

	<h2 style="color: green;">Thornbury Kindergarten</h2> <h3>Policies</h3>
Policy Title	Child Protection
Quality Area	2 – Children’s Health and Safety
Category	Mandatory

PURPOSE

This policy should be read in conjunction with the Child Safe Environment Policy. It provides a clear set of guidelines and procedures to ensure:

- all children attending Thornbury Kindergarten Inc are provided with a safe environment
- all reasonable steps are taken by the Approved Provider, educators and staff to ensure the health, safety and wellbeing of children attending the service
- service staff can identify the indicators of a child who may need protection
- timely and effective intervention for children who may be at risk of abuse or neglect
- service staff understand and comply with their obligations under the law including mandatory reporting obligations.

POLICY STATEMENT

1. VALUES

Thornbury Kindergarten 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. Thornbury Kindergarten Inc is committed to:

- ensuring that the health, safety and wellbeing of children at the service is protected at all times while also promoting their learning and development
- taking a preventative, proactive and participatory approach to child safety
- fulfilling its duty of care (refer to *Definitions*) and legal obligations to protect children from any reasonable, foreseeable risk of injury or harm
- engaging only the most suitable people to work with children and have high quality staff and volunteer supervision and professional development
- 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
- providing written guidance on appropriate conduct and behaviour towards children
- supporting the rights of all children to feel safe, and be safe, at all times
- ensuring children know who to talk with if they are worried or are feeling unsafe, and that they are comfortable and encouraged to raise such issues
- reporting suspected abuse, neglect or mistreatment promptly to the appropriate authorities
- sharing information appropriately and lawfully with other organisations where the safety and wellbeing of children is at risk
- 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
- valuing and empowering children to participate in decisions which affect their lives
- developing and maintaining a culture:
 - in which children feel valued, respected and cared for

- that supports all persons to safely disclose risks of harm to children
- which respects diversity in cultures and child rearing practices while keeping child safety paramount
- promotes children's development and wellbeing

2. SCOPE

This policy applies to the Approved Provider, Nominated Supervisor, Certified Supervisor, educators, staff, students on placement, volunteers, parents/guardians, children and others attending the programs and activities of Thornbury Kindergarten Inc, including during offsite excursions and activities.

3. BACKGROUND AND LEGISLATION

Background

“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.

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

Under section 182 of the *Children, Youth and Families Act 2005*, a person registered under the *Education Training and Reform Act 2006* (as amended in 2014), or who has been granted permission to teach under that Act, is designated as a mandatory reporter. From 1 March 2019, early childhood workers and other persons at a children's service licensed under the *Children's Services Act 1996* or an early childhood education and care service approved under the *Education and Care Services National Law Act 2010* will be obligated to undertake mandatory reporting (refer to *Definitions*) of any concerns of child abuse and neglect.

“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 educators, in daily contact with children and their families, are well placed to observe when a child appears to be at risk of harm arising from abuse. Services have a duty of care (refer to *Definitions*) to act immediately to protect and preserve the safety and wellbeing of the children in their care. Any person who believes, on reasonable grounds (refer to *Definitions*), that a child is in need of protection may report their concerns to Child Protection (refer to *Definitions*) (*Protecting the safety and wellbeing of children and young people – refer to Sources*).

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)
- *Charter of Human Rights and Responsibilities Act 2006* (Vic)
- *Education and Care Services National Law Act 2010* (Vic): Sections 165, 166, 167
- *Education and Care Services National Regulations 2011* (Vic): Regulations 84, 85, 86, 99, 100, 101, 102, 168(2)(h)
- *Education Training and Reform Act 2006* (Vic) (As amended in 2014)
- *Family Law Act 1975*
- *National Quality Standard*, Quality Area 2: Children's Health and Safety

Standard 2.1: Each child's health is promoted

Element 2.1.1: Wellbeing and comfort; each child's wellbeing and comfort is provided for, including appropriate opportunities to meet each child's need for sleep, rest and relaxation.

Element 2.1.2: Health practices and procedures; Effective illness and injury management and hygiene practices are promoted and implemented.

Element 2.1.3: Healthy lifestyle; Healthy eating and physical activity are promoted and appropriate for each child.

Standard 2.2: Safety; each child is protected

Element 2.2.1: Supervision; at all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard

Element 2.2.2: Incident and emergency management; Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practised and implemented

Element 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.

- *National Quality Standard*, Quality Area 5: Relationships with Children

Standard 5.1: Relationships between educators and children; Respectful and equitable relationships are maintained with each child.

Element 5.1.1: Positive educator to child interactions; Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.

Element 5.1.2: Dignity and rights of the child;
the dignity and rights of every child are maintained.

- *Working with Children Act 2005* (Vic)
- *Working with Children Regulations 2006* (Vic)
- *The Child Safe Standards*: <https://ccyp.vic.gov.au/child-safety/being-a-child-safe-organisation/the-child-safe-standards/>

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 the PolicyWorks manual provided in each foyer.

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:** Physical abuse can occur when a person intentionally or recklessly uses physical force against, with or in the presence of a child without their consent, which causes, or could cause the child harm. Physical abuse can also occur when someone intentionally or recklessly causes a child to believe that physical force is about to be used against them without their consent. Physical abuse can include hitting, punching, kicking, pushing

¹ www.bullyingnoway.gov.au

or throwing something that strikes a child. It also includes behaviour, such as words or gestures, that causes a child to believe that they are about to suffer physical abuse.²

- **Sexual abuse:** Sexual abuse encompasses a broad range of behaviours involving a sexual element that are committed against, with or in the presence of a child. Behaviour that could amount to sexual abuse spans a broad range of behaviours from sexual misconduct to a sexual offence. A sexual offence will generally encompass any sexual encounter that involves a child. This abuse may involve contact, like touching or penetration. It also includes behaviours that do not involve contact like 'flashing', possessing child abuse material or grooming. A full list of the relevant sexual offences is set out in clause 1 of Schedule 1 to the Sentencing Act 1991. Sexual misconduct is another type of abuse and includes a variety of sexualised behaviours with or towards children. This could include inappropriate conversations of a sexual nature, comments that express a desire to act in a sexual manner, or in some cases, behaviour that crosses a professional boundary such as having or seeking to establish an inappropriate or overly familiar relationship with a child.³
- **Emotional and psychological abuse:** The infliction of emotional or psychological harm is one of the most common forms of child abuse. This may involve conveying to a child that they are worthless, unloved, inadequate or rejected, or causing a child to frequently feel frightened or in danger. Emotional or psychological abuse often diminishes a child's sense of identity, dignity and self-worth, and the impact can be chronic and debilitating.⁴
- **Neglect:** Neglect is another form of child abuse. Neglect is a failure on the part of a caregiver to provide sufficient attention, responsiveness and protection that is appropriate to the basic needs of a child to ensure that these needs are met. Neglect includes failure to provide adequate health care, supervision, clothing, nutrition or housing, as well as failing to meet a child's physical, emotional, social, educational and safety needs.⁵
- **Exposure to domestic/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 (adapted from the Australian Medical Association definition).

Child FIRST/Orange Door⁶: A Victorian community-based intake and referral service linked with Family Services. Child FIRST/Orange Door ensures that vulnerable children, young people and their families are effectively linked to relevant services, including Child Protection. <https://services.dhhs.vic.gov.au/child-protection-contacts>

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 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/Orange Door/Orange Door) to support the assessment and engagement of vulnerable children and families in community-based <https://services.dhhs.vic.gov.au/child-protection-contacts>

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.

Domestic/family violence: The repeated use of violent, threatening, coercive or controlling behaviour by an individual against a family member(s) or someone with who they have or have had an intimate relationship, including carers.

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,

² <https://ccyp.vic.gov.au/assets/resources/CSSGuideFinalV4-Web-New.pdf>

³ <https://ccyp.vic.gov.au/assets/resources/CSSGuideFinalV4-Web-New.pdf>

⁴ <https://ccyp.vic.gov.au/assets/resources/CSSGuideFinalV4-Web-New.pdf>

⁵ <https://ccyp.vic.gov.au/assets/resources/CSSGuideFinalV4-Web-New.pdf>

⁶ Child FIRST, as the access point for family services, is progressively transitioning to the name The Orange Door <https://services.dhhs.vic.gov.au/child-first-and-family-services>

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.

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: Refers to the legal requirement of certain professional groups to report a reasonable belief of child physical or sexual abuse to child protection authorities.⁷

From 1 March 2019 early childhood staff members will be mandated to report a reasonable belief of child physical or sexual abuse. Mandated staff members must make a report to Child Protection, if:

- In the course of practising their profession or carrying out duties in their office, position or employment,
- They form a reasonable belief, that a child has been or is at risk of significant harm, as a result of physical or sexual abuse, and
- The child's parents have not protected or are unlikely to protect the child from that abuse.⁸

Mandatory reporters must report the abuse/neglect to police, by calling 000, if the offence requires immediate police attention or; Child Protection Authorities on 13 12 78 if they suspect, on reasonable grounds, that a child is suffering abuse or neglect, or wish to discuss their concerns about a child or young person. Early childhood staff members are also required to inform the Quality Assessment and Regulation Division, Department of Education and Training and the Victorian Institute of Teaching.

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 health, safety 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)). If the Approved Provider is unsure whether the matter is a notifiable complaint, it is good practice to contact DET for confirmation. Written reports to DET must include:

- details of the event or incident
- the name of the person who initially made the complaint
- if appropriate, the name of the child concerned and the condition of the child, including a medical or incident report (where relevant)
- contact details of a nominated member of the Grievances Subcommittee/investigator
- any other relevant information.

Written notification of complaints must be submitted using the appropriate forms, which can be found on the ACECQA website: www.acecqa.gov.au

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

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

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

⁷ <https://providers.dhhs.vic.gov.au/mandatory-reporting>

⁸ <https://providers.dhhs.vic.gov.au/mandatory-reporting>

- 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 information that leads a person to form a 'reasonable belief' that a person has committed reportable conduct.

Reportable conduct: Under the Victorian Reportable Conduct Scheme the head of an organisation is responsible to have in place systems to prevent child abuse and to ensure allegations can be brought to the attention of appropriate persons for investigation and response. There are five types of 'reportable conduct' listed in the *Child Wellbeing and Safety Act 2005*:

1. sexual offences (against, with or in the presence of, a child)
2. sexual misconduct (against, with or in the presence of, a child)
3. physical violence (against, with or in the presence of, a child)
4. behaviours that causes significant emotional and psychological harm
5. significant neglect.

The Approved Provider is responsible for:

- notifying the Commission for Children and Young People (CCYP) within three business days of becoming aware of a reportable allegation
- investigating an allegation – subject to police clearance on criminal matters or matters involving family violence
- providing the Commission detailed information about the reportable allegation and any action you have taken within 30 calendar days
- notifying the Commission of the investigation findings and any disciplinary action the head of entity has taken (or the reasons no action was taken). See <https://ccyp.vic.gov.au> for more details.

Serious incident: A children's service is required to notify the regulatory authority, DET within 24 hours of becoming aware of a serious incident (Section 174(2)(a) and Regulation 176(2)(a)).

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

- the death of a child while being cared for or educated by the service or following an incident while being educated and cared for by the service
- any incident involving injury or trauma to a child while that child is being educated and cared for, which:
 - a reasonable person would consider urgent medical attention from a registered medical practitioner; or
 - the child attended or ought reasonably to have attended a hospital e.g. broken limb; or
 - 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 (e.g. remote and rural locations) a General Practitioner conducts consultations from the hospital site. Only treatment related to serious injury, illness or trauma is required to be notified, not other health matters; or
- 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 at an education and care service. It does not mean an incident where emergency services attended as a precaution; or
- a child appears to be missing or cannot be accounted for at the service; or
- a child appears to have been taken or removed from the service in a manner that contravenes the National Regulations; or
- a child is mistakenly locked in or locked out of the service, premises or any part of the premises.

Notify the regulatory authority of serious incidents online through the NQA IT system:

<https://www.acecqa.gov.au/resources/national-quality-agenda-it-system>

Download the incident, injury, trauma and illness record template to record any supporting evidence or other (non-serious) incidents from: <https://www.acecqa.gov.au/media/22726>

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 intervener of that belief and of the reasonable grounds that the belief is based on. 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.

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

- A Guide to Creating a Child Safe Organisation: <https://ccyp.vic.gov.au/assets/resources/CSSGuideFinalV4-Web-New.pdf>
- *Charter of Human Rights and Responsibilities Act 2006* (Vic) available at: <http://www.legislation.vic.gov.au/>
- *Choose With Care: Child Protection* – an information and training program: www.childwise.org.au
- Commission for Children and Young People (CCYP): <http://www.ccyp.vic.gov.au/>
- Department of Education and Training (DET – Victoria): <http://www.education.vic.gov.au>
- Department of Health and Human Services (DHHS - Victoria): www.dhhs.vic.gov.au
- Guidance for Organisations Investigating a Reportable Conduct Allegation (Commission for Children and Young People): <https://ccyp.vic.gov.au/child-safety/resources/reportable-conduct-scheme-information-sheets/>
- National Children’s Commissioner: <http://www.dss.gov.au/our-responsibilities/families-and-children/publications-articles/national-children-s-commissioner>
- 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://earlytraumagriev.anu.edu.au/files/profrespondchildabusetip.pdf>
- *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 Early Childhood Development, Licensed Children’s Services and Victorian Schools: <https://www.education.vic.gov.au/school/principals/spag/safety/Documents/protectionofchildren.PDF>
- Reportable Conduct Scheme Information Sheets: Guidance for organisations about their obligations under the scheme (Commission for Children and Young People): <https://ccyp.vic.gov.au/child-safety/resources/reportable-conduct-scheme-information-sheets/>
- 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
- Victorian Institute of Teaching : www.vit.vic.edu.au
- *What is Child Abuse?:* <https://services.dhhs.vic.gov.au/child-protection>
- Working with Children (WWC) Check: <https://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*

- *Participation of Volunteers and Students Policy*
- *Privacy and Confidentiality Policy*
- *Staffing Policy*
- *Supervision of Children Policy*

PROCEDURES

The Approved Provider is 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)
- identifying the potential for and signs of child abuse at Thornbury Kindergarten 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 4 – Child safety review checklist)
- ensuring recruitment and induction processes for educators, staff and contractors are in line with this policy (refer to Attachment 5 – Guidelines for the recruitment of staff and volunteers)
- screening all educators, staff, contractors, volunteers and students, 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*)
- 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 3 – Reporting responsibilities and guidelines)
- ensuring educators, staff, and contractors 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 3 – Reporting responsibilities and guidelines)
- ensuring clear procedures/guidelines for visitors and students in relation to child protection
- 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 Thornbury Kindergarten Inc
- developing co-operative relationships with appropriate services and/or professionals (including Child FIRST/Orange Door) 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 3: Reporting responsibilities and guidelines)
- assessing and responding to all incidents and allegations in the most appropriate manner and at the earliest opportunity, taking into consideration the requirements of statutory timeframes.
- notifying the Department of Education 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 Thornbury Kindergarten Inc
- notifying the CCYP within three business days of becoming aware of a reportable allegation
- maintaining confidentiality at all times (refer to *Privacy and Confidentiality Policy*)
- 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, and contractors (refer to *Sources*)

- protecting the rights of children and families, and encouraging their participation in decision-making
- 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 abide by the *Code of Conduct* policy

The Nominated Supervisor is 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
- keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy
- 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 3 – Reporting responsibilities and guidelines)
- identifying the potential for child abuse at Thornbury Kindergarten 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 4 – Child safety review checklist)
- 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/Orange Door), 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 3 – Reporting responsibilities and guidelines)
- notifying the Approved Provider immediately on becoming aware of a concern, complaint or allegation regarding the health, safety and welfare of a child at Thornbury Kindergarten 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 Thornbury Kindergarten 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*)
- ensuring all staff abide by the service's *Code of Conduct* policy

Certified Supervisors, early childhood teachers, other educators and staff are responsible for:

- keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy
- 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 3 – Reporting responsibilities and guidelines)
- identifying the potential for child abuse at Thornbury Kindergarten 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 4 – Child safety review checklist)

- 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 (comply with *Delivery and Collection of Children* policy)
- 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/Orange Door) in the best interests of children and their families
- informing families of support services available to them (such as Child FIRST/Orange Door), 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 *Definitions* and to Attachment 3 – Reporting responsibilities and guidelines).
- notifying the Nominated Supervisor or the Approved Provider immediately on becoming aware of any concerns,

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

 complaints or allegations regarding the health, safety and welfare of a child at Thornbury Kindergarten Inc
- 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 Thornbury Kindergarten Inc
- maintaining confidentiality at all times (refer to *Privacy and Confidentiality Policy*)
- reviewing this policy in consultation with the Approved Provider, Nominated Supervisor, educators, staff, contractors and parents/guardians
- educating and empowering children to talk about events and situations that make them feel uncomfortable
- 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
- implementing and reviewing this policy in consultation with the Approved Provider, Nominated Supervisor, educators, staff, contractors and parents/guardians
- using appropriate resources and undertaking training to assist with the implementation of this policy (refer to *Sources*)
- 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.

Parents/guardians are responsible for:

- reading and complying with this policy
- 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* policy

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)).

ATTACHMENTS

- Attachment 1: Child protection risk assessment
- Attachment 2: Child safe organisations
- Attachment 3: Reporting responsibilities and guidelines
- Attachment 4: Child safety review checklist
- Attachment 5: Guidelines for the recruitment of staff and volunteers

AUTHORISATION

This policy was adopted by the Approved Provider of Thornbury Kindergarten Inc on 20 August 2019

REVIEW DATE: AUGUST 2022

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.

Child Safe Standard 6: Risk Assessment				PROTECT		THE EDUCATION STATE		VICTORIA State Government		Education and Training	
Risk Event or Environment	Likelihood	Consequence	Initial risk rating	Existing risk management strategies or existing controls	Post control risk rating	New risk management strategies or controls	Who is responsible?	Target adjusted risk rating			
No organisational culture of child safety – lack of leadership, public commitment and frequent messaging	Unlikely	Severe	High	<ul style="list-style-type: none"> Child safety code of conduct – staff and families Appointment of Child Safety Officer Strategies developed to embed culture of child safety Regular child safety item in termly new sletter Regular training for staff Staff actively discuss body safety awareness with children as part of kindergarten program 	Medium	<ul style="list-style-type: none"> Strategies to embed organisational culture of child safety are reviewed and discussed at staff and COM meetings Child safety code of conduct – visitors under development Parent handbook updated to include Code of Conduct and Child Safety Statement COM to undertake online Child Safety 7 Standards training Maintain an updated staff child safety training database 	Director, CSO, COM, all staff	Low			
Inappropriate behaviour is not reported and addressed	Unlikely	Severe	High	<ul style="list-style-type: none"> Child safety code of conduct Clear child safety reporting procedures Staff training in mandatory reporting is updated annually 	Medium	<ul style="list-style-type: none"> Strategies to embed organisational culture of child safety are reviewed and discussed at staff and COM meetings Refresher training for all staff in mandatory reporting Development of Child Safety Concern form and filing protocols for documenting incidents Updated staff handbook / induction procedure to cover child safety and reporting procedures 	Director, CSO, COM	Low			
Unquestioning trust of any employees and/or long term workplace norms/practises	Possible	Major	High	<ul style="list-style-type: none"> Child safety code of conduct Clear child safety reporting procedures 	Medium	<ul style="list-style-type: none"> Strategies to embed organisational culture of child safety are reviewed and discussed at staff and COM meetings Updated staff handbook / induction procedure to cover child safety expectations and procedures Regular Checking of WWCC / VIT online 	Director, CSO, COM, all staff	Medium			
Unquestioning trust of regular contractors, volunteers and families	Unlikely	Major	Medium	<ul style="list-style-type: none"> Visitor Code of Conduct 	Medium	<ul style="list-style-type: none"> Updated sign in procedure Checking of WWCC / VIT online 	All Staff	Medium			
Recruitment of an inappropriate person	Possible	Severe	Extreme	<ul style="list-style-type: none"> WWCC or Victorian Institute of Teaching registration Referee checks Probationary period Job advertisements to include statements regarding our commitment to Child Safety 	High	<ul style="list-style-type: none"> Processes updated to require: Criminal history search Pre-employment reference check includes asking about child safety 	Director, COM	Medium			
Engagement with children and families outside of the service including online	Possible	Moderate	Medium	<ul style="list-style-type: none"> Child safety code of conduct Strategies developed to embed culture of child safety 	Low	<ul style="list-style-type: none"> Updated staff handbook / induction procedure to cover child safety expectations and procedures 	All Staff	Low			
Unknown people and unknown environments at excursions or bush kinder	Likely	Major	Extreme	<ul style="list-style-type: none"> Child safety code of conduct Strategies developed to embed culture of child safety Clear child safety reporting procedures Use of risk management assessment Staff to child ratios maintained on excursions Higher staff to child ratios at Bush Kinder 	Medium	<ul style="list-style-type: none"> Assessment of new or changed environments for child safety risks Excursion risk management plan to include Child Safety strategies Update procedures to include Child Safety concerns regarding Bush Kinder and excursions 	All Staff	Low			
Ad-hoc contractors on the premises (e.g. maintenance)	Likely	Minor	Medium	<ul style="list-style-type: none"> Visitor Code of Conduct Adequate monitoring and supervision 	Medium	<ul style="list-style-type: none"> Updated sign in procedure Darebin Council to coordinate own employees to sign Code of Conduct Darebin Council to provide WWCC details of it's employees (relevant to TK) 	Director, all staff	Low			

ATTACHMENT 2

Child safe organisations⁹

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 creates a welcoming and culturally safe environment for 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 • Staff, volunteers and students value and respect the customs and beliefs of children and their families • Staff, students and volunteers listen to children and encourage their participation
The organisation recognises that children are vulnerable	<ul style="list-style-type: none"> • Staff, students and volunteers accept it is their role to protect children involved with their organisation • 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 • 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"> • 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 • Development of Reconciliation Action Plan
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 • Staff, students, volunteers and other children acknowledge and show respect for diversity

⁹ Attachment 2 is based on principles for creating child safe organisations outlined in *A Guide for Creating a Child Safe Organisation*, available from the Commission for Children and Young People (refer to *Sources*).

Developed in conjunction with the *Child Protection Policy* template, Early Learning Association Australia (2015, version 2) and Thornbury Kindergarten's Child Safety Officer, 2019

Child safe principle	Practices
The organisation encourages children participation in decision-making and the empowerment of children	<ul style="list-style-type: none"> • Children are asked their views, and these views are respected and taken into consideration in decision-making and curriculum planning • Children are involved in discussing and setting expectations at kindergarten • Teaching children age-appropriate body safety awareness • Staff, volunteers and students provide an environment and curriculum that offers familiarity and predictability yet still enables children to feel safe by offering choice and control
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 qualifications required – 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
The organisation ensures that its commitment to child safety is clear and shared by all	<ul style="list-style-type: none"> • A <i>Child Protection Policy</i> (such as this one) is in place and accessible • Educators, staff, students, volunteers, contractors and parents/guardians are aware of the service's <i>Child Protection Policy</i>
The organisation ensures employees, contractors and volunteers are informed about child safety and receive training, where appropriate	<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

Reporting responsibilities and guidelines

This attachment is based on information from: *Protecting the safety and wellbeing of children and young people* (refer to *Sources*).

Individuals working with children or young people have a duty of care to support and protect them. Where there is a belief, on reasonable grounds (refer to *Definitions*), that a child/young person has been harmed or is at risk of harm, adults in contact with, or working with, that child/young person are ethically bound to act to maintain their safety and wellbeing. For some professionals, there is also a legal obligation to report the concern to the appropriate authorities.

Mandatory reporting

From 1 March 2019 all early childhood staff are obligated to undertake mandatory reporting (refer to *Definitions*) of any concerns of child abuse and neglect.

General guidelines

- The best interests of the child should always be the primary consideration, with due regard to confidentiality and fairness to the person against who the allegation is made.
- Children should be encouraged to approach any person in the service to express concerns about their treatment, and should be made to feel confident that they will be taken seriously.
- Employees and volunteers must be clear about who they are expected/permitted to approach when expressing concerns.
- Any investigation undertaken by the service must ensure procedural fairness and natural justice for a person suspected of abusing a child.
- Records must be kept about any child safety concern or complaint, and stored in accordance with the service's *Privacy and Confidentiality Policy*. These records must contain information about the action taken, including any internal investigation and any reports made to statutory authorities or professional bodies.
- Everyone at the service must be made aware of the need to report serious matters involving child protection to external authorities.
- Privacy must be maintained, and information must only be disclosed on a need-to-know basis.
- Instances of physical and sexual abuse of children are crimes and must be reported to the police. If a child discloses any such abuse, the service must listen, respond and report to both the police and child protection authorities.
- A report to the appropriate authorities can be made even if staff and others working with children at the service do not have all the necessary information.
- Permission is not required from parents/guardians of a child where abuse is suspected, and parents/guardians do not need to be notified that a report has been made.

Forming a professional judgement

Forming an objective and professional judgement can be based on:

- warning signs (or indicators) of harm or potential harm, that have been observed or inferred
- knowledge of child development
- knowledge of cultural backgrounds
- knowledge of any difficulties experienced or support currently being received by a family
- consultation with colleagues and other professionals
- professional obligations and duty of care responsibilities
- established service protocols
- individual service procedures
- legal requirements, such as mandatory reporting.

Gathering information

Action	Details
Make notes	Record your observations, and date and sign the entries
Continue to observe	Record your observations, and date and sign the entries
Consult colleagues	Access support and advice from your colleagues, compare notes and brainstorm possible strategies to address areas of concern
Develop action plans based on service procedures	Understand and consult the policies and procedures of Thornbury Kindergarten Inc when determining what action to take
Talk to other agencies about helping the family	Collaborate with or engage community health services, local government services, Child FIRST/Orange Door, regional Department of Health and Human Services/Child Protection officers and disability services. You may wish to instigate a case meeting
Talk to the child	Do this with respect for the child or young person's need for privacy and confidentiality
Talk to the parents/guardians	Only do this when it will not jeopardise the safety of the child or young person

Signs or indicators of harm

- Physical signs of abuse or neglect may include, but are not limited to, bruises, burns, sprains, bites, cuts, fractures, frequent hunger, malnutrition, poor hygiene and inappropriate clothing.
- Behavioural signs of abuse (physical, sexual and emotional) or neglect may include, but are not limited to, wariness or distrust of adults, fear of parents/guardians and of going home, fear when other children cry/shout, excessive friendliness to strangers, being very passive and/or compliant, having/claiming to have headaches and/or stomach pains, displaying sexual behaviour that is unusual for the child's age, frequent rocking, sucking and biting, having difficulty sleeping, being withdrawn, aggressive and/or demanding, being highly anxious, having delayed speech, acting like a much younger child, and often being tired and falling asleep.
- Disclosures by the child concerned, or by other parties.

Reporting

- 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/Orange Door (Family Services) or a report to Child Protection (see below).
- To report concerns that are life threatening, ring Victoria Police on 000.
- If there is an allegation of abuse by a proprietor, staff member or visitor at a licensed children's service, the matter must be immediately reported directly to Victoria Police for investigation by telephoning the emergency number 000.
- To report concerns about the immediate safety of a child within their family unit, call the nearest DHS office in your region during business hours. To report concerns after hours or on weekends, call 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 DHS 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
 - the reason why the call is being made at this point in time
 - 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 still be made, even if the notifier does not have all the necessary information.

Making a referral to Child FIRST/Orange Door

A referral to **Child FIRST/Orange Door** should be considered if, after taking into account the available information, the staff member forms a view that raising their concerns will have a low-to-moderate impact on the child, and that the immediate safety of the child will not be compromised. 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/Orange Door provides a consolidated intake service to Family Services within sub-regional catchments. Child FIRST/Orange Door 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 considered if, after taking into account all of 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*
- the Department 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
- 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.

Notifying the Department of Education

An Approved Provider should notify the Regulatory Authority 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.

Notifying the Commission for Children and Young People

- A snapshot of an organisation's obligations under the CCYP Reportable Conduct Scheme¹⁰:
 - **NOTIFY**
 - You must notify the Commission within **3 business days** of becoming aware of a reportable allegation
 - **INVESTIGATE**
 - You must investigate an allegation – subject to police clearance on criminal matters or matters involving family violence.
 - You must advise the Commission who is undertaking the investigation
 - You must manage the risks to children
 - **UPDATE**
 - Within **30 calendar days** you must provide the Commission detailed information about the reportable allegation and any action you have taken.
 - **OUTCOMES**
 - You must notify the Commission of the investigation findings and any disciplinary action the head of entity has taken (or the reasons no action was taken)

¹⁰ <https://ccyp.vic.gov.au/reportable-conduct-scheme/>

ATTACHMENT 4

Child Safety Review Checklist

6. CHILD SAFE STANDARD 1: ACTION PLAN TEMPLATE

Action Plan Lead name: Child Safety Officer, CoM

Action Plan review date: Desktop review July 2018, full review November /December 2018

Child Safe Standard	Does TK meet the Standard? YES/NO	What action(s) does the school need to take to better meet the Standards?	Responsibility (Who)	Responsibility (When)
1. Strategies to embed an organizational culture of child safety, through effective leadership arrangements		<p>2017 CoM all complete online training modules 2017 staff all complete online training modules</p> <p>Engage Child Safety seven standards training for CoM</p> <p>2018 staff and CoM complete online training modules/ update as required</p> <p>Ensure strategic direction, vision and mission includes child safety as a key goal.</p> <p>To further embed the child safety culture a staff member should be appointed to the Child Safety role.</p> <p>Review role and submit to CoM for comment and Approval</p> <p>Include child safety as a regular newsletter item.</p> <p>Promote child safety as an ethical imperative that is everyone's responsibility. For example, child safety could be included in all position descriptions and documents on roles and responsibilities for board members, staff and volunteers.</p> <p>Have systems to regularly review and improve child safety policies and practices, particularly following any incidents.</p>	<p>CSO, COM, DIRECTOR, STAFF</p> <p>CSO, COM, DIRECTOR, STAFF</p> <p>CSO</p> <p>CSO, CoM</p> <p>CSO</p> <p>CSO, Staff liaison, Director</p> <p>CSO, Director</p>	<p>Term 4 2017</p> <p>Term 2 2018</p> <p>Term 4 2107 – ongoing</p> <p>Term 4 2017</p> <p>Ongoing</p> <p>Ongoing</p> <p>Term 1 – 2 2018</p>
2. A Child Safe Policy or Statement of Commitment to Child Safety		<p>Policies and practices prioritise child safety and promote shared responsibility – not just at a leadership level – by outlining all staff and volunteer responsibilities</p> <p>A statement of commitment to child safety should be included as part of a child safe policy. This statement affirms the organisation's commitment to child safety by clearly stating that the organisation has zero tolerance for child abuse, is committed to acting in children's best interests and keeping them safe, and actively works to empower children.</p> <p>Communicate the statement or policy publicly. For example, on websites, newsletters, annual reports, mission or vision statements, and recruitment advertisements and welcome packs</p> <p>Statement of commitment to be updated with latest changes – staff taking on the CSO role, training that has taken place, plans for the year etc.</p> <p>Ensure board members, staff and volunteers are aware of the organisation's child safe policy and its key provisions. For example include child safety material in staff induction information and welcome packs.</p>	<p>CSO, Policies</p> <p>CSO</p> <p>CSO</p> <p>CSO, Director</p>	<p>Ongoing</p> <p>Term 3 2017</p> <p>Term 1 2018</p> <p>Term 2 2018</p>

<p>3. A Code of Conduct that establishes clear expectations for appropriate behavior with children</p>		<p>The Code of conduct needs to be signed by all staff, COM, volunteers AND Families.</p> <ul style="list-style-type: none"> Build ownership and commitment to the code of conduct, for example by having staff, volunteers, families and children contribute to the development of the code of conduct, including by providing feedback on draft codes of conduct. <p>staff, volunteers, families and children understand culturally safe behaviour and relationships with Aboriginal children and children from culturally and/or linguistically diverse backgrounds</p> <p>Staff, volunteers, families and children understand safe behaviour and relationships with children with a disability</p> <p>Needs to be read and signed by students on placement. AS to add to list</p> <p>CoC sent out with packs at the AGM for collection and stored on file</p>	<p>CSO,</p> <p>(Check with AS re this list)</p> <p>CSO, AS</p>	<p>Term 4 2017</p> <p>Term 1 2018</p>
<p>4. Screening, supervision, training and other human resource practices that reduce the risk of child abuse by new and existing personnel</p>		<p>AS to check if all staff have completed 7 standards training. All future staff will need to be checked. Induction needs to include CP element. AS to check if a reference check was done on all staff at time of employment. If not, or there is no proof then staff will be asked to supply new references and checks will be done (MBC to explain at staff meeting). AS/JD to document our hiring procedure with note to child safe standard 4 eg child safe language in our advertising and child safe interview questions, references checked, WWCC and AFP as necessary as well as in induction procedure and training plans in regard to CP.</p> <p>As well as in individual staff files AS to develop a simple spreadsheet that lists all staff and COM training in this area eg staff who attended recent Child Wise training and MBC recent Family violence training.</p> <p>Provide induction and training in recognising and responding to child abuse for leadership, relevant management, staff and volunteers, including what to do if an allegation is made or a concern raised or staff observe abusive behaviour towards a child.</p> <ul style="list-style-type: none"> Design and adhere to recruitment and selection processes that focus on: <ul style="list-style-type: none"> factors that may indicate a risk to child safety, such reluctance to undergo a Working with Children Check or to provide evidence of a Working with Children Check understanding of child safety understanding of and respect for Aboriginal culture understanding of and respect for cultural and / or linguistic diversity understanding of and respect for the needs of children with a disability declaration of prior conduct, including of any disciplinary action taken against them by an employer, any finding of improper or unprofessional conduct by them by any court or tribunal of any kind, and/or any investigations they have been subject to by an employer, law enforcement agency, any integrity body, or similar in Australia or in another country undertaking face-to-face interviews police record checks (including personal identification checks) checking referees and qualifications use of probation periods references to the organisation's commitment to child safety in recruitment advertisements. <p>Staff survey/ family survey</p> <ul style="list-style-type: none"> Regularly assess organisational child safety training needs, for example through questionnaires, or as part of regular performance review processes. Ensure staff and volunteers understand the importance of cultural safety for Aboriginal peoples, for example by encouraging awareness of and ability to talk about Aboriginal history and stories. 	<p>AS</p>	<p>Draft 1/11/2016</p> <p>Final 15/12/2016</p> <p>I have not been able to find evidence of this. I believe Staff liaison (LB) was working on a spreadsheet for training register.</p>

		<ul style="list-style-type: none"> • Support staff to build resilience and cope with child abuse incidences, for example through training and counselling. • Regularly provide information, training and education for board members, staff and volunteers about child safety on a needs basis, including: <ul style="list-style-type: none"> – what child abuse is – how to identify and reduce child abuse risks – understanding and appreciating Aboriginal culture and other cultures and languages they may engage with in their role – the importance of ensuring culturally safe environments for children from culturally and/or linguistically diverse backgrounds, and how to promote this – the importance of ensuring safe environments for children with a disability, and how to promote this – what constitutes inappropriate behaviour between children, such as inappropriate sexualised play, bullying and fighting – What is inappropriate behaviour between children and adults, with reference to the code of conduct? • Induction processes to inform new staff and volunteers about child safety policies and processes, including the code of conduct. • Provide ongoing training, support, supervision and performance management for all personnel. For example, ask specific questions about understanding of child safety protocols during performance review processes. • Provide all personnel with training on how to 'ask the question' to children of all cultures and appropriate follow-up actions.¹¹ • Use culturally inclusive recruitment practices, for example by gaining advice from Aboriginal, culturally and/or linguistically diverse communities and people with a disability on position descriptions and selection criteria to increase the appeal of a position to these groups. • Specifically welcome applications from Aboriginal peoples, people from culturally and/or linguistically diverse backgrounds and people with a disability. • Ensure interview questions are asked which aim to uncover applicants' understanding of child safety. • During interviews, emphasise the culture of valuing child safety and the expectations of staff responsibilities, to underscore its importance to the organisation. 		
<p>5. Processes for responding to and reporting suspected child abuse</p>		<p>Promote to staff, volunteers, children and families a confidential reporting culture for suspected abuse by ensuring the organisation's leaders take responsibility for incidents at all levels</p> <p>Maintain adequate record keeping of child safety issues and responses of any incidents, for example in an Excel spreadsheet or 'log book' that is appropriately stored to protect the privacy of children.</p> <ul style="list-style-type: none"> • Ensure processes for reporting suspected child abuse are appropriate, clear and robust, and that children and families feel comfortable following them. This includes: <ul style="list-style-type: none"> – step by step guides for staff outlining when and to whom a report must be made – requirements for accurate recording of relevant information and actions taken – clear criteria for assessing how and when to report to leadership and authorities (the police and/or child protection), which comply with all legal requirements – instituting strategies to make people feel safe and comfortable reporting suspected abuse, for example by designating a person, such as a Child Safety Officer / Champion, for staff and children to contact to discuss a suspected abuse or child safety concern. 	<p>CSO, Director</p>	<p>Term 2 2018</p>

¹¹ Asking the question refers to asking whether people are Aboriginal.

		<ul style="list-style-type: none"> Publicise and make accessible for families and children avenues for reporting incidents or concerns. For example, information could be included in welcome packs and/or on the organisation's website. Train relevant staff and volunteers in how to report suspected child abuse, and ensure they can identify signs of children at risk of abuse. Institute a feedback process for staff, volunteers, children and families on organisational policies and procedures for reporting abuse, recognising particular needs of Aboriginal peoples, people from culturally and/or linguistically diverse backgrounds and people with a disability. 		
6. Strategies to identify and reduce or remove risks of child abuse		<p>Director, CSO and staff to look at risk assessment from a CP point of view in regard to normal service, BK, incursions, excursions, parent/career volunteers, students on placement.</p> <p>Involve OHS rep for advice, CoM perspective</p> <ul style="list-style-type: none"> Ensure clear and accessible processes for evaluating risks posed by situations and activities appropriate to the organisation, its size and resources, physical and online environments, and the characteristics of the children to whom it provides services. Developing, recording and communicating clear processes for removing risks to children (for example, rules on online communications that could be included in the code of conduct or child safe policy, removing staff or volunteers who may pose a risk). Provide relevant staff and volunteers with training in identifying child abuse risks, for example blocked-off/out-of-sight spaces (especially rooms with doors that can be locked), overnight stays, and opportunities for physical contact, such as sports coaching and personal care. Engage methods for continual improvement in how risks are managed by learning from past lessons, including policy review and staff training. A risk management approach driven through endorsement and ownership by management, including responsibility for risk identification and response in position descriptions. Ensure supervision requirements for staff and volunteers who work with children. Include statements about shared responsibility for management of risks in all <u>position descriptions</u>. 	Director, CSO, OHS all staff	Term 1 – Term 3 2018
7. Strategies to promote the participation and empowerment of children		<p>AS to document processes/activities staff are using to empower children. Info to be included in Strat plan, QIP (Please see AS feedback via self audit tool)</p> <p>Provide children with child-appropriate and accessible information about what child abuse is, their rights to make decisions about their body and their privacy, that no one has a right to injure them, and how they can raise concerns about abuse</p> <ul style="list-style-type: none"> Consider access and culturally appropriate language, photographs and artwork for Aboriginal children, children from culturally and/or linguistically diverse backgrounds and children with a disability when drafting communications materials. RAP to be developed Raise awareness in the community about children's rights, for example through staff conversations with families and communications such as websites and newsletters. children feel safe, empowered and taken seriously if they raise concerns 	CSO, AS, staff	Term 1 – 3 2018

ATTACHMENT 5

Guidelines for the recruitment of staff and volunteers

The processes for the recruitment and selection of employees, contractors and volunteers demonstrate our commitment to maximising the safety of children and deterring unsuitable and inappropriate persons from attempting to work at Thornbury Kindergarten Inc. Thornbury Kindergarten Inc is committed to the following processes.

Preparation for recruitment

- An explicit statement of our commitment to child safety is included in all advertising promotion for the organisation.
- Job advertisements clearly state our commitment to child safety.
- Job descriptions include a statement about our commitment to maintaining a child safe environment and clearly outline responsibilities and accountability.
- The selection process includes:
 - consideration of a Working with Children Check (and a criminal history record check, where appropriate)
 - confirmation of identity, which involves sighting an original birth certificate or extract, a driver's licence or a passport
 - verification of qualifications
 - thorough reference checks: at least two referees are contacted (including the current or most recent employer) in person or via telephone and all referees must have observed the applicant working with children first-hand.

Interview 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 HR/interviewing experience.
- Questions are behavioural-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, professional boundaries, resilience and motivation, teamwork, accountability and ethics are values-based.
- Questions are based on key selection criteria.
- Candidates are asked about their attitudes, aspirations and motivations.
- More detail is asked for when answers seem incomplete.

Ongoing management

- Information provided to the employee on commencing work at the service includes: the *Child Protection Policy*, *Child Safe Environment Policy*, *Code of Conduct Policy*, *Complaints and Grievances Policy* and *Staffing Policy*.
- The letter of offer includes a statement about what is expected of the staff member in terms of commitment and responsibilities for child safety.
- Orientation and induction covers information about values, attitudes, expectations and workplace practices in relation to maintaining a child safe environment.
- Regular meetings are held between employees, volunteers and the Approved Provider.
- A mentoring or buddy system between employees is in place.
- Training and education with regard to child protection and child safety is provided for all employees, contractors and volunteers.
- Resources and support are provided for all employees, contractors and volunteers to ensure a child safe environment.
- Employees, contractors, volunteers and visitors are treated with respect.