refer to *Code of Conduct Policy*).

Child Safety Officer: Is appointed by the service who has knowledge of child safety issues and is the point of contact for children, parents and employees/ volunteers to seek advice and support regarding the safety and wellbeing of the children in care.

Children, Youth and Families Act 2005 (Vic): Doctors, nurses, midwives, teachers (including early childhood teachers), principles, and police are all, mandatory reporters. They must report to Child Protection if they form a reasonable belief that a child is in need of protection from physical injury or sexual abuse.

Contractor: A person or company that undertakes a contract to provide materials or labour to perform a service or do a job. Examples include photographer, tradesperson, people contracted to provide an incursion.

Code of conduct: A set of rules or practices that establish a standard of behaviour to be followed by individuals and organisations. A code of conduct defines how individuals should behave towards each other and towards other organisations and individuals in the community (refer to *Code of Conduct Policy*).

Disclosure: (In the context of this policy) refers to a statement that a child or young person makes to another person that describes or reveals abuse.

Duty of care: A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury. In the context of this policy, duty of care refers to the responsibility of education and care services to provide children with an adequate level of care and protection against foreseeable harm and injury.

Family Law Act 1975 (Cth): Family consultants, family counsellors, family dispute resolution practitioners or arbitrators, independent children's lawyers and certain other people whose work related to the Family Court of Australia are also mandatory reporters. They must report to Child Protection if they suspect on reasonable grounds that a child has been abused or is at risk of being abused.

Maltreatment: (In the context of this policy) refers to physical and/or emotional mistreatment, and/or lack of care of the child. Examples include sexual abuse, the witnessing of family violence and any non-accidental injury to a child.

Mandatory reporting: The legal obligation of certain professionals and community members to report when they believe, on reasonable grounds, that a child is in need of protection from harm.

A broad range of professional groups are identified in the Children, Youth, and Families Act 2005 as 'mandatory reporters'. From 30 September 2015 this list includes VIT registered early childhood teachers. Mandated staff members must make a report to Victorian Police and / or Child Protection as soon as is practicable if during the course of acting out their professional roles and responsibilities they form a belief on reasonable grounds (refer to *Definitions*) that:

- A child has suffered, or is likely to suffer, significant harm as a result of physical and / or sexual abuse (refer to *Definitions*) **and**
- The child's parents/ guardians have not protected, or are unlikely to protect, the child from harm of that type.

Mandatory reporters must also follow processes for responding to incidents, disclosures or suspicions of child abuse to fulfil all their legal obligations (refer to Attachment 5: Processes for responding to and reporting suspected child abuse).

Neglect: see Child abuse definition above.

Negligence: Doing, or failing to do something that a reasonable person would, or would not do in a certain situation, and which causes another person damage, injury or loss as a result.

Notifiable complaint: A complaint that alleges a breach of the Act or Regulation, or alleges that the safety, health or wellbeing of a child at the service may have been compromised. Any complaint of this nature must be reported by the Approved Provider to the secretary of DET within 24 hours of the complaint being made (Section 174(2) (b), Regulation 176(2) (b)).

Written notification of complaints must be submitted via the ACECQA portal [National Quality Agenda \(NQA\) IT System](#). If the Approved Provider is unsure whether the matter is a notifiable complaint, it is good practice to contact DET for confirmation.

Offender: A person who mistreats and/or harms a child or young person.

Organisational duty of care: The statutory duty organisations have to take reasonable precautions to prevent sexual and/or physical abuse of a child.

Perpetrator: A person who mistreats and/or harms a child or young person.

Reasonable beliefs / Reasonable grounds: A person may form a belief on reasonable grounds that a child or young person is in need of protection after becoming aware that the child or young person's health, safety or wellbeing is at risk and the child's parents/guardians are unwilling or unable to protect them. There may be reasonable grounds for forming such a belief if:

- A child or young person states that they have been physically or sexually abused.
- A child or young person states that they know someone who has been physically or sexually abused (sometimes the child may be referring to themselves).

- Someone who knows the child or young person states that the child or young person has been physically or sexually abused.
- A child shows signs of being physically or sexually abused (see details in Appendix 2 of *Protecting the safety and wellbeing of children and young people* – refer to *Sources*).
- The person is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability that is impacting on the child or young person's safety, stability or development.
- The person observes signs or indicators of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision.
- A child's/young person's actions or behaviour may place them at risk of significant harm and the parents/guardians are unwilling or unable to protect the child.

Reportable allegation: any allegation that an employee, volunteer or student has committed child abuse (refer to *Definitions*).

Serious incident: A serious incident (regulation 12) is defined as any of the following:

- The death of a child while being educated and cared for at the service or following an incident at the service
- Any incident involving serious injury or trauma while the child is being educated and cared for, which
 - a reasonable person would consider required urgent medical attention from a registered medical practitioner; or
 - the child attended or ought reasonably to have attended a hospital e.g. a broken limb*
- Any incident involving serious illness of a child while that child is being educated and cared for by a service for which the child attended, or ought reasonably to have attended, a hospital e.g. severe asthma attack, seizure or anaphylaxis*.
 - *NOTE: In some cases (for example rural and remote locations) a General Practitioner conducts consultation from the hospital site. Only treatment related to serious injury or illness or traumas are required to be notified, not other health matters.
- Any emergency for which emergency services attended. NOTE: This means an incident, situation or event where there is an imminent or severe risk to the health, safety or wellbeing of a person/s at an education and care service. It does not mean an incident where emergency services attended as a precaution.
- A child appears to be missing or cannot be accounted for at the service
- A child appears to have been taken or removed from the service in a manner that contravenes the National Regulations
- A child was mistakenly locked in or out of the service premises or any part of the premises.

Examples of serious incidents include amputation (e.g. removal of fingers), anaphylactic reaction requiring hospitalisation, asthma requiring hospitalisation, broken bone/fractures, bronchiolitis, burns, diarrhoea requiring hospitalisation, epileptic seizures, head injuries, measles, meningococcal infection, sexual assault, witnessing violence or a frightening event.

If the approved provider is not aware that the incident was serious until sometime after the incident, they must notify the regulatory authority within 24 hours of becoming aware that the incident was serious.

Notifications of serious incidents should be made through the NQA IT System portal (www.acecqa.gov.au). If this is not practicable, the notification can be made initially in whatever way is best in the circumstances.

Voluntary (non-mandated) notification: A notification to the Child Protection Service by a person who believes that a child is in need of protection. Section 183 of the *Children, Youth and Families Act 2005* states that any person who believes, on reasonable grounds, that a child is in need of protection,

may notify a protective services of that belief and of the reasonable grounds that the belief for this belief. Under this part of the Act, notifications are made out of moral obligation, rather than legislative obligation. The person making the notification is not expected to prove the abuse, and the law protects the anonymity of the person making the notification.

Volunteer: Parent/guardian, family member or community member who attends the service to assist the service in some capacity.

Young person: In Victoria, under the *Children, Youth and Families Act 2005*, a child or young person is a person under 18 years of age.

5. SOURCES AND RELATED POLICIES

Sources

- An Overview of the Victorian Child Safe Standards - handout from Department of Human Services Authorised and published by the Victorian Government by Department of Health and Human Services November 2015.
- Australian Human Rights Commission: <https://www.humanrights.gov.au/>
- Betrayal of Trust Implementation: www.justice.vic.gov.au
- Better Health Channel: www.betterhealth.vic.gov.au/
- *Charter of Human Rights and Responsibilities Act 2006* (Vic): www.legislation.vic.gov.au
- *Child Protection training for all staff* – October 2016 and two years thereafter- May 2019.
- *Child Youth and Families Act 2005*.
- *Child Safety and Wellbeing Act 2005*.
- *Choose With Care: Child Protection* – an information and training program: www.childwise.net
- Commission for Children and Young People Act 1989 (CCYP): <http://www.ccyp.vic.gov.au/>
- Crimes Act 1958
- Community Service Care Connect (Aboriginal) – www.careconnect.org.au
- Department of Education and Training Protect Portal - <http://www.education.vic.gov.au>
- Department of Health and Human Services (DHHS - Victoria): www.dhhs.vic.gov.au
- National Children’s Commissioner: www.humanrights.gov.au
- Disability Discrimination Act 1992.
- Family Law Act 1975 (Cth)
- Human Resources Practices for Child Safe Organisations. Child Safe Standards Resource Toolkit number one, two and six www.dhs.vic.au/about-the-department/documents-and-resources/policies-guidelines-and-legislation/child-safe-standards-resources Authorised and published by the Victorian Government by Department of Health and Human Services December 2015
- Melbourne City Mission Head Office (Disabilities) www.melbournecitymission.org.au
- National Quality Standards – Quality Area 2 – Children’s Health and Safety. Standard 2.3 and 2.3.2
- Palfrey, N & Harris, A. *Information for professionals on supporting children and families after a child has been abused*. Tip sheet produced by the Australian Child & Adolescent Trauma, Loss & Grief Network. Viewed at: <http://earlytraumagrief.anu.edu.au/files/profresponchildabusertip.pdf>
- Protecting children and young people from abuse is our responsibility. Department of Education and Training
resources: <http://www.education.vic.gov.au/about/programs/health/protect/Pages/default.aspx>
- *Protecting the safety and wellbeing of children and young people* – A joint protocol of the Department of Human Services Child Protection, Department of Education and Training, Licensed Children’s Services and Victorian
Schools: <http://www.education.vic.gov.au/childhood/providers/regulation/Pages/protectionprotocol.aspx>
- Royal Children Hospital – www.rch.org.au/gatehouse
- Safe Supportive Schools Community Working Group <http://www.bullyingnoway.gov.au>

- *Safeguarding Children* accreditation program, Australian Childhood Foundation: www.childhood.org.au
- Service Agreement Information Kit for Funded Organisations: <http://www.dhs.vic.gov.au/facs/bdb/fmu/service-agreement>
- The United Nations Convention on the Rights of the Child: www.unicef.org/crc
- The Disability Standards for Education 2005.
- Victorian Institute of Teaching : www.vit.vic.edu.au
- Victoria Indigenous Community Controlled Health Organisation – www.vaccho.org.au
- Victorian Police - 000
- *What is Child Abuse?*: www.dhs.vic.gov.au/for-individuals/children,-families-and-young-people/child-protection/what-is-child-abuse
- Working with Children (WWC) Check: www.workingwithchildren.vic.gov.au

Service policies

- *Acceptance and Refusal of Authorisations Policy.*
- *Child Safe Environment Policy.*
- *Code of Conduct Policy.*
- *Complaints and Grievances Policy.*
- *Delivery and Collection of Children Policy.*
- *Incident, Injury, Trauma and Illness Policy.*
- *Inclusion and Equity Policy.*
- *Interactions with Children Policy.*
- *Occupational Health and Safety Policy.*
- *Participation of Volunteers and Students Policy.*
- *Privacy and Confidentiality Policy.*
- *Relaxation and Sleep Policy.*
- *Staffing Policy.*
- *Supervision of Children Policy.*

PROCEDURES

The Approved Provider and Persons with Management or Control are responsible for:

- Ensuring that the Nominated Supervisor, early childhood teachers and staff members at the service who work with children are advised of current child protection legislation, its application, and any obligations that they may have under that law (Regulation 84).
- The Approved Provider with Persons with Management or Control will need to nominate a person to be a “Head of Organisation” in which they are primarily responsible for the organisation’s compliance for the following:
 - Notifying the Commission for Children and Young People within 3 business days of becoming aware of a reportable allegation.
 - Updating the Commission at defined intervals about the progress and findings of the investigation.
 - Ensuring that their organisation has systems in place to prevent reportable conduct being committed, notify of a reportable allegation and investigate and responds.
 - The Commission of Children and Young Person have contact details of this person.

This will need to be minute at the committee meeting.

- Identifying the potential for and signs of child abuse at Camberwell Kindergarten and Child Care Centre Inc., and developing and implementing effective prevention strategies in consultation with the Nominated Supervisor and educators/staff (refer to Attachment 1 – Child protection risk assessment and Attachment 3 – Child Safety review checklist).

- advising staff of current child protection legislation, and their legal and duty of care obligations (Regulation 84)
- Providing leadership for an organisational culture of accountability for child safety which is open to scrutiny and is continuously reviewed and improved.
- Undertaking child safety reviews and developing an action plan in consultation with staff, parents/guardians and children to maintain Child Safe Standards at Camberwell Kindergarten and Child Care Centre Inc. (refer to Sources).
- Screening contractors, volunteers and students in line with their roles (refer to Attachment 5 – Guidelines for incorporation of child safety into recruitment and management of contractors, volunteers and students).
- Ensuring recruitment and induction processes for educators, staff and contractors are in line with this policy (refer to Attachment 4 – Guidelines for the recruitment of staff and volunteers Attachment 5 – Guidelines for incorporation of child safety into recruitment and management of contractors, volunteers and students).
- Screening all educators, staff, contractors, volunteers and students, in line with their roles (refer to Attachment 5) including undertaking criminal history checks (if required), Working with Children Checks (except for individuals under the age of 18, registered teachers or police officers), reference checks and interviews (refer to *Staffing Policy*).
- Providing appropriate resources and training to assist staff, contractors, volunteers and students to implement this policy (refer to *Sources*)
- Ensuring that volunteers/students, parents/guardians and other visitors to the service are not left with sole supervision of individual children or groups of children.
- Ensuring that where the service has been notified of a court order prohibiting an adult from contacting an enrolled child, such contact does not occur while the child is on the service premises.
- Ensuring clear procedures are in place for reporting suspected child abuse or neglect (refer to Attachment 6 – Process for responding to and reporting suspected child abuse)
- Ensuring educators, staff, contractors, volunteers and students undertake appropriate training and education on child protection, including recognising the signs and symptoms of child abuse (refer to *Definitions*), knowing how to respond, and understanding responsibilities and processes for reporting (refer to Attachment 6 – Process for responding to and reporting suspected child abuse)
- Offering support to the child and their family, and to educators and staff in response to concerns or reports relating to the health, safety and wellbeing of a child at Camberwell Kindergarten and Child Care Centre Inc.
- Developing co-operative relationships with appropriate services and/or professionals (including Child FIRST) in the best interests of children and their families.
- Identifying and implementing appropriate programs and practices to support the principles of a child safe organisation, in consultation with the Nominated Supervisor and educators/staff at the service (refer to Attachment 2 – Child safe organisations (refer to *Sources*).
- Implementing reporting procedures and notifications when there are significant concerns for the health, safety or wellbeing of a child at the service (refer to Attachment 6: Process for responding to and reporting suspected child abuse)
- Notifying the Department of Education and Training within 24 hours of a serious incident (refer to *Definitions*) occurring at the service.
- Notifying the Department of Education and Training, in writing, within 24 hours of becoming aware of a notifiable complaint (refer to *Definitions*) or allegation regarding the health, safety and/or welfare of a child at Camberwell Kindergarten and Child Care Centre Inc.
- Maintaining confidentiality at all times (refer to *Privacy and Confidentiality Policy*). Only authorised organisations will be allowed to have access to the information. e.g.; Department of Health and Human Services, Child First and other.
- Implementing and reviewing this policy in consultation with the Nominated Supervisor, educators, staff, contractors and parents/guardians.

- Identifying and providing appropriate resources and training to assist educators, staff, contractors, visitors, volunteers and students to implement this policy (refer to *Sources*).
- Protecting the rights of children and families and encouraging their participation in decision-making.
- Providing a safe environment for staff, contractors, volunteer, students on placement, parents/guardians, children and others attending the programs and activities at CKCC.
- Providing guidance through leadership and being a positive role model.
- Ensuring that staff, volunteers, students and parents/guardians are provided with a copy of this policy on employment, engagement or enrolment at the service and that the current codes of conduct are publicly displayed and promoted to everyone including contractors and visitors.
- Activating the Complaints and Grievance policy on notification of a breach of the Code of Conduct policy.
- Notifying the Commission for Children and Young People within 3 business days of becoming aware of a reportable allegation.
- Investigating an allegation (subject to police clearance on criminal matters involving family violence) advising the Commission for Children and Young people who is undertaking the investigation.
- Managing the risks to children whilst undertaking the investigation.
- Updating the Commission for Children and Young People within 30 calendar days with detailed information about the reportable allegation and any action.
- Notifying the Commission for Children and Young People of the investigation findings and any disciplinary action taken (or reasons no action was taken)
- Taking appropriate disciplinary or legal action or reviewing the terms of employment in the event of misconduct or a serious breach of the Code of Conduct policy.
- Ensuring that parents/ guardians of a child attending the service premises at any time the child is being educated and cared for, except where this may pose a risk to the safety of children or staff with any duty of care of the Approved Provider, Nominated Supervisor or educators under the National Law (Regulation 84).
- Ensuring the Nominated Supervisor, educators, staff, contractors, volunteers and students are kept informed of any relevant changes in legislation and practices in relation to this policy.
- Ensuring all staff, students, contractors, parents/guardians, volunteers and visitors abide by the *Code of Conduct Policy*.
- To ensure that procedures and support mechanisms for children, families and staff/ carers when an allegation is made by debriefing from Department of Health and Human Services, discussions at staff meetings, offer counselling if needed and external support agencies made available to the individual.
- Ensuring processes for responding to reporting are followed when there are significant concerns for safety, health or wellbeing of a child at the service (refer to Attachment 6 – Processes for responding to and reporting suspected child abuse).
- Ensuring an explicit statement of Camberwell Kindergarten and Child Care Centre's commitment to child safety is included in all advertising promotion for the organisation.
- To ensure that procedures for supporting an individual back to work after a false allegation has been made by supporting and conducting regular meetings with the HR subcommittee.
- The Approved Provider must ensure that the Nominated Supervisor, staff, contractors, volunteers, students on placement, parent/ guardians, children and others attending the program and activities of CKCC adhere to the expectations outlined in the Code of Conduct when communicating to and interacting with:
 - Children at the service and their parents and family members.
 - Each other.
 - Others in the Community.

The Nominated Supervisor and Persons in Day to Day Charge are responsible for:

- Ensuring that they are aware of current child protection legislation, its application and any obligations, including reporting obligations that they may have under the law.
- Appointing a Child Safety Officer at the service who has the knowledge of child safety issues and will be the point of contact for any queries around an allegation of child abuse.
- Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy.
- Ensuring continuous improvement in the implementation of the Child Safe Standards in Camberwell Kindergarten and Child Care Centre Inc. promoting an organisational culture of accountability for child safety which is open to scrutiny and is continuously reviewed and improved. (refer to Sources).
- Ensuring that staff complete and sign the Code of Conduct Acknowledgement and that (attachment 7) and that these are filled with individual staff records upon engagement in the service.
- Ensuring that the Code of Conduct is regular discussed at staff meetings to reinforce expectations.
- Ensuring the implementation of strategies to prevent child abuse in consultation with the Approved Provider and staff.
- Ensuring processes for responding to and reporting are followed when there are significant concerns for the safety, health or wellbeing of a child at the service (refer to Attachment 6 – Processes for responding to and reporting suspected child abuse)
- Offering support to the child and their family, and to educators and staff in response to concerns or reports relating to the safety, health and wellbeing of a child at Camberwell Kindergarten and Child Care Centre Inc.
- Ensuring that all children being educated and cared for that Camberwell Kindergarten and Child Care Centre are protected from harm and any hazard likely to cause injury (National Law Section 167) and that the children who speak to about concerns and their concerns are followed up.
- Ensuring processes for responding to and reporting are followed when there are significant concerns for the safety, health or wellbeing of a child at the service (refer to Attachment 6 – Processes for responding to and reporting suspected child abuse).
- Making all staff aware and to abide by this policy, the Code of Conduct Policy and the Interactions with Children Policy and holding them to account for the behavioural expectations identified.
- Working with the Approved Provider to arrange appropriate training and education for educators and staff on child protection, including recognising the signs and symptoms of child abuse (refer to *Definitions*), knowing how to respond, and understanding responsibilities and processes for reporting (refer to Attachment 6 – Process for responding to and reporting suspected child abuse)
- Identifying the potential for child abuse at Camberwell Kindergarten and Child Care Centre Inc. and developing and implementing effective prevention strategies in consultation with the Approved Provider and educators/staff (refer to Attachment 1 – Child protection risk assessment and Attachment 3 – Child safety review checklist). This is discussed with the Child Safety Officer and at staff meetings. This is audit once a year, and if an issue arises then relook at the risk assessment and checklist. The information is then collected to work on improvements and strategies.
- Ensuring that where the service has been notified of a court order prohibiting an adult from contacting an enrolled child, such contact does not occur while the child is on the service premises.
- Identifying and implementing appropriate programs and practices to support the principles of a child safe organisation in consultation with the Approved Provider and educators at the service (refer to Attachment 2 – Child safe organisations (refer to *Sources*)).
- Co-operating with other services and/or professionals in the best interests of children and their families.
- Ensuring that families are made aware of support services available to them (such as Child FIRST), and of the assistance these services can provide.

- Ensuring that **no child is left alone (or is out of sight)** with a contractor, visitor, volunteer, student or parent/guardian at the service.
- Implementing reporting procedures where there are reasonable grounds (refer to *Definitions*) for believing that a child is at risk of child abuse (refer to Attachment 6 – Process for responding to and reporting suspected child abuse).
- Notifying the Approved Provider immediately on becoming aware of a concern, complaint or allegation regarding the health, safety and welfare of a child at Camberwell Kindergarten and Child Care Centre Inc.
- Offering support to the child and their family, and to educators and staff in response to concerns or reports relating to the health, safety and wellbeing of a child at Camberwell Kindergarten and Child Care Centre Inc.
- Implementing and reviewing this policy in consultation with the Approved Provider, educators, staff, contractors and parents/guardians.
- Maintaining confidentiality at all times (refer to *Privacy and Confidentiality Policy*).
- Ensuring that all educators and staff at the service who work with children are aware that it is an offence to subject a child to any form of corporal punishment, or any discipline that is unreasonable or excessive in the circumstances.
- Ensuring that all educators, staff and others who work with children are aware of this policy, and are supported to implement it in the service.
- Identifying and providing appropriate resources and training to assist educators, staff, contractors, visitors, volunteers and students to implement this policy (refer to *Sources*).

All staff are responsible for:

- Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy.
- It is a requirement under the Commission for Children and Young People that staff, volunteers, sub-contractors, parents and children understand that they are subject to the scheme in regard to reporting any child safety concerns. Additional information can be found on the Information sheet 13 “Workers and Volunteers and the Reportable Conduct Scheme”
- Undertaking appropriate training and education on child protection, including recognising the signs and symptoms of child abuse (refer to *Definitions*), knowing how to respond, and understanding responsibilities and processes for reporting (refer to Attachment 6 – Process for responding to and reporting suspected child abuse).
- Identifying the potential for child abuse at Camberwell Kindergarten and Child Care Centre Inc. and developing and implementing effective prevention strategies in consultation with the Approved Provider and the Nominated Supervisor (refer to Attachment 1 – Child protection risk assessment and Attachment 3 – Child safety review checklist).
- Contributing to an organisational culture of child safety.
- Contacting police in an emergency situation where it is believed that there is an incident of violence and has been threatened or perpetrated or where sexual abuse or grooming (Child Safe Environment Policy)
- Understanding and accepting that serious breaches of this code will be deemed misconduct disciplinary or legal action, or a review of their employment.
- Providing guidance to students, volunteers, parents/ guardians, students and visitor through positive and when appropriate clear and respectable directions.
 - Treating everyone with respect.
 - Taking all reasonable steps to protect children from abuse.
 - Listening and responding to the views of children, particularly if they are telling you that they or another child has been abused and / or are worried about their safety of another.
- Supporting the maintenance of Child Safe Standards in Camberwell Kindergarten and Child Care Centre Inc. and in consultation with the Approved Provider and Person with Management or

Control and Nominated Supervisor and Person in day to day Charge at the service (refer to Attachment 1 – Child Protection risk assessment and Attachment 2 – Child Safe Organisation).

- Maintaining confidentiality at all times (refer to *Privacy and Confidentiality Policy*).
- Identifying the potential for child abuse at Camberwell Kindergarten and Child Care Centre Inc. and developing and implementing effective prevention strategies in consultation with the Approved Provider and the Nominated Supervisor and Person Responsible (refer to Attachment 1 – Child Protection risk assessment and Attachment 2 – Child Safe Organisation).
- Following processes for responding to and reporting suspected child abuse (Attachment 6: Processes for responding to and reporting suspected child abuse).
- Ensuring that where the service has been notified of a court order prohibiting an adult from contacting an enrolled child, such contact does not occur while the child is on the service premises.
- Identifying and implementing appropriate programs and practices to support the principles of a child safe organisation in consultation with the Approved Provider and Nominated Supervisor at the service (refer to Attachment 2 – Child safe organisations (refer to *Sources*)).
- Co-operating with other services and/or professionals (including Child FIRST) in the best interests of children and their families.
- Informing families of support services available to them (such as Child FIRST), and of the assistance these services can provide.
- Ensuring that **no child is left alone (or is out of sight)** with a contractor, visitor, volunteer, student or parent/guardian at the service.
- Not to discriminate against any child, including because of culture, race, ethnicity or disability.
- Not to express views on cultures, race, sexuality in the presence of children.
- Encouraging children to have a say and participate in all relevant organisational activities where possible, especially on issues that are important to them.
- Ensuring that children at the service are not subjected to any form of corporal punishment, or any discipline that is unreasonable or excessive in the circumstances.
- Fulfilling their legal responsibilities and duty of care to protect children and to keep children safe and to maintain their rights.
- Implementing reporting procedures where there are reasonable grounds (refer to *Definitions*) for believing that a child is at risk of child abuse (refer to *Definitions* and to Attachment 6 – Guidelines for incorporation of child safety into the recruitment and management of contractors, volunteers

Early childhood teachers must mandatorily report concerns of child abuse; however, any person can report if they have reasonable grounds for doing so.

and students)

- Notifying the Nominated Supervisor or the Approved Provider immediately on becoming aware of any concerns, complaints or allegations regarding the health, safety and welfare of a child at Camberwell Kindergarten and Child Care Centre Inc.
- Following the Camberwell Kindergarten and Child Care Centre Inc processes where the service has been notified of a court order prohibiting an adult from contacting an enrolled child.
- Contributing to review of this policy in consultation with the Approved Provider, Person with Management or Control, Nominated Supervisor and Person in day to day Charge.
- Offering support to the child and their family, and to other educators and staff in response to concerns or reports relating to the health, safety and wellbeing of a child at Camberwell Kindergarten and Child Care Centre Inc.
- Maintaining confidentiality at all times (refer to *Privacy and Confidentiality Policy*).
- Reviewing this policy in consultation with the Approved Provider, Persons with Management or Control, Responsible Persons in day to day Charge, Nominated Supervisor, educators, staff, contractors and parents/guardians.
- Educating and empowering children to talk about events and situations that make them feel uncomfortable.

- Implementing and reviewing this policy in consultation with the Approved Provider or Persons with Management or Control, Responsible Persons in day to day Charge, Nominated Supervisor, educators, staff, contractors, parents/guardians and children.
- Using appropriate resources and undertaking training to assist with the implementation of this policy (refer to *Sources*).
- Promoting the cultural safety, participation and empowerment of Aboriginal children (eg- by never questioning an Aboriginal child's self – identification).
- Promoting the cultural safety, participation and empowerment of children with culturally and linguistically diverse backgrounds.
- Promoting the safety, participation and empowerment of children with a disability.
- If an allegation of child abuse is made – ensure as quickly as possible that the children are safe.
- Encouraging children to have a say and participate in all relevant organisational activities where possible especially on issues that are important to them.
- Protecting the rights of children and families and encouraging their participation in decision-making.
- Keeping up to date and complying with any changes in legislation and practices in relation to this policy.
- Abiding by the service's *Code of Conduct Policy* and *Interactions with Children Policy*.

Parents/guardians are responsible for:

- Reading and complying with this policy.
- Complying with all policies at this service.
- Completing and signing the Code of Conduct for parents/ guardians.
- Reporting any concerns, including in relation to potential child abuse, to the appropriate child protection authorities or the police if immediate police attention is required.
- Abiding by the service's *Code of Conduct*.

Contractors, volunteers and students, while at the service, are responsible for following this policy and its procedures.

EVALUATION

In order to assess whether the values and purposes of the policy have been achieved, the Approved Provider will:

- Regularly seek feedback from everyone affected by the policy regarding its effectiveness, particularly in relation to identifying and responding to child safety concerns.
- Monitor the implementation, compliance, complaints and incidents in relation to this policy.
- Keep the policy up to date with current legislation, research, policy and best practice.
- Revise the policy and procedures as part of the service's policy review cycle, or as required.
- Notify parents/guardians at least 14 days before making any changes to this policy or its procedures (Regulation 172(2)) unless a lesser period is necessary because of a risk.

ATTACHMENTS

- Attachment 1: Child Protection risk assessment.
- Attachment 2: Child Safe organisations.
- Attachment 3: Child Safety review checklist.
- Attachment 4: Guidelines for incorporation of child safety into recruitment and management of staff.
- Attachment 5: Guidelines for the incorporation of child safety into recruitment and management of contractors, volunteers and students.
- Attachment 6: Processes for responding to and reporting suspected child abuse.
- Attachment 7: Code of Conduct Acknowledgement.

- Attachment 8: Child Safety Environment Acknowledgement.
- Attachment 9: Staff letter to provide child minding services to the parents.
- Attachment 10: Child minding letter to parents.
- Attachment 11: Flow Chart - Child Safety Reporting Process

AUTHORISATION

This policy was adopted by the Approved Provider of Camberwell Kindergarten and Child Care Centre Inc. updated 02/07/2019

REVIEW DATE: 02/07/2020

Attachment 1 - Child protection risk assessment

A child protection risk assessment process helps in the identification of the potential for child abuse in the service and enables appropriate strategies to be developed to minimise risk.

It is important to create awareness among employees, contractors, visitors and volunteers of possible risks to children from abuse and to implement a range of strategies to protect children from these risks. Services are encouraged to adapt this template to suit their particular circumstances.

Risk factors	Level of risk to children	Strategies to reduce risk	Evaluation
e.g. Appointment of a sex offender	High	Recruitment processes	Recruitment processes have been developed that include running all relevant criminal history and working with children related checks.
Opportunities for a child to be isolated within the program/premises			
Opportunities for a child to be taken away from the program/premises			
Close physical contact with an adult other than an educator			
Physical environment			
High staff turnover			
Limited staff turnover (with little outside scrutiny of the program)			
Unauthorised access by other people to the service (such as strangers or non-custodial parents)			
Staff not recognising signs of abusive behaviour			
Staff not raising concerns/suspicious of abuse			
Low levels of awareness of child protection issues			
Low levels of commitment to preventing abuse by management/staff			
Lack of appropriate incident management procedures			
Access to multimedia and information technology			

Attachment 2 - Child safe organisations

This table provides some examples of practices that may be implemented to support the principles of a child safe organisation.

Child safe principle	Practices
The organisation welcomes children, their parents/guardians and families	<ul style="list-style-type: none"> • Educators, staff, volunteers and students readily interact with children in an age-appropriate and respectful way • Children are treated as individuals: educators and volunteers strive to understand each child's particular interests and needs • Educators, staff, students and volunteers listen to children and encourage their participation
The organisation recognises that children are vulnerable	<ul style="list-style-type: none"> • Educators, staff, students and volunteers accept it is their role to protect children involved with their organisation • Educators, staff, students and volunteers accept there is a difference in power between a child and an adult • The service maintains appropriate educator-to-child ratios • Policies are in place to minimise risk involved in one-to-one situations between a child and an adult • Equipment and activities are appropriate for the ability and age of the children • Children are supported and comforted in an appropriate way, consistent with the child's wishes • Information about children is treated confidentially
The organisation recognises and responds to children with additional needs, including disabilities	<ul style="list-style-type: none"> • The service is accessible to all children • Educators, staff, students and volunteers relate to all children in a respectful and developmentally-appropriate manner • Policies are in place to guide the physical and psychological care requirements of all children
The organisation actively encourages the participation of Aboriginal children	<ul style="list-style-type: none"> • Educators, staff, students, volunteers and other children acknowledge and show respect for Aboriginal culture • Policies acknowledge that an Aboriginal child's cultural identity is fundamental to their overall wellbeing
The organisation recognises, and responds to, the particular needs of children from diverse cultural, linguistic and religious backgrounds	<ul style="list-style-type: none"> • Cultural diversity is welcomed and celebrated • Activities offered are representative of the cultural and religious mix of the local community • Educators, staff, students, volunteers and other children acknowledge and show respect for diversity
The organisation encourages children to participate in decision-making	<ul style="list-style-type: none"> • Children are asked their views, and these views are respected and taken into consideration in decision-making • Children are involved in discussing appropriate behaviour
The organisation carefully recruits and manages its employees, contractors and volunteers	<ul style="list-style-type: none"> • The service has policies on staff and volunteer recruitment and management, covering: <ul style="list-style-type: none"> – recruitment processes, including skills and

Child safe principle	Practices
	<p>qualifications required</p> <ul style="list-style-type: none"> – background-checking and screening processes for all employees, contractors and volunteers – Working with Children Checks and police checks • The service has a <i>Code of Conduct</i> that outlines acceptable behaviour by educators, staff, students, volunteers and contractors • There is a clear and accessible complaints procedure for use by children, parents/guardians and employees • Parents/guardians can access the service policies on request
<p>The organisation ensures that its commitment to child safety is clear and shared by all</p>	<ul style="list-style-type: none"> • A Child Protection Policy (such as this one) is in place and accessible • Educators, staff, students, volunteers, contractors and parents/guardians are aware of the service's Child Protection Policy
<p>The organisation ensures employees, contractors and volunteers are informed about child safety and receive training, where appropriate</p>	<ul style="list-style-type: none"> • The service has a clear staff development policy that includes areas of child development, child protection, risk management and safety

Attachment 3 – Child Safety review checklist

This checklist will assist organisations to identify risks and issues in relation to the protection of children, and the requirement's for appropriate amendments to be made to a service's policy and practices, or training and support for staff.

	Child safe standard question	Yes, describe how	No or only partly, describe what needs to be done	Person responsible for any action required	Timeline and review date
Clear and public commitment to child safety	Is there a Child Safe Environment Policy (such as this one) for the service				
	Have employees, contractors and volunteers read and understood the policy?				
	Are parents/ guardians made aware of this policy on enrolment of their child at the service?				
Children's rights to safety and participation	Are children welcomed, consulted and respected at the service?				
	Are the indoors and outdoors environments physically safe?				
	Is a safety assessment conducted for all activities?				
	Do services programs stimulate children and meet their physical, emotional,				

	intellectual, social and recreational needs?				
	Are children with additional needs and from different backgrounds encouraged to participate? If so, do they actually participate?				
Employment of staff and volunteers	Are there adequate screening procedures for staff, volunteers and students placement?				
	Are employees aware of the risk of harm to children and the different types of harm(refer to Definitions)				
Reporting a child safety concern	Do staff understand and feel confident about the process for reporting and acting on concerns about child safety?				
	Have staff identified any other support, assistance and resources they feel they need to assist in providing a child safe environment?				

Attachment 4 - Guidelines for incorporation of child safety into the recruitment and management of staff

The following guidelines and processes for the incorporation of child safety into the recruitment and management of staff demonstrate Camberwell Kindergarten and Child Care Centre's commitment to maximising the safety of children and deterring unsuitable and inappropriate persons from attempting to work at our service.

Preparation for recruitment

- Include a statement of Camberwell Kindergarten and Child Care Centre's commitment to maintaining a child safe environment in the job description.
- Job description clearly outlines responsibilities and accountability.
- Job advertisements clearly state our commitment to child safety.
- Include requirement for a current Working with Children Check (WWCC) or Victorian Institute of Teaching registration.
- The template letter of offer includes a statement about what is expected of the staff member in terms of commitment and responsibilities for child safety.

Selection process

- At least three people are on the interview panel including, where possible, a gender mix and a person external to the service or someone with human resource/interviewing experience.
- Questions are behaviour-based and ask the interviewee to provide examples of their past behaviour in specific situations relevant to the job being applied for.
- Questions regarding relationships with children are values-based and include a consideration of issues such as professional boundaries, resilience and motivation, teamwork, accountability and ethics.
- Questions are based on key selection criteria.
- More detail is asked for when answers seem incomplete.
- Confirm identity by sighting (and taking a copy of) a driver's licence or a passport.
- Verify qualifications and, where relevant, Working with Children Check or Victorian Institute of Teaching registration.

Thorough reference checks:

- At least two referees are contacted (including the current or most recent employer or direct line manager) in person or via telephone.
- All referees must have observed the applicant working with children first-hand.
- Referees are asked about the candidate's past behaviour including relationships with children, professional boundaries, resilience and motivation, teamwork, accountability and ethics.
- Orientation and induction covers information about values, attitudes, expectations and workplace practices in relation to maintaining a child safe environment.
- Information provided to the new staff member on commencing work at the service includes *Child Safe Environment Policy*, *Code of Conduct Policy*, *Complaints and Grievances Policy* and *Staffing Policy*.
- Regular meetings are held between staff members and the Approved Provider or the Person with Management or Control or the Nominated Supervisor.
- A mentoring or buddy system for staff members is in place.
- Training and education with regard to child safety and child protection is provided for all staff.
- Resources and support are provided for all staff to ensure a child safe environment.

Ongoing Management

- Regular meetings are held between staff and the Approved Provider or the Person with Management Control or the Nominated Supervisor and Child Safety is a regular item on the agenda.
- Provide supervision to ensure clear expectations about the role, adequate support as well as on-the-job monitoring of their performance.
- Performance reviews consider the staff member's contribution to creating a child safe environment.

- Regular training and education with regard to child safety, child protection and inclusive practices is provided for all staff.
- Resources and support are provided for all staff to ensure a child safe environment.
- Have a process to ensure that the registration of all early childhood teachers with Victorian Institute of Training remains current.
- Maintain a register of all staff with a WWCC card and regularly check the status of the WWCC cards of all staff to ensure that no one has been given a Negative Notice or had their card revoked or suspended or that it has expired.
- Develop processes to deal with a staff member who is given a Negative Notice including ensuring that they do not do any child-related work.

Attachment 5 – Guidelines for incorporation of child safety into the recruitment and management of contractors, volunteers and students

The following guidelines and processes for the recruitment and management of contractors, volunteer and students demonstrates Camberwell Kindergarten and Child Care Centre's commitment to maximising the safety of children and deterring unsuitable and inappropriate persons from attempting to work, volunteer or be on student placement at our service.

- Assess the nature of the work or task being undertaken by contractors, volunteers and students to determine whether a position description is required
- Consider whether a screening or recruitment process is relevant to the role and the risks to children
- Ensure a valid Working with Children Check or an exemption applies for people engaged in 'direct contact' in child-related work, including physical contact, face to face contact, oral, written or electronic communication.
- Inform contractors, volunteers and students of policies relevant to their role as part of their orientation to the service
- Provide supervision to ensure clear expectations about the role and responsibilities
- Do not leave contractors, volunteers or students (or visitors) alone with children
- Have conversations about child safety and wellbeing and how the service maintains and responds to issues of safety with contractors, volunteers and students.

Attachment 6 - Processes for responding to and reporting suspected child abuse

Overview

- The Approved Provider or staff **must act** when they form a reasonable belief or have a suspicion that a child has been or is at risk of being abused.
- Staff **must seek advice** from the Approved Provider or Nominated Supervisor or DHHS Child Protection, Child First and/or Victoria Police if they are uncertain about whether they have sufficient grounds to form a reasonable belief.
- If staff hold a reasonable belief that a child has been or is at risk of being abused, regardless of the advice of the Approved Provider or any other staff member, they must **still** make a report to Child Protection and/or Victoria Police.
- The steps outlined in the Department of Education and Training's flowchart: *Four critical actions for early childhood services: Responding to Incidents, Disclosures and Suspicions of Child Abuse*, provides a summary of the critical actions which are to be followed: www.education.vic.gov.au
- Records are kept about all child safety concerns or complaints. These records contain comprehensive descriptions of incidents/ issues of concern and provide evidence for actions taken, including reports made to statutory authorities or professional bodies and follow-up actions to be completed. The records are stored in accordance with the service's Privacy and Confidentiality Policy.
- Privacy is maintained, and information is only disclosed on a need-to-know basis.
- Permission is not required from parents/guardians of a child to make a report where abuse is suspected.

Managing a disclosure

It is very important to validate a child's disclosure, by listening to the child, taking them seriously and responding and acting on the disclosure by implementing the Camberwell Kindergarten and Child Care Centre's reporting procedures.

Strategies include:

- Let the child talk about their concerns in their own time and in their own words
- Give them your full attention, the time and a quiet space in which to do this and be a supportive and reassuring listener
- Remain calm and use a neutral non-judgmental tone
- Comfort the child if they are distressed
- Record the child's disclosure using the child's words.
- Tell the child that telling you is the right thing to do and that what has happened is not their fault
- Let them know that you will act on this information and that you will need to let other people know so that they can help the child
- It is the role of DHHS Child Protection and Victoria Police to investigate. DO NOT taking any steps to investigate. Avoid asking investigative or invasive questions which may cause the child to withdraw and may interfere with an investigation. Avoid going over information repeatedly.

Reporting to authorities

- If a child is in immediate danger ensure their safety and call emergency services on 000 for urgent medical and/or police assistance.
- If there is a suspicion of sexual abuse of a child (including grooming) contact Victoria Police.
- If there is an allegation of abuse by a proprietor, staff member, contractor, volunteer, student or visitor within the service, the matter must be immediately reported directly to Victoria Police.
- To report concerns about the immediate safety of a child within their family or the community, call the nearest DHHS office in your region during business hours or after hours the Child Protection Crisis Line on 13 12 78 (24 hours, 7 days a week and toll free within Victoria). Note: this is an

emergency service for weekends and after hours only, and cases reported to the Child Protection Crisis Line will be referred to the relevant DHHS office on the following working day

- Provide the following information:
 - The child's name, age and address.
 - The reason for believing that the injury or behaviour is the result of abuse or neglect.
 - An assessment of immediate danger to the child/ren (the person making the report may be questioned regarding knowledge of the current location of the alleged abuser/s).
 - A description of the injury or behaviour observed.
 - The current location of the child.
 - Knowledge of other services that support or are involved with the family.
 - Any other information about the family.
 - Any specific details that will help the child, such as cultural background, need for an interpreter or disability support requirements.
- A notification should be made, even if the notifier does not have all the necessary information. There are two types of notifications to be made in relation to significant concerns for the safety or wellbeing of a child: a referral to Child FIRST (Family Services) or a report to Child Protection (see below).
- Staff must notify the Approved Provider of all incidents, suspicions and disclosures of child abuse
- The Approved Provider or Person Responsible must notify DET (through the NQA IT System portal (www.acecqa.gov.au)) of any circumstance arising at the service that poses a risk to the health, safety or wellbeing of a child or children attending the service (Regulation 175 (2) (c) including:
 - Occurrences of sexualised play between children.
 - Where children are being or may be at risk of being subjected to physical, emotional or sexual abuse including instances where children are observed displaying concerning behaviour that may indicate they are being subject to abuse.
- Report to the Commission for Children and Young People in line with the requirements of the Reportable Conduct Scheme (see below).

Making a referral to Child FIRST

A referral to **Child FIRST** should be considered if, after taking into account the available information, the Approved Provider/staff member has significant concerns for a child's wellbeing and the child is not in immediate need of protection. This may include circumstances when there are:

- Significant parenting problems that may be affecting the child's development.
- Family conflict, including family breakdown.
- Families under pressure, due to a family member's physical or mental illness, substance misuse, disability or bereavement.
- Young, isolated and/or unsupported families.
- Families experiencing significant social or economic disadvantage that may adversely impact on a child's care or development.

Child FIRST provides a consolidated intake service to Family Services within sub-regional catchments. Child FIRST ensures that vulnerable children, young people and their families are linked effectively into relevant services, and this may be the best way to connect children, young people and their families with the services they need.

Making a report to Child Protection

A report to **Child Protection** should be made if, after taking into account the available information, the staff member forms a view that the child **is** in need of protection because:

- The harm or risk of harm has a serious impact on the child's immediate safety, stability and/or development.

- The harm or risk of harm is persistent and entrenched, and is likely to have a serious impact on the child's safety, stability and/or development.
- The child's parents/guardians are unwilling or unable to protect the child or young person from harm.

Upon receipt of a credible report, Child Protection will seek further information, often from professionals who may already be involved with the child or family, to determine whether further action is required. In determining what steps to take, Child Protection will also consider any concerns previously reported with regard to the child or young person. In most circumstances, Child Protection will inform the notifier of the outcome of investigations.

When reporting concerns of child abuse and/or neglect, it is important to remember that:

- A failure to notify the Department of Health and Human Services is an offence under section 182 of the *Children, Youth and Families Act 2005*.
- Child Protection must be notified as soon as practicable.
- It is not necessary to prove that abuse has taken place, only to provide reasonable grounds (refer to Definitions) for the belief.
- Permission from parents/guardians or caregivers is **not required** to make a notification, nor do they need to be informed that a notification is being or has been made.
- If a notification is made in good faith, the notifier cannot be held legally liable for any consequences, regardless of the outcome of the notification.
- The identity of the notifier will remain confidential unless the notifier chooses to inform the child and/or family, or if the notifier consents in writing to the disclosure of their identity, or if the court decides that this information must be disclosed.
- The notifier may have an ongoing role, including:
 - Acting as a support person in interviews with the child or young person.
 - Attending a case conference.
 - Participating in case-planning meetings.
 - Continuing to monitor the child's behaviour and their interactions with others.
 - Observing/monitoring the conditions of a protective court order that may relate to access or contact with a parent/guardian and following Camberwell Kindergarten and Child Care Centre's procedures where the conditions are breached.
 - Liaising with other professionals and child protection officers in relation to a child or young person's wellbeing.
 - Providing written reports for case-planning meetings or court proceedings in relation to the child's wellbeing or progress.

Contacting Parents/Carers

Parents/guardians should only be advised that a notification has been made after discussion with DHHS Child Protection or Victoria Police to determine what information can be shared.

The Reportable Conduct Scheme

The **Approved Provider** must initially notify the Commission for Children and Young People of a reportable allegation (refer to *Definitions*) within three business days and update the Commission of progress within 30 calendar days. ⁴

The Approved Provider must also investigate the reportable allegation and provide the findings of the investigation to the Commission. The service must also respond to the Commission when contacted for information.

Support when making a report

Making the decision to report can be a challenging and it is important to make use of available supports to guide your practice. Support is available from:

- Approved Provider, Persons with Management or Control, Nominated Supervisor or Person Responsible in Day to Day Charge.
- DHHS Child Protection and Child First.
- Department of Education and Training staff.
- Commission for Children and Young People.
- Early Learning Association Australia for member organisations.

Resources

[Department of Education and Training PROTECT Portal](#)

The Department of Education and Training's PROTECT Portal: www.education.vic.gov.au provides tools and resources to assist professionals and early year's services to respond to child abuse or potential child abuse, including:

- Early Childhood Guidance: This section supports early childhood providers to take action if they suspect, or are witness to, any form of child abuse.
- The flowchart: *Four critical actions for early childhood services: Responding to Incidents, Disclosures and Suspicions of Child Abuse*, provides a summary of the critical actions to take.
- Early Childhood Online Learning: This eLearning Module supports all professionals in early childhood settings to increase their capacity to respond effectively to children whose safety, health or wellbeing may be at risk.

[Commission for Children and Young People: www.ccyp.vic.gov.au](http://www.ccyp.vic.gov.au)

The Reportable Conduct Scheme is being phased in from 1 July 2017 and is administered by the Commission for Children and Young People.

Attachment 7 - Code of Conduct Acknowledgement

I hereby acknowledge that on _____ I received a copy of the *Code of Conduct Policy* for Camberwell Kindergarten and Child Care Centre Inc.

I have read this policy, I understand its contents and I agree to abide by the principles, practices and consequences set out within.

considered to be supplied by Camberwell Kindergarten and Child Care Centre Inc either separately or as part of its normal childcare business.

We have no objection to you providing these services provided that they don't conflict with your duties as an employee of the centre. However, in order to protect our service, you need to acknowledge and sign below.

Please ensure that you obtain the parents signatures before any further services can be provided.

If you have any questions, please do not hesitate to contact me.

Yours sincerely,

Director

Signed by (staff member) _____ Date _____

Attachment 10 – Child minding letter to parents

Dear _____

I understand that some parents of children who attend Camberwell Kindergarten and Child Care Centre Inc are using the staff of the Centre for nanny type services and child-minding services.

These services are not provided by the business Camberwell Kindergarten and Child Care Centre Inc.

The arrangements for these services are entirely between the parents and the service provider and are not the responsibility of Camberwell Kindergarten and Child Care Centre Inc. Those services should not be considered to be supplied by Camberwell Kindergarten and Child Care Centre Inc either separately or as part of its normal childcare business.

Please sign an acknowledgment of this letter and return it to Camberwell Kindergarten and Child Care Centre Inc to acknowledge the above mentioned.

Signed by _____ Date _____

Witness by _____ Date _____

Attachment 11
Flowchart: CHILD SAFETY REPORTING PROCESS

Who can report?

Parent or sub-contractor

Child

Staff member or volunteer contractor

What to report?

Any child safety concerns, including:

- disclosure of abuse or harm
- allegation, suspicion or observation
- breach of Code of Conduct
- environmental safety issues

CALL 000 IF A CHILD IS IN IMMEDIATE DANGER

How?

Face-to-face verbal report, letter, email, telephone call, meeting

Who to?

Step 1 – The Head of the Organisation / Child Safety Officer
Step 2 - Nominated Supervisor or Second in Charge
Step 3 - Approved Provider – an executive member of the committee of management

CALL 000 IF A CHILD IS IN IMMEDIATE DANGER

Step 4 - Department of Education and Training

Step 5 - Department of Health and Human Services

Step 6 - Child Protection

Step 7 - Child First

Step 8 - Commission for Children and Young People (effective 01/01/2019)

What happens next?

The Head of the Organisation, Child Safety Officer, Nominated Supervisor or the Approved Provider will:

- offer support to the child, the parents, the person who reports and the accused staff member or volunteer
- initiate internal processes to ensure the safety of the child, clarify the nature of the complaint and commence disciplinary process (if required)
- decide, in accordance with legal requirements and duty of care, whether the matter should/must be reported to the police or Child Protection and make a report as soon as

Outcome

Investigation; outcome decided; relevant staff, volunteers, parents and child notified of outcome of investigation; policies, procedures updated where necessary.

For more information on the Child Safe Standards visit <http://www.cyp.vic.gov.au/> or see A GUIDE FOR CREATING A CHILD SAFE ORGANISATION

Refer to Attachment 6 – Processes for responding to and reporting suspected child abuse