



## CHILD PROTECTION POLICY

### National Quality Standards

**Area 2** - Children's health and safety

**Standard 2.1** - Health

**Elements:**

*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.

**Area 7** - Governance and leadership

**Standard 7.1** - Governance

**Elements:**

*7.1.3: Roles and responsibilities.*

Roles and responsibilities are clearly defined, and understood, and support effective decision making and operation of the service.

### Children (Education and Care Services) National Regulations (2011 SI 653):

Reg. 84	Awareness of child protection law
Reg. 168	Education and care service must have policies and procedures
Reg. 170	Policies and procedures to be followed
Reg. 171	Policies and procedures to be kept available
s 172	Notification of change to policies or procedures

### Children (Education and Care Services) National Law (NSW) No 104a of 2010:

s 166	Offence to use inappropriate discipline
s 167	Offence relating to protection of children from harm and hazard
s 174	Offence to fail to notify certain information to Regulatory Authority

### Related Policies:

- Interactions with Children



- Family law and access
- Acceptance and refusal of authorisations

## Policy Statement:

Adventure OSHC is extremely committed to the physical and mental wellbeing, health and safety of all children in our care. We promote a culture of 'child wellbeing', which is clear in our philosophy. We constantly collaborate with Educators and families to provide safe environments for children and to actively reduce the risk of harm to children in our Services. From the moment a child is enrolled, or an Educator is employed, and upon collaboration with children, families and the community, we strive to achieve the most positive outcomes for children at all times.

In the event of an incident, we respond immediately according to child protection legislation.

## Purpose:

- Protect children from any kind of significant harm (emotional, physical, sexual abuse, neglect, psychological harm, among others).
- Ensure employees compliance with Adventure OSHC policies so children are always protected by our team throughout their time in our care.
- Enable all Educators to understand their 'duty of care' to report any suspected incident of emotional, physical or sexual abuse, neglect, or psychological harm, among others, to a child.
- Implement all aspects of Child Protection legislation within relevant jurisdictions (NSW).

## Scope:

This policy relates to all Adventure OSHC employees, children under the age of 18 who receive care in our Services, and families.

## Implementation:

Prior to employment, all employees (Educators and all other staff including external providers facilitating workshops, casuals, students and volunteers) will:

- Obtain a valid Working with Children Check including their current clearance number and provide this to the Approved Provider.
- Advise of any new concerns, complaints, or convictions made against themselves. All reportable allegations or convictions that Adventure OSHC is subsequently made aware of will be reported to the NSW Office of the Children's Guardian to report.
- Read and sign an agreement to follow Adventure OSHC Code of Conduct. Serious breaches of our Code of Conduct, or less serious but persistent breaches may be grounds for disciplinary action or termination of employment or contract.



**Immediately, upon commencement of employment, all employees (Educators and all other staff including external providers facilitating workshops, casuals, students and volunteers) will:**

- Read and familiarise themselves with this Policy.

**Once employed, Adventure OSHC will provide training and an induction. Adventure OSHC will:**

- Confirm employees are made aware of any Policies, procedures and guidelines that support, inform or otherwise relate to the Code of Conduct and Child Protection Laws.
- Ensure employees are made aware that any identified concerns regarding interactions with children, both in work related activities or outside of work, are reported promptly to management.
- Ensure all permanent and casual employees who work directly with children undergo formal induction training within the first week of employment, including providing a high-level Child Protection Policy overview.
- Ensure Nominated Supervisors and Responsible Persons meet the educational requirements for Identify and Respond to Children and Young People at risk, as set out by ACECQA.

**Adventure OSHC will support best practice in the Service by enabling Educators to:**

- Raise awareness of and promote the child's wellbeing and protection. Through:
  - Information provided to families,
  - Other information as relevant, including notification of policy or procedural changes.
- Implement a supervision plan for areas where it may be difficult to supervise children.
- Monitor children continually for signs and symptoms of neglect, physical or sexual abuse, or psychological harm, and record observations to provide to the Approved Provider as soon as practicable, including reference to the time frame of any significant behavioural changes, descriptions of any behavioural changes and any physical evidence. The following information must be documented:
  - Situation and/or allegation (as an accurate and close to verbatim account as possible of what has been said and by whom), and
  - Initial response to the child or person making the allegation (considering the need to notify the NSW Police of a suspected criminal offence, or the NSW FACS of a child or young person who may be at risk of significant harm, and the outcome of any reports made).



## Mandatory reporting concerns - employees will:

- Report to the Approved Provider without hesitation.
  - Report to the children's guardian.
  - Document concerns using appropriate forms.
  - Report concerns to the Approved Provider immediately, and keep confidential written records of concerns and actions taken.
  - Evaluate concerns based on reasonable grounds using the online Mandatory Reporter Guide at <https://reporter.childstory.nsw.gov.au/s/mrg>. Their decision to report or not is guided by the outcome given using the decision tree. The Centre Co-Ordinator will discuss the requirement for reporting the allegation with the Approved Provider.
  - Support inexperienced/junior team members with record keeping.
  - Always consider the best interests of the child at all times (maintaining Child Protection Law) by reporting and/or documenting concerns regarding the child's wellbeing.
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- **Mandatory Reporter:** is a person who, in the course of his or her professional work or other paid employment delivers health care, welfare, education, children's services, residential services or law enforcement, wholly or partly, to children; and a person who holds a management position, the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children's services, residential services or law enforcement, wholly or partly, to children.
  - **Reportable Conduct concerns:** If employees are subject to an allegation of reportable conduct, Adventure OSHC will seek advice and follow instructions from the **NSW Office of the Children's Guardian**.
  - **Reportable conduct:** does not extend to: (a) conduct that is reasonable for the purposes of the discipline, management or care of children, having regard to the age, maturity, health or other characteristics of the children and to any relevant codes of conduct or professional standards or (b) the use of physical force that, in all the circumstances, is trivial or negligible, but only if the matter is to be investigated and the result of the investigation recorded under workplace employment procedures.
  - **Allegation of Reportable Conduct** includes: any sexual offence or sexual misconduct committed against, with or in the presence of a child - including a child pornography offence. Any assault, ill-treatment or neglect of a child. Any behaviour that causes psychological harm to a child – even if the child consented to the behaviour.



**Utilising Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1999 (NSW)* - Exchanging information related to child protection and wellbeing:**

**Examples of where Chapter 16A can be utilised:**

- When an Educator has been unable to engage a family, and believes that this information would help the Service to support the family and the child.
- A non-government agency is requesting information from the Department of Communities and Justice regarding previous child protection issues and foster care placement to assist a decision about accepting a referral.
- When a practitioner is concerned that a child’s circumstances may be deteriorating and checks with another agency to see if they have other information about the child’s progress or support network.
- When an agency provides information to another service to facilitate a referral.
- Where a Child Wellbeing Unit contacts the agency requesting assistance for a family or requesting information.
- When a support worker contacts a school to find out if a child has moved, or is still enrolled, so they can arrange continued service.

**Sources:**

- Education and Care Services National Regulations (2011 SI 653)
- National Quality Standards

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