



BOURKE AND DISTRICT CHILDREN'S SERVICES

QUALITY AREA 2: CHILDREN'S HEALTH & SAFETY

POLICY NAME: CHILD PROTECTION

POLICY STATEMENT

Our service is committed to providing a child safe environment where children's safety and wellbeing is supported and children feel respected, valued and encouraged to reach their full potential. Our service embeds the National Principles for Child Safe Organisations and promotes a culture of safety and wellbeing to minimise the risk of child abuse or harm to children whilst promoting children's sense of security and belonging. We ensure all staff members, students and volunteers understand the meaning, importance and benefits of providing a child safe environment and critically, understand their obligations and requirements as Mandatory Reporters.

BACKGROUND

The Education and Care Services National Regulations requires Approved Providers to ensure that all staff, volunteers, and students at their service have an awareness of Child Protection Law. Our goal is to ensure that every reasonable precaution is taken to protect children being educated and cared for by the service from harm. It is our responsibility to defend children's right to care and protection to ensure their safety, welfare and wellbeing, and a responsibility to report any children at significant risk of harm.

At all times, our service will treat children with the utmost respect and understanding. We believe that:

- Children are capable of the same range of emotions as adults.
- Children's emotions are real and need to be accepted by adults.
- A reaction given to a child from an adult in a child's early stages of emotional development can be positive or detrimental depending on the adult's behaviour.
- Children who enhance their understanding of their body's response to a situation are more able to predict the outcome and ask for help or evade a negative situation.

WHAT IS CHILD ABUSE?

Child abuse is any action towards a child or young person that harms or puts at risk their physical, psychological, or emotional health or development. Child abuse can be a single incident or can be a number of different incidents that take place over time. NSW Communities and Justice identify different forms of child abuse which include- neglect, sexual, physical, and emotional abuse, or psychological harm

INDICATORS OF ABUSE

There are common physical and behavioural signs that may indicate abuse or neglect. The presence of one of these signs does not necessarily mean abuse or neglect. Behavioural or physical signs which assist in recognising harm to children are known as indicators. The following is a guide only. One indicator on its own may not imply abuse or neglect. However, a single indicator can be as important as the presence of several indicators. Each indicator needs to be deliberated in the perspective of other indicators and the child's circumstances. A child's behaviour is likely to be affected if he/she is under stress. There can be many causes of stress and it is important to find out specifically what is causing the stress. Abuse and neglect can be single incidents or ongoing and may be intentional or unintentional.

GENERAL INDICATORS OF ABUSE AND NEGLECT MAY INCLUDE:

- Marked delay between injury and seeking medical assistance.
- History of injury.
- The child gives some indication that the injury did not occur as stated.
- The child tells you someone has hurt him/her.
- The child tells you about someone he/she knows who has been hurt.
- Someone (relative, friend, acquaintance, and sibling) tells you that the child may have been abused.

NEGLECT

Child neglect is the continuous failure by a parent or caregiver to provide a child with the basic requirements needed for their growth and development, such as food, clothing, shelter, medical and dental care, and adequate supervision. Some examples are:

- Inability to respond emotionally to the child.
- Child abandonment.
- Unable or unwilling to provide adequate food, shelter, clothing, medical attention safe home conditions.
- Depriving or withholding physical contact.
- Failure to provide psychological nurturing.
- Treating one child differently to the others.

INDICATORS OF NEGLECT IN CHILDREN

- Low weight for age and failure to thrive or develop.
- Child not adequately supervised for their age.
- Poor standard of hygiene leading to social isolation.
- Scavenging or stealing food.
- Extreme longing for adult affection.
- Lacking a sense of genuine interaction with others.
- Acute separation anxiety.
- Self-comforting behaviours, for example, rocking, sucking.
- Delay in development milestones.
- Untreated physical problems, for example; as sores, serious nappy rash and urine scalds, dental decay.

SEXUAL ABUSE

Sexual abuse is when someone involves a child in a sexual activity by using their authority over them or takes advantage of their trust. Children are often bribed or threatened physically and psychologically to make them participate in the activity. Sexual abuse includes:

- Exposing the child to the sexual behaviours of others.
- Coercing the child to engage in sexual behaviour with other children or adults.
- Verbal threats of sexual abuse.
- Exposing the child to pornography or prostitution or using a child for pornographic purposes.
- Previous conviction or suspicion of child sexual abuse.

INDICATORS OF SEXUAL ABUSE

- Bruising or bleeding in the genital area.
- Bruising to buttocks, lower abdomen, or thighs.
- Injuries such as tears to the genitalia.
- The child describes sexual acts.
- Direct or indirect disclosures.
- Age-inappropriate behaviour and/or persistent sexual behaviour.
- Self-destructive behaviour- self-mutilation.
- Regression in developmental achievements.
- Child being in contact with a suspected or known perpetrator of sexual assault.

PHYSICAL ABUSE

Physical abuse is when a child has suffered, or is at risk of suffering, non-accidental trauma, or injury, caused by a parent, caregiver, or other person. Educators will be particularly aware of looking for possible physical abuse if parents or caregivers:

- Make direct admissions about fear of hurting their children.
- Have a family history of violence.
- Have a history of their own maltreatment as a child.
- Make repeated visits for medical assistance.
- Use excessive discipline.

INDICATORS OF PHYSICAL ABUSE

- Facial, head and neck bruising.
- Lacerations and welts.
- Drowsiness, vomiting, fits, or pooling of blood in the eyes that may suggest head injury.
- Explanations are not consistent with injury.

- Bruising or marks that may show the shape of an object.
- Adult bite marks or scratches.
- Multiple injuries or bruises.
- Ingestion of poisonous substances, alcohol, or drugs.
- Sprains, twists, dislocations.
- Bone fractures.
- Burns and scalds.
- General indicators of female genital mutilation, such as having a 'special operation'.

EMOTIONAL or PSYCHOLOGICAL ABUSE

Psychological harm occurs where the behaviour of the parent or caregiver damages the confidence and self-esteem of the child, resulting in serious emotional deficiency or trauma. In general, it is the frequency and duration of this behaviour that causes harm. Some examples are:

- Constant or excessive criticism, condescending, teasing of a child or ignoring or withholding admiration and affection.
- Excessive or unreasonable demands.
- Persistent hostility, severe verbal abuse, and rejection.
- Belief that a specific child is bad or 'evil'.
- Using inappropriate physical or social isolation as punishment.
- Exposure to domestic violence.
- Intimidating or threatening behaviour.

INDICATORS OF PSYCHOLOGICAL ABUSE

- Feeling of worthlessness about themselves and life.
- Inability to value others.
- Lack of trust in people and expectations.
- Lack of 'people skills' necessary for daily functioning.
- Extreme attention seeking behaviours.
- Extremely eager to please or obey adults.
- May take extreme risks, is markedly disruptive, bullying, or aggressive.
- Other behavioural disorders (disruptiveness, aggressiveness, bullying).
- Suicide threats (in young people).
- Running away from home.

DOMESTIC AND FAMILY VIOLENCE (DVF)

Domestic and family violence (DVF) refers to any behaviour in a domestic relationship, which is violent, threatening coercive or controlling and causing a person to live in fear for their own or someone else's safety. or intimate partner violence, is a violation of human rights. It involves violent, abusive, or intimidating behaviour carried out by an adult against a partner or former partner to control and dominate that person. Domestic and family violence causes fear, physical, and/or psychological harm. It is most often violent, abusive, or intimidating behaviour by a man against a woman, but can also be these behaviours by a woman against a man. Living with domestic violence has a profound effect upon children and young people and therefore constitutes a form of child abuse.

INDICATORS OF DOMESTIC AND FAMILY VIOLENCE EXPERIENCED BY CHILDREN

- Frequent crying and signs of irritability and anxiety.
- Underweight for age.
- Physical injury.
- Eating and sleeping difficulties.
- Concentration problems.
- Inability to play constructively.
- Clinginess.
- Fearfulness.
- Increased arousal.
- Adjustment problems.
- Developmental delay.
- Physical complaints.

CARER CONCERN RELATED TO SUBSTANCE MISUSE

Misuse of substances can cause high risk to children's physical and emotional wellbeing. Children can be at high risk of neglect. Even before birth, babies may experience adverse effects of substance misuse. The Mandatory Reporter Guide (MRG) provides further information on substance misuse.

DEFINITIONS

WORKING WITH CHILDREN CHECK: People working or volunteering with children in New South Wales must, by law, have a Working with Children Check (WWCC). The Office of the Children's Guardian provides checks of workers and volunteers to organisations, contributing to creating safe environments for children and other vulnerable people. A WWCC Check is an assessment of whether a person poses an unacceptable risk to children. As part of the process, the Office of the Children's Guardian will look at criminal history, child protection information and other information.

Working with Children Checks are valid for five years. Cleared applicants are subject to ongoing monitoring and relevant new records may lead to the clearance being revoked. If new information about a person means they pose a risk to children's safety, that person's check will be re-assessed and, if necessary, they will be prohibited from working with children. The Office of the Children's Guardian will inform both the person affected and any organisations they're linked to about the change in status. Organisations need to be registered with the Office of the Children's Guardian to verify employees WWCC. WWCC must be verified BEFORE the employee begins working with children.

MANDATORY REPORTING is the legislative requirement for selected classes of people to report suspected child abuse and neglect to government authorities.

MANDATORY REPORTERS are listed in the Children and Young Persons (Care and Protection) Act 1998 (The Care Act) and include people who deliver: wholly or partly, to children as part of their paid or professional work:

- Health care (e.g. registered medical practitioners, specialists, general practice nurses, midwives, occupational therapists, speech therapists, psychologists, dentists, and other allied health professionals working in sole practice or in public or private health practices).
- Welfare (e.g. psychologists, social workers, caseworkers, and youth workers).
- Education (e.g. teachers, counsellors, principals).
- Children's services (e.g. childcare workers, family day carers and home-based carers).
- Law enforcement (e.g. police).
- Residential services (e.g. refugee workers and out-of-home care workers).
- Religious bodies (e.g. a person in religious ministry).

All staff members, students and volunteers at our service are Mandatory Reporters and should use the online Mandatory Reporter Guide (MRG) if they have concerns that a child or young person is at risk of being neglected or physically, sexually, or emotionally abused. The MRG assists in providing mandatory reporters with the most appropriate reporting decision.

The MRG supports mandatory reporters to:

- Determine whether a report to the Child Protection Helpline (Phone: 132 111) is needed for concerns about possible abuse or neglect of a child (including unborn) or young person.
- Identify alternative ways to support vulnerable children, young people, and their families where a mandatory reporter's response is better served outside the statutory child protection system.

Mandatory Reporters must complete the MRG on each occasion they have risk concerns, regardless of their level of experience or expertise as each circumstance is different, and every child and young person is unique.'

MALTREATMENT refers to non-accidental behaviour towards another person, which is outside the norms of conduct and entails a substantial risk of causing physical or emotional harm. Behaviours may be intentional or unintentional and include acts of omission and commission. Specifically abuse refers to acts of commission and neglects acts of omission. Note that in practice, the terms child abuse and child neglect are used more frequently than the term child maltreatment.

AT RISK OF SIGNIFICANT HARM In relation to a child or young person, this means that there are current concerns for their safety, welfare, or wellbeing because of the presence to a significant extent of any one or more of the following circumstances:

- The child's or young person's basic physical or psychological needs are not being met or at risk of not being met.
- The parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive medical care.
- In the case of a child or young person who is required to attend school in accordance with the Education Act 1990 - the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive and education in accordance with that Act.
- The child or young person has been, or is at risk of being, physically or sexually abused or ill-treated.

- The child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm.
- A parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm.
- The child was the subject of a pre-natal report under section 25 of the Children and Young Persons Care and Protection Act 1998, and the birth mother of the child did not engage successfully with the support services to eliminate, or minimise to the lowest level reasonably practical, the risk factors that gave rise to the report. (Children and Young Persons (Care and Protection) Act 1998 No 157, Chapter 3, Part 2, Section 23).

IMMEDIATE RISK OF SIGNIFICANT HARM (IROSH) is a term used in the Mandatory Report Guide to tell reporters that they must report immediately to Communities & Justice.

REASONABLE GROUNDS refer to the need to have an objective basis for suspecting that a child may be at risk of abuse and neglect based on:

- Your observations of the child, young person, or family.
- What the child, young person, parent, or another person has told you. You are NOT required to confirm your suspicions or have clear proof before making a report.

OVERALL STRATEGIES / HOW WILL IT BE DONE?

Our service strongly opposes any type of abuse against a child and endorses high quality practices in relation to protecting children. Staff members/students/volunteers have an important role to support children and young people and to identify concerns that may jeopardise their safety, welfare, or wellbeing.

All staff members, students and volunteers will:

- Be aware of the existence and application of the current child protection law and any obligations they have under that law
- Understand how to apply child protection law within their service.
- Be aware of their obligations under that law, such as the responsibilities of a mandatory reporter.

In addition to the above, all Nominated Supervisors, persons in day-to-day charge and HRE will:

- Successfully complete approved child protection training and complete refresher training every 12-24 months.

DISCLOSURE OF HARM/ABUSE

A disclosure of harm/abuse emerges when someone, including a child, tells you about harm that has happened or is likely to happen. When a child discloses that he or she has been abused, it is an opportunity for an adult to provide immediate support and comfort and to assist in protecting the child from the abuse. It is also a chance to help the child connect to professional services that can keep them safe, provide support and facilitate their recovery from trauma. Disclosure is about seeking support and your response can have a great impact on the child or young person's ability to seek further help and recover from the trauma.

If a child discloses to a staff member/student/volunteer that they have been harmed/abused, all staff members/students/volunteers must follow the below steps:

- React calmly to the child making the disclosure and find a private place to talk.
- **Do not** promise to keep the disclosure a secret or make any other promises to the child.
- Listen attentively and later write down the child's exact words.
- Accept the child will disclose only what they are comfortable with and recognise the bravery/strength of the child for talking about something that is difficult.
- Let the child take his or her time.
- Let the child use his or her own words.
- **Do not** prompt the child for further details or ask leading questions which could make the child feel uncomfortable or has the potential to jeopardise any future legal proceedings that may arise as a result of any investigation.
- Provide comfort and care to the child.
- Reassure the child that:
 - It is not their fault.
 - It was right to tell.
 - It is not OK for adults to harm children - no matter what.
- Explain what will happen now - that it is part of your job to tell people who can help the child.
- **Do not** attempt to conduct your own investigation or mediate an outcome between the parties involved.
- Document:
 - Time, date and place of the disclosure.

- 'Word for word' what happened and what was said, including anything that you said.
- Date of report and signature.
- Follow the steps for Mandatory Reporting (see below).

MANDATORY REPORTING

If a child has made a disclosure of harm or abuse or you have concerns that a child may have been subjected to harm or abuse, the below steps must be followed by all staff members/students/volunteers:

- **In an emergency, where a child is at immediate risk and police or medical assistance is required, contact emergency services immediately on 000.**
- Document the disclosure (see details required above) or make a record of the indicators observed that have led to the belief that there is a current risk of harm to the child, this includes:
 - Recording concerns in a non-judgmental and accurate manner as soon as possible.
 - Recording own observations as well as precise details of any discussion with a family member (who may for example explain a noticeable mark on a child).
 - Time, date and place of the suspicion.
 - Full details of the suspected abuse.
 - Date of report and signature.

Information on indicators of risk of harm are outlined in the [NSW Mandatory Reporter Guide](#) (MRG).

Document this in the confidential notes section of the child's Xplor profile (ask for the Nominated Supervisor to do this if a student or volunteer).

- Report the disclosure/concerns to the Nominated Supervisor and advise them of your intention to use the MRG to create an eReport which will include details regarding, whether a report to the Child Protection Helpline (Phone: 132 111) should be made.
- For students/volunteers, the Nominated Supervisor will take over the reporting process and complete the MRG based on the student/volunteers responses.
- After completing the MRG, generate an eReport and complete the actions stated in the report and provide this information to the Nominated Supervisor.
- Should a report be required to the Child Protection Helpline the following information must be prepared in advance:
 - Details which identify the child such as the child's name, date of birth, address, phone number, cultural identity or Aboriginality, language barriers, disabilities.
 - Details of the parents, carers or other household members such as name, date of birth or age, address, phone numbers, cultural identity or Aboriginality, language barriers, disabilities.
 - Details of the staff member and service such as name, address, phone and email details.
 - Information regarding the significant risk of harm.
- The Nominated Supervisor will upload the report to the child's Xplor profile.
- In the absence of the Nominated Supervisor, the Responsible Person takes on the role/tasks associated with the Nominated Supervisor.
- Mandatory Reporters should note that the legislation requires that they continue to respond to the needs of the child (within the terms of their work role) even after a report to the Child Protection Helpline has been made.
- If the Mandatory Reporter Guide determines that the concerns do not meet the risk of significant harm threshold, they do not need to make a report to the Child Protection Helpline, however, they should discuss the matter with the Nominated Supervisor to determine whether the child or family would benefit from the assistance of another agency.
- The staff member and Nominated Supervisor should monitor the situation and if they believe there is additional information that could be considered, repeat the above steps as required.

ALLEGATIONS OF ABUSE AGAINST STAFF MEMBERS, VOLUNTEERS OR STUDENTS

The Children's Guardian Act 2019 defines reportable conduct as:

- A sexual offence has been committed against, with, or in the presence of a child.
- Sexual misconduct with, towards, or in the presence of a child.
- Ill-treatment of a child.
- Neglect of a child.
- An assault against a child.
- An offence under s43b (failure to protect) or s 316a (failure to report) of the crimes act 1900.
- Behaviour that causes significant emotional or psychological harm to the child.

Should any allegation of abuse be made against any staff member, student or volunteer, the below steps will be followed by the Nominated Supervisor:

- Develop and maintain a system of appropriate and accurate record keeping for all allegations to ensure detailed documentation is made and stored as required and confidentially.
- Take all allegations of abuse seriously and clarify what is being alleged with the person who is making the allegation.

- Assess whether a child is at risk of significant harm and, if so, use the MRG to create an eReport which will include details regarding; whether a report to the Child Protection Helpline (Phone: 132 111) should be made.
- Determine whether the allegation is considered to be reportable conduct.
- Treat the staff member/volunteer/student with fairness at all times and uphold their employee rights at all times.
- Depending on the nature of the allegation, arrange to inform the person immediately (though be guided by the advice of DCJ or the police).
- Depending on the nature of the allegation made, the Approved Provider/Nominated Supervisor, may decide to suspend the person subject to the allegation pending further investigation.
- Arrange for the person against whom an allegation has been made, to have a support person attend any meetings. This support person must not participate in the discussions throughout the meeting.
- Offer counselling or support to the person subject to the allegation through the Employee Assistance Program (EAP). Appointments can be made by phoning 1300 360 364 or [online](#) or alternatively call the support line for First Nations people on 1800 816 152.
- Consider whether or not the police need to be informed of the allegation and if so, make a report.
- Notify the Regulatory Authority via the [NQA-ITS](#) within 7 days of the following:
 - Any incident where any employee reasonably believes that physical abuse or sexual abuse of a child or children has occurred or is occurring while the child is, or the children are being educated and cared for by the education and care service
 - Allegations that physical or sexual abuse of a child or children has occurred or is occurring while the child is, or the children are being educated and cared for by the education and care service (other than an allegation that has been notified under section 174(2)(b) of the Law).
- Submit a notification to the Office of the Children’s Guardian (OCG) within 7 days of becoming aware of reportable allegation, as required under the Children’s Guardian Act 2019 [OCG Reportable Conduct Scheme](#).
- Ensure confidentiality is maintained at all times and that systems are in place to deal with any breaches of confidentiality.
- Undertake a risk management approach following an allegation to ensure the protection and safety of children, staff, and visitors to the service. Based on this risk assessment, decisions will be made in order to manage the risks that have been identified.
- Develop an investigation plan of the matter. Obtain relevant information from a range of sources. This may include a statement from the person who made the allegation; statements from witnesses and a statement from the person against whom the allegation has been made and any other relevant documentation.
- Ensure that whoever conducts the investigation, acts without bias, without delay and without conflict of interest.
 - If the allegation is being investigated by Department of Communities and Justice or the Police, the service will be guided by their advice as to whether they should independently investigate the allegation.
 - If the investigation is carried out by the service, the information that has been gathered will be assessed and a finding made as to whether the allegation is false, vexatious, misconceived, not reportable conduct, not sustained or sustained. The reasons for the finding will be clearly recorded to ensure that the decision-making has been transparent.
- Ensure the decision-making process throughout the investigation is based on the safety and wellbeing of the child/ren and the staff/carers/carer’s household members.
- After all investigations are completed, provide all parties with verbal and written notification of the outcome of the investigation. Provide advice about the investigation finding and any follow up action that may be required.
- Advice will also be provided about any rights of appeal if any party is not satisfied with the investigation process or the outcome of the investigation. (All parties can complain to the Office of the Children’s Guardian if they are not satisfied with the conduct of the investigation).
- Advise the person against whom the allegation has been made, that the Office of the Children’s Guardian has been notified and the Joint Child Protection Response (JCPR) Program also notified of the relevant employment proceeding (if relevant).
- Submit a Final Report regarding the investigation to the Office of the Children’s Guardian with 30 calendar days of becoming aware of a reportable allegation, as required under the Children’s Guardian Act 2019. If a final report cannot be provided within 30 calendar days, then contact the Office of the Children’s Guardian, and submit an Interim Report.
- The Office of the Children’s Guardian will determine whether the investigation was completed satisfactorily and whether appropriate action was or can be taken. The Children’s Guardian may conduct their own investigation.
- Inform the Department of Communities and Justice of the outcome of the investigation.

CONFIDENTIALITY

It is important that any notification remains confidential, as it is vitally important to remember that no confirmation of any allegation can be made until the matter is investigated. The individual who makes the notification should not inform the

suspected perpetrator (if known). This ensures the matter can be investigated without contamination of evidence or pre-rehearsed statements. It also minimises the risk of retaliation on the child for disclosing.

PROTECTION FOR REPORTERS

All reporters are protected against retribution for making or proposing to make a report under amendments to the Children and Young Persons (Care and Protection) Act 1998. The identity of the reporter is protected by law from being disclosed, except in certain exceptional circumstances.

SHARING OF INFORMATION

The [NSW Children and Young Person \(Care and Protection\) Act 1998](#) provides for the exchange of information and cooperation between prescribed bodies, if the information relates to the safety, welfare or wellbeing of a child or young person. Sharing personal information about children and their families must be lawful, which means either gaining consent, or working within relevant legislation. Information sharing by consent, where possible, is important to meaningful work with families to facilitate change. Consent may be obtained verbally or in writing; however, you should not seek consent if doing so might compromise the safety of a child or any other person.

RECORD KEEPING

Good record keeping is important in identifying and responding to the risks and incidents of child sexual abuse, it can help to avoid additional distress and trauma for survivors who may be seeking and documenting information about their abuse while in the care of child-centred organisations.

- Incident, Injury, Trauma, and Illness records are kept until the child is 25 years old.
- Records related to child sexual abuse that has or is alleged to have occurred are:
 - Kept for 45 years from the date the record was created (including incident, injury, trauma, and illness records relating to child sexual abuse).
 - Clear, objective, and thorough.
 - Maintained in an indexed, logical, and secure manner.
 - Retained and disposed of in a consistent manner.

EDUCATING CHILDREN ABOUT PROTECTIVE BEHAVIOUR

In an age appropriate and sensitive way, our program will educate children:

- About acceptable and unacceptable behaviour, and what is appropriate and inappropriate contact.
- About their right to feel safe at all times.
- To say 'no' to anything that makes them feel unsafe or uncomfortable.
- About how to use their own knowledge and understanding to feel safe.
- To identify feelings that they do not feel safe.
- The difference between 'good' and 'bad' secrets.
- That there is no secret or story that cannot be shared with someone they trust.
- That educators are available for them if they have any concerns.
- To tell educators of any suspicious activities or people.
- To recognise and express their feelings verbally and non-verbally.
- That they can choose to change the way they are feeling.

ROLES AND RESPONSIBILITIES

THE APPROVED PROVIDER/NOMINATED SUPERVISORS WILL:

- Ensure that obligations under the Education and Care Services National Law and National Regulations are met.
- Ensure educators (including casual staff) receive information and induction training to fulfil their roles effectively, including being made aware of the Child Protection Policy, their responsibilities in implementing it, and any changes that are made over time.
- Ensure students, visitors and volunteers have knowledge of and adhere to this policy.
- Ensure all staff members, students and volunteers have a thorough understanding of Child Protection Law and their Mandatory Reporter responsibilities and ensuring their regular review of these.
- Provide all staff, students and volunteers working directly with children with a copy of this Child Protection Policy and a copy of the Mandatory Reporter Guide to assist them in their reporting.
- Provide all staff, students and volunteers working directly with children with access to the Child Wellbeing and Child Protection NSW Interagency Guidelines.
- Ensure all staff members, students and volunteers are aware of the Children and Young Persons (Care and Protection) Act 1998 and of their obligations under this law.
- Ensure any allegation or suspicion of child abuse or a disclosure will be dealt with in a professional and confidential manner.

- Support staff, educators, and volunteers through the process of documenting and reporting current concerns of children at risk of significant harm.
- Display the Child Protection Helpline number (Phone: 132 111) in prominent positions around the centre.
- Ensure that persons placed in day-to-day charge of the service have a current qualification in Child Protection.
- Ensure that any adult working or volunteering with children completes a Working with Children Check (WWCC) and does not commence employment without having their WWCC verified. Any person whose WWCC has been disqualified as a result of failing to qualify for a WWCC renewal, will not be continued to be employed by the service. This check is verified when renewed as defined by the Office of Children’s Guardian [Working with Children Check](#).
- Ensure the staff record includes the staff member/student/volunteers; full name, address, date of birth and WWCC details (identity number and expiry date).
- Ensure the below records are kept according to this policy:
 - Incident, Injury, Trauma, and Illness records.
 - Records related to child sexual abuse that has or is alleged to have occurred.
- Know what steps to take if an allegation of abuse is made against a staff member, student or volunteer.
- Refer families to appropriate agencies where concerns of harm do not meet the threshold of significant harm.
- Notify the Regulatory Authority via the [NQA-ITS](#) within 7 days of the following:
 - Any incident where any employee reasonably believes that physical abuse or sexual abuse of a child or children has occurred or is occurring while the child is, or the children are being educated and cared for by the education and care service
 - Allegations that physical or sexual abuse of a child or children has occurred or is occurring while the child is, or the children are being educated and cared for by the education and care service (other than an allegation that has been notified under section 174(2)(b) of the Law).

ALL STAFF MEMBERS/STUDENTS AND VOLUNTEERS WILL:

- Provide a child safe environment for all children.
- Develop trusting and secure relationships with all children at the service.
- Have a thorough understanding of Child Protection Law.
- Inform their nominated supervisor if there is any part of the child protection policy which they do not understand.
- Ensure they comprehend their obligations as mandatory reporters, to be able to use the MRG and their requirement to report any situation where they believe, on reasonable grounds, that a child is at risk of significant harm to the child protection helpline.
- Be able to recognise indicators of abuse.
- Understand and be able to report any current concerns for any child at risk of significant harm.
- Respect what a child discloses, taking it seriously and follow up on their concerns by following all steps listed in this policy.
- Prepare accurate records recording exactly what happened, conversations that took place and what was observed to pass on to the relevant authorities to assist with any investigation.
- Understand that allegations of abuse or suspected abuse against them are treated in the same way as allegations of abuse against other people.
- Maintain confidentiality at all times but also understand when appropriate information can be shared.
- Implement child safe messages into the program to teach children about protective behaviours.

CONTINUOUS IMPROVEMENT/REFLECTION:

Our Child Protection Policy will be reviewed on an annual basis in consultation with children, families, staff, educators, and management.

[CHILD SAFE STANDARDS](#)

Standard 1	Child safety is embedded in organisational leadership, governance, and culture
Standard 2	Children participate in decisions affecting them and are taken seriously
Standard 3	Families and communities are informed and involved
Standard 4	Equity is upheld and diverse needs are taken into account
Standard 5	People working with children are suitable and supported
Standard 7	Staff are equipped with the knowledge, skills, and awareness to keep children safe through continual education and training
Standard 8	Physical and online environments minimise the opportunity for abuse to occur
Standard 9	Implementation of the child safe standards is continually reviewed and improved
Standard 10	Policies and procedures document how the organisation is child safe.

NATIONAL QUALITY STANDARD (NQS)

[QUALITY AREA 2: CHILDREN’S HEALTH AND SAFETY](#)

2.2 Safety Each child is respected.

2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
2.2.3	Child Protection	Management, educators, and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS AND NATIONAL LAW		
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Sec. 162(a)	Persons in day-to-day charge and nominated supervisors to have child protection training
Sec. 165	Offence to inadequately supervise children
Sec. 167	Offence relating to protection of children from harm and hazard
84	Awareness of child protection law
86	Notification to parents of incidents, injury, trauma, and illness
87	Incident, injury, trauma, and illness record
147	Staff records
155	Interactions with children
168	Education and care service must have policies and procedures
175	Prescribed information to be notified to Regulatory Authority
176	Time to notify certain information to Regulatory Authority

STATUTORY LEGISLATION & CONSIDERATIONS		
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- [Children and Young Persons \(Care and Protection\) Act 1998 \(The Care Act\)](#)
- [Children’s Guardian Act 2019](#)
- [Child Protection \(Working with Children\) Act 2012](#)
- [Crimes Act 1900](#)

SOURCES		
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 Australian Children’s Education & Care Quality Authority (ACECQA). (2023). [Guide to the National Quality Framework](#).
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 NSW Government Communities & Justice. [Information sharing for service coordination](#).
 NSW Government Communities & Justice. [Mandatory reporters: What to report and when](#).
 NSW Government. Department of Health. Child Protection and Wellbeing. [Information exchange for safety, welfare and wellbeing of children and young people](#).
 NSW Government Legislation [Children’s Guardian Act 2019](#).
 NSW Government Legislation [The Commission for Children and Young People Act 1998](#).
 NSW [Office of the Children’s Guardian](#).
 Revised National Quality Standard. (Amended 2023).

RELATED POLICIES		
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| <ul style="list-style-type: none"> • Child Safe Environment Policy • Code of Conduct Policy • Determining Responsible Person Policy • Family Participation and Communication Policy | <ul style="list-style-type: none"> • Induction of Staff, Volunteers and Students Policy • Interactions with Children Policy • Privacy, Confidentiality and Children’s Records Policy • Supervision Policy |
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RELATED DOCUMENTS		
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Incident, Injury, Trauma and Illness Record	NSW Child Protection MRG Support Guide
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POLICY AUTHORISED BY	Prue Ritchie	POLICY REVIEWED	June 2024
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NEXT REVIEW DATE	June 2025		
MODIFICATIONS	<ul style="list-style-type: none"> • New policy format • Child Safe Standards added • Regulation amendments incorporated • Additional information added to definitions and confidentiality section • Additional sections added: <ul style="list-style-type: none"> ○ What is child abuse ○ Record keeping ○ Educating children about protective behaviour 		
PREVIOUS REVIEW			
POLICY AUTHORISED BY	Prue Ritchie	DATE	January 2021