

Childcare Policy No. 11: Child Safe Environment Policy

Mandatory – Quality Area 2

Purpose

This policy provides a clear set of guidelines and procedures for Pines Learning Childcare to:

- provide a safe environment for all children which ensures their health, safety and wellbeing
- promote the cultural safety of all children
- identify, reduce and remove risks of child abuse
- intervene when a child may be at risk of abuse or neglect
- involve children in child safety including listening to children and incorporating their views about how to provide a safe environment
- make staff aware of their legal and duty of care obligations in reporting child abuse and neglect

1. Values

Pines Learning Childcare:

- is committed to the rights of all children to feel safe, and be safe at all times, including:
 - promoting the cultural safety of Aboriginal children
 - promoting the cultural safety of children from culturally and linguistically diverse backgrounds
 - promoting the safety of children with a disability
- values, respects and cares for children
- fosters opportunities for each child to participate, express their views and to learn and develop
- always acts in the best interests of each child and has zero tolerance of child abuse
- takes all reasonable steps to ensure the health, safety and wellbeing of children at all times, whilst also promoting their learning and development
- actively manages the risks of abuse or harm to each child, including fulfilling our duty of care (refer to *Definitions*) and legal obligations to protect children and prevent any reasonable, foreseeable risk of injury or harm
- continuously improves the way our service identifies risks of and responds to child abuse, and encourages reporting and improved responses to allegations of abuse.

2. Scope

This policy applies to the Approved Provider, Persons with Management or Control, Nominated Supervisor, Persons in day-to-day Charge, staff, contractors, volunteers, students on placement, parents/guardians, children and others attending the programs and activities of Pines Learning Childcare, including during offsite excursions and activities.

3. Background and Legislation

Background

A key requirement of the National Law is to ensure the safety, health and wellbeing of children attending education and care services (section 51). Every reasonable precaution must be taken to protect children being educated and cared for by the service from harm and from any hazard likely to cause injury (section 167).

Under the *Education and Care Services National Regulations 2011*, the approved provider of an education and care service must ensure that the nominated supervisors and staff members at the service who work with children are advised of:

- the existence and application of the current child protection law
- any obligations that they may have under that law (regulation 84).

Under the National Quality Standards, management, educators and staff are required to be aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect (element 2.2.3). At all times, reasonable precautions and adequate supervision must be provided to ensure children are protected from harm and hazard (element 2.2.1).

Children's services operating under the Children's Services Act 1996 must be operated in a way that ensures the safety of the children being cared for or educated, supports the health and wellbeing of those children and ensures the developmental needs of those children are met (section 25E). The proprietor of a children's service must ensure that every reasonable precaution is taken to protect children being cared for or educated by the service from harm and from any hazard likely to cause injury (section 26).

The Approved Provider, Persons with Management Control, Nominated Supervisor, Persons in Day-to-Day Charge, staff, contractors and volunteers of early childhood services have legal and duty of care obligations to protect children under their supervision and care.

Duty of care obligations (refer to *Definitions*) require the Approved Provider, Person with Management or Control, Nominated Supervisor, Persons in Day-to-Day Charge, and staff to take reasonable steps to protect children from injury that is reasonably foreseeable.

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

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

The Children, Youth and Families Act 2005 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.

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

Early childhood teachers are required to be registered with the Victorian Institute of Teaching and are mandatory reporters (refer to *Definitions*). In addition, all educators with post-secondary qualifications in the care, education or minding of children and employed or engaged in an education and care service or a children's service and all proprietors, nominees of a children's service, approved providers, and nominated supervisors of an education and care service are mandatory reporters.

All mandatory reporters must make a report to Victoria Police and/or Child Protection (refer to *Definitions*) as soon as practicable if, during the course of their roles and responsibilities they form a reasonable belief that:

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

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

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

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

Legislation and standards

Relevant legislation and standards include but are not limited to:

Children, Youth and Families Act 2005 (Vic)

Child Safety and Wellbeing Act 2005 (Vic)

Charter of Human Rights and Responsibilities Act 2006 (Vic)

Child Safe Standards (Vic)

Crimes Amendment (Protection of Children) Act 2014 (Vic)

Education and Care Services National Law Act 2010 (Vic): including but not limited to Sections 165, 166, 167

Education and Care Services National Regulations 2011 (Vic): including but not limited to Regulations 84, 85, 86, 99, 100, 101, 102, 168(2) (h)

Education Training and Reform Act 2006 (Vic) (As amended in 2014)

Family Law Act 1975 (Cth)

National Quality Standard, including Quality Area 2: Children's Health and Safety

Reportable Conduct Scheme administered by the Commission for Children and Young People (Vic)

Working with Children Act 2005 (Vic)

Working with Children Regulations 2006 (Vic)

Wrongs Act 1958 (Vic)

4. Definitions

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

The service provider is Pines Learning and the Approved Provider is Pines Learning Inc. The Approved Provider delegates its responsibility for the day to day operation of the service to the Nominated Supervisor.

Abuse: see Child abuse definition below.

Child: A child or young person is a person under 18 years of age.

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

- **Physical abuse:** When a child suffers or is likely to suffer significant harm from an injury inflicted by a parent/guardian, caregiver or other adult. The injury may be inflicted intentionally, or be the consequence of physical punishment or the physically aggressive treatment of a child. Physical injury and significant harm to a child can also result from neglect by a parent/guardian, caregiver or other adult. The injury may take the form of bruises, cuts, burns or fractures, poisoning, internal injuries, shaking injuries or strangulation.
- **Sexual abuse:** When a person uses power or authority over a child, or inducements such as money or special attention, to involve the child in sexual activity. It includes a wide range of sexual behaviour from inappropriate touching/fondling of a child or exposing a child to pornography, to having sex with a child and grooming with the intent of committing child sexual abuse.
- **Emotional and psychological abuse:** When a child's parent or caregiver repeatedly rejects the child or uses threats to frighten the child. This may involve name calling, put downs or continual coldness from the parent or caregiver, to the extent that it significantly damages the child's physical, social, intellectual or emotional development.
- **Neglect:** The failure to provide a child with the basic necessities of life, such as food, clothing, shelter, medical attention or supervision, to the extent that the child's health and development is, or is likely to be, significantly harmed.
- **Family violence:** When children and young people witness or experience the chronic, repeated domination, coercion, intimidation and victimisation of one person by another through physical, sexual and/or emotional means within intimate relationships. Contrary to popular belief, witnessing episodes of violence between people they love can affect young children as much as if they were the victims of the violence. Children who witness regular acts of violence have greater emotional and behavioural problems than other children.
- **Racial, cultural, religious abuse:** Conduct that demonstrates contempt, ridicule, hatred or negativity towards a child because of their race, culture or religion. It may be overt, such as direct racial vilification or discrimination, or covert, such as demonstrating a lack of cultural respect (attitude and values) and awareness (knowledge and understanding) or failing to provide positive images about another culture.
- **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 persons. Bullying occurs when one or more people deliberately and repeatedly upset or hurt another person, damage their property, reputation or social acceptance.

Child FIRST: A Victorian community-based intake and referral service linked with Family Services. Child FIRST ensures that vulnerable children, young people and their families are effectively linked to relevant services, including Child Protection.

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

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

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

Child Protection Service (also referred to as Child Protection): The statutory child protection service provided by the Victorian Department of Health and Human Services, to protect children and young people at risk of abuse and neglect. This service also works closely with Family Services (including Child FIRST) to support the assessment and engagement of vulnerable children and families in community-based services.

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

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

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

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

Head of organisation: The heads of organisations under the Reportable Conduct Scheme are required to have systems in place to prevent reportable conduct within their organisation, and systems to enable staff to make reportable allegations. The head of organisation has the powers of the employer. A CEO or Principle Officer is a head of organisation. For stand-alone kindergartens, the head of organisation will usually be the president or another office bearer who consents to the nomination.

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

Mandatory reporting: The legal obligation of certain professionals and community members to report when they believe, on reasonable grounds, that a child is in need of protection from harm. A broad range of professional groups are identified in the *Children, Youth and Families Act 2005* as 'mandatory reporters', including:

- all educators with post-secondary qualifications in the care, education or minding of children and employed or engaged in an education and care service or a children's service
- all proprietors, nominees of a children's service, approved providers, and nominated supervisors of an education and care service.
- educators registered with the Victorian Institute of Teaching (VIT).

Mandated staff members must make a report to Victoria Police and/or Child Protection as soon as is practicable if, during the course of acting out their professional roles and responsibilities, they form a belief on reasonable grounds (refer to *Definitions*) that:

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

Mandatory reporters must also follow processes for responding to incidents, disclosures or suspicions of child abuse to fulfil all their legal obligations (refer to Attachment 3: Processes for responding to and reporting suspected child abuse).

Neglect: see Child abuse definition above.

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

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

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

Orange Door: A free service for adults, children and young people who are experiencing or have experienced family violence and families who need extra support with the care of children.

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

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 belief/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 safety, health or wellbeing is at risk and the child's parents/guardians are unwilling or unable to protect them. There may be reasonable grounds for forming such a belief if:

- a child or young person states that they have been physically or sexually abused
- a child or young person states that they know someone who has been physically or sexually abused (sometimes the child may be referring to themselves)
- someone who knows the child or young person states that the child or young person has been physically or sexually abused
- a child shows signs of being physically or sexually abused
- the person is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability or other factors that are impacting on the child or young person's safety, stability or development
- the person observes signs or indicators of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision
- a child's/young person's actions or behaviour may place them at risk of significant harm and the parents/guardians are unwilling or unable to protect the child.

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

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

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

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

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

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

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

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

5. Sources and Related Policies

Sources

Australian Human Rights Commission: www.humanrights.gov.au

Betrayal of Trust Implementation: www.justice.vic.gov.au

Better Health Channel: www.betterhealth.vic.gov.au

Charter of Human Rights and Responsibilities Act 2006 (Vic): www.legislation.vic.gov.au

Choose With Care: Child Protection – an information and training program: www.childwise.net

Commission for Children and Young People (CCYP): <https://ccyp.vic.gov.au/>

National Children’s Commissioner: www.humanrights.gov.au

Department of Education and Training's Protect Portal: www.education.vic.gov.au
Safe Supportive Schools Community Working Group: <https://bullyingnoway.gov.au/>
Service Agreement Information Kit for Funded Organisations:
<https://fac.dhhs.vic.gov.au/service-agreement-information-kit>
The United Nations Convention on the Rights of the Child: www.unicef.org
Victorian Institute of Teaching: www.vit.vic.edu.au
Working with Children (WWC) Check: www.workingwithchildren.vic.gov.au

Service policies

- *Acceptance and Refusal of Authorisations 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*

6. Policy Procedures

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

- i. providing leadership in the development of an organisational culture of accountability for child safety which is open to scrutiny and is continuously reviewed and improved
- ii. advising staff of current child protection legislation, and their legal and duty of care obligations (Regulation 84)
- iii. undertaking child safety reviews and developing an action plan in consultation with staff, parents/guardians and children to maintain Child Safe Standards at Pines Learning Childcare (refer to *Sources*) (refer to Attachment 4 – Child Safety Review Checklist)
- iv. conducting recruitment and induction processes for staff in line with this policy (refer to Attachment 1 – Guidelines for incorporation of child safety into the recruitment and management of staff)
- v. screening contractors, volunteers and students in line with their roles (refer to Attachment 2 – Guidelines for the incorporation of child safety into recruitment of contractors, volunteers and students)
- vi. ensuring that contractors, volunteers, students, parents/guardians and other visitors to the service are not left with sole supervision of individual children or groups of children
- vii. ensuring that contact is prevented or responding if it has occurred, when the service has been notified of a court order prohibiting an adult from contacting an enrolled child
- viii. ensuring staff, and where appropriate, contractors, volunteers and students undertake appropriate training on child safety, 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 – Processes for responding to and reporting suspected child abuse)

- ix. ensuring procedures for reporting and responding to suspected child abuse or neglect are promoted across the service and regularly reviewed in partnership with staff and parents/guardians, and where appropriate contractors, volunteers, students and children (refer to Attachment 3: Processes for responding to and reporting suspected child abuse)
- x. fulfilling legal obligations, including mandatory reporting and duty of care obligations (refer to *Definitions*) (refer to Attachment 3 – Processes for responding to and reporting suspected child abuse)
- xi. offering support to the child and their family, and to staff in response to concerns or reports relating to the health, safety and wellbeing of a child at Pines Learning Childcare
- xii. maintaining co-operative relationships with appropriate services and/or professionals (including Child FIRST/Orange Door) in the best interests of children and their families
- xiii. ensuring processes for responding to and reporting are followed when there are significant concerns for the safety, health or wellbeing of a child at the service (refer to Attachment 3 – Processes for responding to and reporting suspected child abuse)
- xiv. notifying DET within 24 hours of a serious incident (refer to *Definitions*) occurring at the service
- xv. notifying DET within 24 hours in writing of becoming aware of a notifiable complaint (refer to *Definitions*) or allegation regarding the health, safety and/or welfare of a child at the service
- xvi. notifying the Commission for Children and Young People who the nominated head of organisation (refer to *Definitions*) and maintaining the currency of the information
- xvii. notifying the Commission for Children and Young People within 3 business days of becoming aware of a reportable allegation (refer to *Definitions*)
- xviii. investigating an allegation (subject to police clearance on criminal matters or matters involving family violence), advising the Commission for Children and Young People who is undertaking the investigation
- xix. managing the risks to children whilst undertaking the investigation
- xx. updating the Commission for Children and Young People within 30 calendar days with detailed information about the reportable allegation and any action
- xxi. notifying the Commission for Children and Young People of the investigation findings and any disciplinary action taken (or the reasons no action was taken)
- xxii. maintaining confidentiality at all times (refer to *Privacy and Confidentiality Policy*)
- xxiii. reviewing this policy in consultation with staff, volunteers, parents/guardians, and children
- xxiv. providing appropriate resources and training to assist staff, contractors, volunteers and students to implement this policy (refer to *Sources*)
- xxv. protecting the rights of children and families, and encouraging their participation in decision-making
- xxvi. keeping staff, contractors, parents/guardian, volunteers and students informed of any relevant changes in legislation and practices in relation to this policy
- xxvii. ensuring all staff, students, contractors, parents/guardians, volunteers and visitors abide by the *Code of Conduct Policy*
- xxviii. ensuring an explicit statement of Pines Learning Childcare commitment to child safety is included in all advertising promotion for the organisation.

6.2 The Nominated Supervisors and Persons in Day-to-Day Charge are responsible for:

- i. keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy

- ii. ensuring continuous improvement in the implementation of the Child Safe Standards in Pines Learning Childcare promoting an organisational culture of accountability for child safety which is open to scrutiny and is continuously reviewed and improved (refer to *Sources*)
- iii. ensuring the implementation of strategies to prevent child abuse in consultation with the Approved Provider and staff
- iv. providing appropriate resources and training to assist staff, contractors, volunteers and students to implement this policy (refer to *Sources*)
- v. ensuring processes for responding to and reporting are followed when there are significant concerns for the safety, health or wellbeing of a child at the service (refer to Attachment 3 – Processes for responding to and reporting suspected child abuse)
- vi. fulfilling legal obligations, including mandatory reporting and duty of care obligations (refer to *Definitions*) (refer to Attachment 3 – Processes for responding to and reporting suspected child abuse)
- vii. notifying the Approved Provider or Person with Management or Control immediately on becoming aware of a concern, complaint or allegation regarding the health, safety and welfare of a child at Pines Learning Childcare
- viii. 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 Pines Learning Childcare
- ix. making all staff aware of this policy, the Code of Conduct Policy and the Interactions with Children Policy and holding them to account for the behavioural expectations identified.
- x. implementing and reviewing this policy in consultation with the Approved Provider or Person with Management or Control, educators, staff, contractors and parents/guardians and children
- xi. planning so that no child is left alone (or is out of sight) with a contractor, volunteer, student, parent/guardian or visitor, at the service.

6.3 All staff are responsible for:

- i. keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy
- ii. contributing to an organisational culture of child safety
- iii. identifying the potential for child abuse at Pines Learning Childcare, and developing and implementing effective prevention strategies in consultation with the Approved Provider and Persons with Management or Control and the Nominated Supervisor and Person in day to day Charge
- iv. fulfilling their legal responsibilities, including mandatory reporting (refer to *Definitions*) and duty of care obligations (refer to *Definitions*) (refer to Attachment 3 – Processes for responding to and reporting suspected child abuse)
- v. following processes for responding to and reporting suspected child abuse (Attachment 3: Processes for responding to and reporting suspected child abuse)
- vi. undertaking appropriate training 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 – Processes for responding to and reporting suspected child abuse)
- vii. supporting the maintenance of Child Safe Standards in Pines Learning Childcare in consultation with the Approved Provider and Person with Management or Control and Nominated Supervisor and Person in day to day Charge at the service
- viii. notifying the Nominated Supervisor, Person in day to day Charge, the Approved Provider or Persons with Management or Control immediately on becoming aware of any concerns,

complaints or allegations regarding the health, safety and welfare of a child at Pines Learning Childcare

- ix. offering support to the child and their family in response to concerns or reports relating to the health, safety and wellbeing of a child at Pines Learning Childcare
- x. co-operating with other services and/or professionals (including Child FIRST) in the best interests of children and their families
- xi. informing families of support services available to them (such as Child FIRST), and of the assistance these services can provide
- xii. conducting activities so that no child is left alone (or is out of sight) with a contractor, visitor, volunteer, student or parent/guardian at the service
- xiii. following the Pines Learning Childcare processes where the service has been notified of a court order prohibiting an adult from contacting an enrolled child
- xiv. maintaining confidentiality at all times (refer to *Privacy and Confidentiality Policy*)
- xv. contributing to a review of this policy in consultation with the Approved Provider, Persons with Management or Control, and Nominated Supervisor and Person in day to day Charge
- xvi. educating and empowering children to talk about events and situations that make them feel uncomfortable
- xvii. 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
- xviii. using appropriate resources and undertaking training to assist with the implementation of this policy (refer to *Sources*)
- xix. abiding by the service's *Code of Conduct Policy* and *Interactions with Children Policy*.

6.4 Parents/guardians are responsible for:

- i. reading and complying with this policy
- ii. 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
- iii. abiding by the service's *Code of Conduct*.

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

6.5 Evaluation

To assess whether the values and purposes of the policy have been achieved, the Approved Provider or Persons with Management or Control will:

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

6.6 Attachments

- Attachment 1: Guidelines for the incorporation of child safety into recruitment and management of staff
- Attachment 2: Guidelines for the incorporation of child safety into recruitment of contractors, volunteers and students
- Attachment 3: Processes for responding to and reporting suspected child abuse
- Attachment 4: Child Safety Review Checklist
- Attachment 5: - Implementation of Childsafe Standards

Attachment 1

Guidelines for incorporation of child safety into the recruitment and management of staff Version 3 March 2021

Purpose

This procedure relates to the recruitment of Pines learning employees including permanent, fixed-term, or casual (which includes trainers).

Scope

Pines Learning aims to recruit, attract, develop and retain high quality employees. The aim of this procedure is to provide clear guidelines for the recruitment process. Pines Learning is an Equal Opportunity employer, and encourages people to apply without discrimination. All employees are covered under the current Neighbourhood Houses and Adult Community Education Centres Collective Agreement.

Related Policies/Procedures/Checklists

Policy 3 Equal Opportunity
Policy 9 - Carers Leave
Policy 38 - Work from home
Policy 37 - Child Safe Policy Statement
Compliance with Legislation and Regulatory Requirements Procedure
Quality Framework
Working with Children Check Monitoring Procedure
Employee Induction Process
Employee Probation Report
RTO Declaration for sighting of Qualification and Transcript on the USI portal

Staff:

Interview Questions Template
Employee Referee Check Questions
Employee Induction Checklist

Trainers:

Trainer Induction Checklist
Trainer PD and Vocational Currency Procedure
Trainer Increment Procedure – VET
Evaluation – VET
Trainer Interview Guide – (Program Area)
Employee Referee Check Questions – (Accredited / Pre-accredited)

● Procedure:		Responsible party
● 1	● Identify the need	●
● i	The need to recruit may arise with the resignation of an employee, or because workloads have increased significantly. This is also a time to review positions to enable management to decide if recruitment should	● CM/BOM

	proceed, or if a reallocation of workloads or abandoning the position is more appropriate.	
• ii	<ul style="list-style-type: none"> The Centre Manager is delegated the responsibility to recruit employees, with approval from the Board for new positions. 	<ul style="list-style-type: none"> CM/BOM/ Program Manager
• iii	<ul style="list-style-type: none"> The decision to recruit additional or replacement trainers rest with the relevant Program Manager/ Program Coordinator 	<ul style="list-style-type: none"> Program Manager/Program Coordinator
• 2	<ul style="list-style-type: none"> Advertising the role 	<ul style="list-style-type: none">
• i	<ul style="list-style-type: none"> If a new position is to be created, a position description is created prior to advertising. 	<ul style="list-style-type: none"> Centre Manager
• ii	<ul style="list-style-type: none"> For existing positions, the current position description is reviewed and updated as required. 	<ul style="list-style-type: none"> Centre Manager
• iii	<ul style="list-style-type: none"> The selection criteria, both mandatory and desirable, are clearly listed in the position description. 	<ul style="list-style-type: none"> Program Manager
• iv	<ul style="list-style-type: none"> The relevant Program Manager / Program Coordinator creates an advertisement outlining the scope of the role, and any specific requirements. A copy of the relevant Position Description is made available to applicants. This advertisement must be approved by the Centre Manager. 	<ul style="list-style-type: none"> Program Manager / Program Coordinator
• v	<ul style="list-style-type: none"> Roles are advertised either by sending an email to all PL staff and appropriate networks, and/or by advertising at online recruitment sites. The method of advertising must be approved by the Centre Manager. 	<ul style="list-style-type: none"> Centre Manager
• 3	<ul style="list-style-type: none"> Selection Process 	<ul style="list-style-type: none">
• i	<ul style="list-style-type: none"> All applications are reviewed by the relevant Program Manager / Program Coordinator and the Centre Manager. Applicants are short-listed to determine who will be invited to attend an interview. 	<ul style="list-style-type: none"> Centre Manager / Program Manager / Program Coordinator
• ii	<ul style="list-style-type: none"> Interview questions are prepared using one of the following Pines Learning <i>Templates</i> <ul style="list-style-type: none"> Employee Interview Questions or Trainer Interview Guide – (Program Area). 	<ul style="list-style-type: none"> Program Manager / Program Coordinator
• iii	<ul style="list-style-type: none"> Section one – Key Background Review of the interview template contains standard questions for all candidates including candidates for roles in child related work. Other sections of the interview questions template may be adjusted to suit the role. The relevant Program 	<ul style="list-style-type: none"> Centre Manager / BOM / Program Manager

	<p>Manager / Program Coordinator includes specific questions for the role. The final interview questions are to be approved by the Centre Manager / Program Manager. When recruiting for the Centre Manager role the interview questions are to be approved by the President of the Board of Management.</p>	
<ul style="list-style-type: none"> • iv 	<ul style="list-style-type: none"> • At least two people make up the interview panel, one of which should be the Centre Manager. When recruiting for the role of Centre Manager at least one Board member is to be on the interview panel. • When recruiting for the role of a trainer the Program Manager and Program Coordinator are on the interview panel. 	<ul style="list-style-type: none"> • Centre Manager / BOM / Program Manager / Program Coordinator
<ul style="list-style-type: none"> • v 	<ul style="list-style-type: none"> • Prior to offering a position the relevant Program Manager / Program Coordinator verifies the following: <ul style="list-style-type: none"> • check at least 2 forms of personal identification, confirming name and address • current Working with Children Check or VIT registration - if not advise candidate they will be required to obtain this prior to employment • current Police Check - if not advise candidate Pines Learning will conduct one prior to employment • undertake an online search using Google, Facebook and/or LinkedIn • confirm qualifications (by following the steps set out in Section 4 of this procedure) • conduct at least two referee checks, using the Following Pines Learning Templates: <ul style="list-style-type: none"> • Employee Referee Check Questions or Trainer Referee Check Questions – (Accredited / Pre-accredited) • 	<ul style="list-style-type: none"> • Program Manager / Program Coordinator
<ul style="list-style-type: none"> • vi 	<ul style="list-style-type: none"> • Once the selection has been made and the successful candidate has been advised the relevant Program Manager / Program Coordinator advises the unsuccessful candidate/s. 	<ul style="list-style-type: none"> • Program Manager / Program Coordinator
<ul style="list-style-type: none"> • vii 	<ul style="list-style-type: none"> • During the recruitment process, Pines Learning undertakes a Police check to ensure the successful candidate meets the Child Safe requirements. 	<ul style="list-style-type: none"> • Finance Manager
<ul style="list-style-type: none"> • 4 	<ul style="list-style-type: none"> • Verification of qualifications / Statement of Attainment 	<ul style="list-style-type: none"> • Program Manager / Program Coordinator
<ul style="list-style-type: none"> • i 	<ul style="list-style-type: none"> • The Program Manager / Program Coordinator sights all of the original qualifications listed on the candidate's resume and verifies the qualification/statement of attainment with the issuing RTO. 	<ul style="list-style-type: none"> • Program Manager / Program Coordinator

<ul style="list-style-type: none"> • ii 	<ul style="list-style-type: none"> • The Program Manager / Program Coordinator contacts the issuing RTO, provides them with the details, and asks them to confirm that this qualification/statement of attainment was issued to the specified person. • If required by the issuing RTO, the Program Manager / Program Coordinator obtains written permission from the candidate to seek this information on their behalf. The Candidate will be asked to complete the following permission form or one provided by the issuing RTO – Verification of Certificate Permission form – VET. 	<ul style="list-style-type: none"> • Program Manager / Program Coordinator
<ul style="list-style-type: none"> • iii 	<ul style="list-style-type: none"> • If the qualification/statement of attainment was issued from 2015 onwards another option is to view it on the USI portal and print a copy. The coordinator or delegate must view it online and complete the form RTO Declaration for sighting of Qualification and Transcript on the USI portal. 	<ul style="list-style-type: none"> • Program Manager / Program Coordinator
<ul style="list-style-type: none"> • iv 	<ul style="list-style-type: none"> • The Program Manager / Program Coordinator checks with the appropriate regulator to see if the issuing RTO has had any qualifications revoked, and if so do they relate to the qualification/statement presented by the prospective trainer. 	<ul style="list-style-type: none"> • Program Manager / Program Coordinator
<ul style="list-style-type: none"> • v 	<ul style="list-style-type: none"> • The Program Manager / Program Coordinator retains evidence in the employee file, including a copy of the signed permission form from the candidate (if required) and a copy of the confirmation letter/email from the issuing RTO, notation that the confirmation was received verbally, or completed Employee Recruitment Procedure. 	<ul style="list-style-type: none"> • Program Manager / Program Coordinator
<ul style="list-style-type: none"> • vi 	<ul style="list-style-type: none"> • If the issuing RTO does not respond to the initial request for verification, at least two further attempts are made in an effort to obtain the required verification. 	<ul style="list-style-type: none"> •
<ul style="list-style-type: none"> • vii 	<ul style="list-style-type: none"> • If after three attempts there is no response, the Centre Manager is advised. 	<ul style="list-style-type: none"> •
<ul style="list-style-type: none"> • viii 	<ul style="list-style-type: none"> • If the qualification is not subject to being revoked, and there is still no response to the request for verification the candidate is asked to sign a Statutory Declaration to confirm the authenticity of the qualification/statement. The declaration and evidence of the attempts made to obtain verification are retained in the candidate's file. 	<ul style="list-style-type: none"> •
<ul style="list-style-type: none"> • 5 	<ul style="list-style-type: none"> • Employee Induction 	<ul style="list-style-type: none"> • Program Manager / Program Coordinator
<ul style="list-style-type: none"> • ii 	<p>The relevant Program Manager / Program Coordinator follows the Employee Induction Process, advises the Finance Manager of the new appointment and provides the new employee with an induction kit.</p>	<ul style="list-style-type: none"> •

• ii	The Employee Induction Checklist or The Trainer Induction Checklist is used by the Program Manager / Program Coordinator to ensure that all the necessary steps are taken to induct the employee and that all required documentation is collected.	•
• 6	• Probationary period (Excluding Trainers)	• Program Manager / Program Coordinator
• i	• All permanent positions entail a probationary period as listed in the individual employment contracts.	•
• ii	The probationary period is monitored and signed off by the Program Manager / Program Coordinator and new staff member in accordance with the Employee Probation Report template.	•
• 7	Probation/review of new trainers – VET only	• Program Manager / Program Coordinator
• i	When a new trainer commences, the relevant Program Coordinator will review them by having learners complete an evaluation for their first unit, and reviewing the completion of the assessment tasks.	•
• ii	If there are any concerns about the trainer’s skills, the Program Coordinator may decide to follow the process for Supervision of the trainer, as set out in the Trainer PD and Vocational Currency Procedure .	•
• iii	All VET trainers are reviewed in accordance with the Evaluation Procedure – VET and the Trainer PD and Vocational Currency procedure .	•

Ongoing Management

- Regular meetings are held between staff and the Approved Provider or Person with Management or Control and child safety is a regular item on the agenda
- Provide supervision to ensure clear expectations about the role, adequate support as well as on-the-job monitoring of their performance
- Performance reviews consider the staff member’s contribution to creating a child safe environment
- Regular training and education with regard to child safety, child protection and inclusive practices is provided for all staff
- Resources and support are provided for all staff to ensure a child safe environment
- Have a process to ensure that the registration of all early childhood teachers with Victorian Institute of Training remains current
- Maintain a register of all staff with a WWCC card and regularly check the status of the WWCC cards of all staff to ensure that no one has been given a Negative Notice or had their card revoked or suspended or that it has expired
- Develop processes to deal with a staff member who is given a Negative Notice including ensuring that they do not do any child-related work.

Attachment 2

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

The following guidelines and processes for the recruitment and management of contractors (refer to *Definitions*), volunteers (refer to *Definitions*) and students demonstrates Pines Learning Childcare's commitment to maximising the safety of children and deterring unsuitable and inappropriate persons from attempting to work, volunteer or be on student placement at our service.

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

Attachment 3

Processes for responding to and reporting suspected child abuse

Overview

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

Managing a disclosure

It is very important to validate a child's disclosure, by listening to the child, taking them seriously and responding and acting on the disclosure by implementing the [Service Name]'s reporting procedures.

Strategies include:

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

Reporting to authorities

- If a child is in immediate danger ensure their safety and call emergency services on 000 for urgent medical and/or police assistance.
- If there is a suspicion of sexual abuse of a child (including grooming) contact Victoria Police.
- If there is an allegation of abuse by a proprietor, staff member, contractor, volunteer, student or visitor within the service, the matter must be immediately reported directly to Victoria Police.
- To report concerns about the immediate safety of a child within their family or the community, call the nearest DHHS office in your region during business hours or after hours the Child Protection Crisis Line on 13 12 78 (24 hours, 7 days a week and toll free within Victoria). Note: this is an emergency service for weekends and after hours only, and cases reported to the Child Protection Crisis Line will be referred to the relevant DHHS office on the following working day
- Provide the following information:
 - the child’s name, age and address
 - the reason for believing that the injury or behaviour is the result of abuse or neglect
 - an assessment of immediate danger to the child/ren (the person making the report may be questioned regarding knowledge of the current location of the alleged abuser/s)
 - a description of the injury or behaviour observed
 - the current location of the child
 - knowledge of other services that support or are involved with the family
 - any other information about the family
 - any specific details that will help the child, such as cultural background, need for an interpreter or disability support requirements.
- A notification should be made, even if the notifier does not have all the necessary information. There are two types of notifications to be made in relation to significant concerns for the safety or wellbeing of a child: a referral to Child FIRST (Family Services) or a report to Child Protection (see below).
- Staff must notify the Approved Provider or Person with Management or Control of all incidents, suspicions and disclosures of child abuse
- The Approved Provider or Person with Management or Control must notify DET (through the NQA IT System portal (www.acecqa.gov.au)) of any circumstance arising at the service that poses a risk to the health, safety or wellbeing of a child or children attending the service (Regulation 175 (2) (c) including:
 - occurrences of sexualised play between children
 - where children are being or may be at risk of being subjected to physical, emotional or sexual abuse including instances where children are observed displaying concerning behaviour that may indicate they are being subject to abuse
- Report to the Commission for Children and Young People in line with the requirements of the Reportable Conduct Scheme (see below).

Making a referral to Child FIRST/Orange Door

A referral to **Child FIRST** or **Orange Door** (refer to *Definitions*) should be made if the Approved Provider/staff member has significant concerns for a child’s wellbeing and the child is not in immediate need of protection. This may include circumstances when there are:

- significant parenting problems that may be affecting the child’s development
- family conflict, including family breakdown

- families under pressure, due to a family member's physical or mental illness, substance misuse, disability or bereavement
- young, isolated and/or unsupported families
- families experiencing significant social or economic disadvantage that may adversely impact on a child's care or development.

Child FIRST/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 made if, after taking into account the available information, the staff member forms a view that the child **is** in need of protection because:

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

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

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

- a failure to notify the Department of Health and Human Services is an offence under section 182 of the *Children, Youth and Families Act 2005*
- Child Protection must be notified as soon as practicable
- it is not necessary to prove that abuse has taken place, only to provide reasonable grounds (refer to Definitions) for the belief
- permission from parents/guardians or caregivers is **not required** to make a notification, nor do they need to be informed that a notification is being or has been made
- if a notification is made in good faith, the notifier cannot be held legally liable for any consequences, regardless of the outcome of the notification
- the identity of the notifier will remain confidential unless the notifier chooses to inform the child and/or family, or if the notifier consents in writing to the disclosure of their identity, or if the court decides that this information must be disclosed
- the notifier may have an ongoing role, including:
 - acting as a support person in interviews with the child or young person
 - attending a case conference
 - participating in case-planning meetings
 - continuing to monitor the child's behaviour and their interactions with others
 - observing/monitoring the conditions of a protective court order that may relate to access or contact with a parent/guardian and following [Service Name]'s procedures where the conditions are breached

- liaising with other professionals and child protection officers in relation to a child or young person’s wellbeing
- providing written reports for case-planning meetings or court proceedings in relation to the child’s wellbeing or progress.

Contacting Parents/Carers

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

The Reportable Conduct Scheme

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

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

Support when making a report

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

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

Resources

Department of Education and Training PROTECT Portal: www.education.vic.gov.au

The Department of Education and Training’s PROTECT portal provides tools and resources to assist professionals and early years services to respond to child abuse or potential child abuse, including:

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

Commission for Children and Young People: www.ccyp.vic.gov.au

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

Attachment 4

Child safety review checklist

This checklist assists services to assess important areas of child safety in line with the seven Child Safe Standards. The outcomes of the checklist should inform a plan to address policies and practices to ensure children's safety and wellbeing.

Child safety element	Yes/No	Comments
1. Strategies to embed an organisational culture of child safety, through effective leadership arrangements		
Do you have appropriate governance arrangements in place?	YES	Clear Policies/Procedures around recruitment, supervision, inclusion and interactions with children.
Is the commitment to child safety modelled by your leadership?		Child Safety processes are incorporated in the recruitment process for BOM, staff of Pines Learning, Educators in Childcare. Pines Learning Childcare is inclusive to all children and families and recognises that vulnerable families require more support.
Do you welcome all children and acknowledge that some children are particularly vulnerable?		Discussed at staff meetings and PD organised for educators annually. Pines Learning Childcare is inclusive to all children and families and engages support services to facilitate individual children's participation.
Do you recognise, respect and promote the belief that cultural identity is fundamental to a child's safety and wellbeing, and provide training for staff on this?		All aspects of the Child Safe Standards are discussed regularly at staff meetings and PD for educators organised on an annual basis.
Do you encourage children with special needs and from different backgrounds to participate, and do they participate?		
Do you raise awareness about child abuse?		

2. A Child Safe Policy	
Do all staff members know about this Child Safe Environment Policy and their responsibilities to uphold it?	YES All PL office staff and all Early Childhood Educators have read and signed off on this Policy.
Has the Child Safe Environment Policy been adapted to address the risks that have been identified in your risk assessment?	Discussed at staff meetings. All staff, educators and families are invited to review and have input into this policy. Body awareness/body safety/ is incorporated into our program through books, songs and discussions with the children.
Do you undertake regular Child Safety Reviews to inform your policy?	Discussed at staff meetings and PD.
Are children consulted about how safe they feel and what ideas they might have to promote safety in your organisation?	
Do staff know their responsibilities about Failure to Disclose and Failure to Protect legislative requirements?	
3. A Code of Conduct that establishes clear expectation for appropriate behaviour with children	
Is the Code of Conduct well known by staff, volunteers, children and families and are they required to comply with it?	YES All PL staff, Early Childhood Educators, students, volunteers and parents are required to read and sign off on our Code of Conduct.
Do staff know how concerns regarding breaches of the Code of Conduct can be raised and how they will be responded to?	Through our complaints process All parents, students, volunteers and visiting health workers are required to read and sign off on our Code of Conduct.
Are parents/guardians and visitors aware of the Code of Conduct?	
4. Screening, supervision, training and other human resource practices that reduce the risk of child abuse by new and existing personnel	

Do you have clear duty and position statements (job descriptions?)	YES
Have you determined which employee or volunteer positions require Working with Children Checks and have those checks been undertaken?	Early Childhood Educators have a Position Description which they have signed (kept in staff file). Position Descriptions are reviewed and updated as required.
Does your organisation follow the recruitment procedures outlined in Attachment 3 including interview processes, referee checks, Working with Children Checks and other screening requirements and record the procedures taken?	All employees, students and volunteers of PL require and Working with Children Check and/or VIT registration.
Does the service have a staff development strategy to maintain and develop skills and capabilities, including understanding the risk of harm to children, the different types of harm, how to identify child abuse and relevant legislative requirements?	All PL staff are required to participate in a performance review at least annually. All new staff are on a 3 or 6 month probation period and have regular mentor meetings.
Does the service have robust staff and volunteer performance management strategies in place?	

5. Processes for responding to and reporting suspected child abuse

Do your staff know and understand the process for reporting and acting on disclosures or concerns about child safety?	YES
Are your staff and volunteers aware of their responsibility to report concerns of harm?	All Early Childhood Educators (with the support/assistance of the Childcare Manager) are aware of and follow procedures outlined in attachment 3 of this Policy.
Do you have policies and procedures concerning record keeping requirements and confidentiality and privacy?	All Early Childhood Educators (with the support/assistance of the Childcare Manager) are aware of and follow procedures outlined in attachment 3 of this Policy. Body awareness/body safety/ is incorporated into our program through books, songs and discussions with the children.

Do you have a complaints process that is accessible for children and families?	
Do you have child friendly processes in place to ensure children know who to talk to if they feel unsafe or have a concern?	
6. Strategies to identify and reduce or remove risks of child abuse	
Do you undertake risk assessments and have an organisational Risk Management Plan?	<p>YES</p> <p>Childcare Manager in consultation with Centre Manager and all Early Childhood Educators. All parents/families are invited to have input.</p>
Is undertaking, monitoring and reviewing the risk management plan the designated responsibility of a specific staff member?	
In undertaking your risk assessment, do you specifically consider the cultural safety of Aboriginal children and children from culturally and/or linguistically diverse backgrounds and the safety of children with a disability?	
7. Strategies to promote the participation and empowerment of children	
Do you consult with children about decisions that affect them?	<p>YES</p> <p>Early Childhood Educators have created a safe and welcoming environment which is inclusive of all children.</p> <p>They form trusting relationships with the children attending our service and this in turn allows children to feel safe and secure.</p> <p>Children are encouraged to make decisions and choices for themselves such as when they would like to eat, who they would like to change their nappy etc.</p> <p>Body awareness/body safety/ is incorporated into our program through books, songs and discussions with the children.</p>
Do you create opportunities for participation that incorporates planning, preparation, action and feedback?	
Do you inform children of their rights and tell them how to raise any concerns?	

Attachment 5

Implementation of Child Safe Standards¹

This table provides some examples of practices that may be implemented to support compliance with the Child Safe Standards. Services must include the following principles as part of each standard:

- Promoting the cultural safety of Aboriginal children
- Promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds
- Promoting the safety of children with a disability.

Child safe standard	Examples of practices
1. Strategies to embed an organisational culture of child safety, including through effective leadership arrangements	<ul style="list-style-type: none">• The Approved Provider has responsibility for ensuring child safety review is conducted and implemented• Strategic direction, vision and philosophy include child safety• Induction/training for recognising and responding to child abuse for all personnel including leadership• Service welcomes all children and acknowledges that some children are vulnerable• Service supports children's cultural identity• Child safety is a regular agenda item at leadership and staff meetings• Child safe policies and procedures are communicated to all staff, volunteers, children and families.
2. A child safe policy or statement of commitment to child safety.	<ul style="list-style-type: none">• Have a child safe policy (such as this one) which provides an approach to being child safe, such as recruitment processes, reporting procedures and guides to managing child abuse risks• Have a plan to address the risks identified in the child safety review• Public statements to raise awareness of the organisation's commitment to child safety.
3. A code of conduct that establishes clear expectations for appropriate behaviour with children	<ul style="list-style-type: none">• Clear and specific standards of conduct for interactions with children, such as in different situations• Require staff to sign a code of conduct• Clear explanation of appropriate relationships with children for staff, volunteers, parents and children• Policies clearly explain how concerns regarding the Code of Conduct are raised and will be responded to• Instruction on how to respond to risks adults may pose to children or that children may pose to each other.

¹ Attachment 2 is based on *A Guide for Creating A Child Safe Organisation* Version 2.0 December 2015, available from the Commission for Children and Young People (refer to *Sources*) and on *Child Safe Standards and Criminal Law Reform for Early Childhood Services* presentation by Centre for Excellence in Child and Family Welfare Inc.

<p>4. Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel</p>	<ul style="list-style-type: none"> • Embed child safety into performance arrangements and position descriptions • Ensure existing and newly recruited staff and volunteers understand the importance of child safety and are aware of the policies and procedures • A staff development strategy is in place to maintain and develop skills including understanding responsibilities and how to identify child abuse and reduce the risk • Undertake consistent recruitment and selection processes that identify and respond to indicators of risk • Have a process for management of allegations, negative police checks and other checks relevant for staff positions.
<p>5. Processes for responding to and reporting suspected child abuse</p>	<ul style="list-style-type: none"> • Ensure staff and volunteers are aware of their responsibility to report signs of risk and concerns of harm • Have a complaints process that is accessible for children and families and publicise this • Ensure children know who to talk to if they feel unsafe or have a concern • Maintain adequate record keeping of child safety issues which respect privacy • Establish feedback processes for staff, volunteers, children and families on policies and procedures
<p>6. Strategies to identify and reduce or remove risks of child abuse</p>	<ul style="list-style-type: none"> • Complete the Child Safety Review Checklist (Attachment 4) • Ensure risk assessment takes into consideration the needs of Aboriginal children and children from culturally and/or linguistically diverse backgrounds and the safety of children with a disability • Develop, record and communicate processes for removing risks to children • Encourage early identification and awareness raising of risks • Learn from past lessons such as through training and policy review
<p>7. Strategies to promote the participation and empowerment of children</p>	<ul style="list-style-type: none"> • Consult children about decisions which affect them • Inform children of their rights and tell them how to raise safety concerns • Gather feedback from children about what would help them to raise safety concerns and implement improvements • Train staff and volunteers on methods of empowering children and encouraging their participation • Raise awareness in the organisation and community about children's rights