

D-20 Child Protection

National Quality Standards (NQS)

2.2	Each child is protected.
2.2.1	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard
2.2.3	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.
5.1	Respectful and equitable relationships are maintained with each child.
5.1.1	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.
5.1.2	The dignity and rights of every child are maintained.
7.1.3	Roles and responsibilities are clearly defined, and understood, and support effective decision making and operation of the service.

Education and Care Services National Regulations

Reg. 84	Awareness of child protection law
Reg. 155	Interactions with children
Reg. 168	Education and care service must have policies and procedures
Reg. 181	Confidentiality of records kept by approved provider

My Time, Our Place

1.1	Children feel safe, secure and supported
1.4	Children learn to interact in relation to others with care, empathy and respect

Policy Statement

We are committed to developing a safe and secure environment, which encourages children to interact positively with respect for others. We believe that the welfare of all children is of paramount importance and that the Centre has an obligation to defend the child's right to care and protection. Staff and Management have a responsibility to take action to protect children whom they suspect may be abused or neglected. Our Centre will carry out responsibilities of Mandatory Reporting as indicated under legislation. This responsibility involves following the procedures as outlined by Community Services and the Commission for Children and Young People.

Related Policies

- Conditions of Employment Policy
- Interactions with Children Policy

- Privacy and Confidentiality Policy
- Relief Staff Policy
- Staff Child Ratios Policy
- Staff Orientation and Induction Policy
- Staff Professionalism and Code of Conduct Policy
- Staff Recruitment and Selection Policy
- Supervision Policy
- Volunteers / Students / Visitors Policy

Procedure

All staff, both paid and unpaid, are required to complete a “Working with Children Check” prior to being appointed. This check will be carried out by the Director, or Responsible Person, with the approved screening body – *Working with Children Check NSW, Office of the Children’s Guardian*. The staff member will not be employed at the Centre or unsupervised until the check has come back clear.

Staff will be given opportunities to undergo training in relation to child protection and notification as part of the training budget.

Supervision

Staff must be aware of children and the environment at all times. Adequate supervision is an important part of providing a safe and protective environment. The Centre will assess the level of supervision required in all situations, accounting for the development of each child, the difficulty of the activity, and the potential for an incident to occur which may place children at risk. Appropriate staff to child ratios will be maintained at all times.

Students, volunteers and visitors to the Centre will not be left unsupervised with the children.

Children will only be released from the Centre to persons who are authorised to collect them. Procedures for signing children in and out of the Centre will be closely monitored by staff to ensure the above.

Mandatory Reporting

A Mandatory Reporter is someone who is required by law to make a report to Family and Community Services (FaCS) if they suspect a child is at risk of significant harm. A child is defined as a person under 16 years of age. Penalties apply for failing to make a report.

In OOSH services, Mandatory Reporters are:

- Staff who deliver services to children
- Management, either paid or voluntary, whose duties include direct responsibility or direct supervision for the provision of these services

Every staff member or member of the Management Committee has a legal and ethical obligation to act to protect any child who is at risk of abuse or neglect. Staff will undergo training in relation to child protection and notification as part of the training budget.

Areas of concern include:

- Physical abuse
- Neglect
- Sexual abuse
- Psychological harm
- Relinquishing care
- Parent / carer domestic violence
- Parent / carer substance abuse
- Parent / carer mental health

Any staff member who forms a belief on reasonable grounds that a child is being abused or neglected should discuss their concerns with the Director or the Responsible Person on duty. To confirm if notification is required, staff members will use the online Mandatory Reporter Guide (MRG) which is available at: <https://reporter.childstory.nsw.gov.au/>

Accompanying each question are definitions and examples that assist Mandatory Reporters to determine whether they should:

- Make a report to the Child Protection Helpline
- Consult their Child Wellbeing Unit
- Make a referral to community or government support services
- Document and continue their relationship with the child or young person or their family

Where there is risk of significant harm, staff will contact the Child Protection Helpline directly. This number is available 24 hours, 7 days a week: **132 111**

Staff should phone the Child Protection Helpline:

- To report abuse or neglect
- To report concerns about the safety, welfare or well-being of a child
- If they are unsure of a report but have suspicions that something may be occurring

Specialised child protection staff will answer all calls.

Staff should remember that it is not their responsibility to prove the abuse, just to have reasonable suspicion that abuse or neglect has occurred.

Staff will discuss correct procedures to be followed with the Director.

Reports should be treated with strict confidentiality. Discussions between staff and the Director will only take place in a confidential setting and any notes taken from the meeting will be kept in a secure location.

Staff will leave the situation in the hands of the designated Departmental Officers once a report has been made. They should not discuss the issue with the parents or try to undertake any further investigation into the situation.

Staff will not question the child or parents prior to any discussions with the departmental Helpline officers.

Should the situation arise where the child is considered in immediate danger and the child is taken into the care of Community Services, staff will follow the advice of the Departmental Officers.

Staff should be aware that they are protected as a notifier under The Commission for Children and Young Persons (Care and Protection) Act (1998).

Information published on Mandatory Reporting by Community Services will be made available in a 'staff only' area of the centre and access to the online MRG tool. These documents will be kept up to date and referred to regularly.

It is the responsibility of the Management Committee and the Director to:

- Ensure all staff are aware of their responsibilities as Mandatory Reporters
- Ensure appropriate phone numbers and literature is made available to staff
- Ensure staff are aware of current legislation in protecting children and young people

Where a complaint is made about a staff member, or someone in the Centre:

- The procedures as outlined above should be followed
- The person making the report should follow the advice of the Departmental Officers
- Management Committee will follow this advice
- The matter will be treated with strict confidentiality

Where the allegation is made to a staff member or a member of Management, the facts as stated will be recorded in writing including dates, times, name of person involved, name of person making the allegation and the person making the report.

This report should be kept on record and treated as strictly confidential. If the Director or person in charge is suspected, the President of the Management Committee should be informed.

For the protection of both the children and the staff member involved, the staff member should be encouraged to take special leave or be removed from duties involving direct care and contact with children until the situation is investigated further or resolved.

Support should be given to people making an allegation or persons who have been suspected. This support can be given in the form of counselling or referral to an appropriate agency.

Responding to a child's disclosure

If a child discloses allegations of abuse, it is vital that the staff member involved is ready to listen attentively and remain calm and supportive. Finding a quiet, private place to talk and allowing the child to tell their story in their own words is important. Staff should avoid asking leading questions or

probing for information that the child is not ready to disclose. It is important that the child is reassured that they have done the right thing in telling someone what has happened and that they have a right to feel safe. The staff member should assure the child that they believe them and will try and help.

Sources

- Children and Young Persons (Care and Protection) Act 1998
- Children (Education and Care Services National Law Application) Act 2010
- Child Stories Reporting – Mandatory Reporting Guide
- Education and Care Services National Regulations 2011
- Family and Community Services (FaCS)
- Framework for School Age Care in Australia – My Time, Our Place
- National Quality Standard – Australian Children’s Education and Care Quality Authority
- Network of Community Activities – Child Protection Sample Policy
- Privacy Act 1988
- United Nations Convention on the Rights of the Child – www.unicef.org.au
- Working with Children Check NSW

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Version Control			
Version	Changes Made	Initiated By	Director Sign-off
v.2.202005	- No changes made		
v.2.201906	- Updated links to NQS, National Regulations and My Time, Our Place - Included specific WWCC requirement - Added paragraph on adequate supervision - Updated link to MRG - Updated contact details for Child Protection Helpline - Added paragraph on responding to a child’s disclosure	Staff Staff Staff Staff Staff	