

Child Protection and Child Safe Policy

NQS

QA2	2.3.4	Educators, co-ordinators and educators are aware of their roles and responsibilities to respond to every child at risk of abuse or neglect.
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National Regulations

Regs	84	Awareness of child protection law
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CHILD PROTECTION OVERVIEW

NOTIFICATIONS OF ABUSE



IF ANYONE HAS SUSPICIONS OF SERIOUS ABUSE CONTACT **CHILD PROTECTION**
ON **131 278** (24 HOURS, 7 DAYS)



IF ANYONE HAS SUSPICIONS OF LOW TO MODERATE LEVEL ABUSE CONTACT
CHILD FIRST



WHEN CHILDREN ARE IN IMMEDIATE DANGER OR THERE IS SEXUAL ABUSE
INVOLVED CONTACT THE **POLICE ON 000**

West Division/Metro	1300 664 977
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Child Protection - contacts

<https://services.dhhs.vic.gov.au/child-protection-contacts>

Child FIRST - contacts

<https://services.dhhs.vic.gov.au/referral-and-support-teams>

Organisation and Leadership Strategies (Child Safe Standard 1)

Under the Educator and Management Policy, strategies are identified to manage –

- Staff:child ratios
- awareness and responsibilities under the National law and Regulation, National Quality Standard - revised Feb2018 and Early Years framework
- awareness and compliance with staff codes of conduct

Under the Child Protection and Child Safe Policy strategies are identified to manage –

- recruitment, selection and training procedures which include child protection principles
- procedures for documenting abuse and neglect
- procedures for managing breaches
- risk assessment/management
- an awareness and compliance with staff codes of conduct

Commitment to Child Safety (Child Safe Standard 2)

Victoria University Children's Centres are committed to child safety.

We want children to be safe, happy and empowered. We support and respect all children, as well as our staff, students and volunteers.

We are committed to the safety, participation and empowerment of all children.

We have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our policies and procedures.

We have legal and moral obligations to contact authorities when we are worried about a child's safety.

Victoria University Children's Centres is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.

Victoria University Children's Centres has human resources and recruitment practices for all staff, students and volunteers.

Victoria University Children's Centres is committed to regularly training and educating our staff, students and volunteers on child abuse risks.

We support and respect all children, as well as our staff, students and volunteers.

We have specific policies, procedures and training in place that support our leadership team, staff and volunteers to achieve these commitments.

Implementation

The Approved Provider, Nominated Supervisor, educators, staff members and volunteers will implement a Child Protection Risk Management Strategy to ensure the health, wellbeing and safety of all children at the service.

Staff Code of Conduct - (Child Safe Standard 3)

The service upholds a Code of Conduct in relation to employers, educators, volunteers, students, families and children to ensure the safety and wellbeing of children.

Appendix 1

Recruitment, Selection and Training Procedures (Child Safe Standard 4)

Victoria University and the Children's Centre Coordinators are responsible for developing recruitment and professional development procedures that ensure all people working at the service do not pose a risk to children and understand how to respond to disclosures or suspicions of harm and abuse.

Reporting and Documenting Abuse or Neglect (Child Safe Standard 5)

Mandated reporters include Approved Providers, Nominated Supervisors and people with post-secondary early childhood teacher qualifications. Mandatory reporters must make a report to Child Protection as soon as possible after forming a belief on reasonable grounds that a child is in need of protection from significant harm as a result of physical or sexual abuse, and the child's parents are unwilling or unable to protect the child.

However, all educators and staff members who believe on reasonable grounds that a child is in need of protection will report abuse and neglect to either Child Protection on **131278** (and the Police on 000 if sexual abuse is involved) or Child FIRST.

A report to Child Protection will be made if:

- the harm or risk of harm has a serious impact on the child's immediate safety, stability or development
- the harm or risk of harm is persistent and entrenched and is likely to have a serious impact on the child's immediate safety, stability or development
- the child's parents cannot or will not protect the child from harm

A report to Child FIRST will be made if concerns about the child have a low to moderate impact on the child and the immediate safety of the child is not compromised. Some of these concerns may include:

- family conflict or family breakdown
- young or isolated families
- significant parenting problems that may be affecting the child's development

A step by step guide to making a report to Child Protection or Child FIRST is available on the Victorian Department of Human Services website at

<https://providers.dhhs.vic.gov.au/sites/dhhsproviders/files/2017-06/stpe-by-step-guide-making-report-child-protection-child-first.pdf>

The Approved Provider, Nominated Supervisor, educators and staff members must:

- be able to recognise indicators of abuse (see Appendix 2)
- take anything a child says seriously and follow up their concerns
- understand they are mandatory reporters (Approved Provider, Nominated Supervisor and qualified staff) of physical and sexual abuse in children where parents are unwilling or unable to protect a child and they must report this abuse to Child Protection on **131278** (and the Police on 000 if sexual abuse is involved)
- understand they must report to Child Protection **131278** or Child FIRST (both available 24 hours/7 days a week) if they believe on reasonable grounds a child has, is or is likely to suffer abuse and neglect

Educators, staff members and volunteers are encouraged to make the reports with the assistance or support of the Coordinator. If the Nominated Supervisor does not follow through and make the report, educators, staff and volunteers will make the report

- contact the police on 000 if there is an immediate danger to a child and intervene immediately if it is safe to do so
- connect families with referral agencies through Child FIRST- Family consent will be sought before making referrals
- prepare accurate records to assist investigations of abuse or suspected abuse by Child Protection or Child FIRST
- understand that allegations of abuse and neglect against them are treated in the same way as allegations of harm against other people (see “Allegations against Service Personnel”)

The Approved Provider and Nominated Supervisor must also:

- provide training and development opportunities for educators and staff in the recognition and reporting of harm
- provide reporting procedures and professional standards to safeguard children and protect the integrity of educators and staff
- conduct a Working With Children Check (WWCC) for all educators and staff unless the person meets the criteria for exemption from a WWCC Further information is available at <http://www.workingwithchildren.vic.gov.au/>
- provide access to relevant resources to help educators and staff meet their obligations
- ensure records of harm or suspected harm are kept in line with our Privacy and Confidentiality Policy

Allegations against Service Personnel

Allegations of abuse or suspected abuse against educators, staff members, the Nominated Supervisor or Approved Provider are treated in the same way as allegations against other people. However, under the legislation any allegation of abuse by the Approved Provider, staff member, educator or visitor to an education and care service must immediately be reported directly to Victoria Police on 000.

The Nominated Supervisor or Approved Provider:

- will complete an Incident, Injury, Trauma and Illness Record and notify the Regulatory Authority within 24 hours of making the report to Child Protection, Emergency Services and/or Child FIRST
- will provide appropriate support for any educator or staff member who has an allegation made against them
- will protect the identity of educators/staff members against whom unsubstantiated complaints have been made
- will review the person’s duties
- may seek legal advice about restricting that person’s work activities

Documentation

Documenting a *suspicion* of abuse and neglect

If educators have concerns about the safety of a child they will:

- record their concerns in a non-judgmental and accurate manner as soon as possible
- record their own observations as well as accurate details of any conversation with a parent (who may for example explain a noticeable mark on a child)
- not attempt to conduct their own investigation
- document as soon as possible so the details are accurately captured including:
 - time, date and place of the suspicion
 - full details of the suspected abuse
 - date of report and signature

Documenting a *disclosure* of abuse and neglect

When receiving a disclosure of abuse and neglect educators, staff members, the Nominated Supervisor or Approved Provider will:

- remain calm and find a private place to talk
- not promise to keep a secret
- tell the child/person they have done the right thing in revealing the information but that they'll need to tell someone who can help keep the child safe
- only ask enough questions to confirm the need to report the matter because probing questions could cause distress, confusion and interfere with any later enquiries
- not attempt to conduct their own investigation or mediate an outcome between the parties involved
- document as soon as possible so the details are accurately captured including:
 - time, date and place of the disclosure
 - 'word for word' what happened and what was said, including anything they said and any actions that have been taken
 - date of report and signature

Notifications of abuse and neglect

The person making a notification of abuse or suspected abuse will make a record of the answers to the following:

- name of person they spoke to
- what the next step in the process is
- what advice will be sent to confirm the report has been made
- If there is any further action they need to take

Confidentiality

It is important that any notification remains confidential, as it is vitally important to remember that no confirmation of any allegation can be made until the matter is investigated. The individual who makes the complaint should not inform the person they have made the complaint about. This ensures the matter can be investigated without prior knowledge and contamination of evidence.

Safeguards for reporters

Reports made to Child Protection or Child FIRST are kept confidential. Under the *Children Youth and Families Act 2005* if the report is made in good faith:

- the report will not breach confidence or standards of professional conduct
- the report can't incur civil or criminal liability
- the identity of the person making the report is protected (However the Court may grant leave to reveal the person's identity if the evidence is critically important)

A report is also an exempt document under the *Freedom of Information Act 1982*.

Managing Breaches and Risk Assessment (Child Safe Standard 6)

This plan outlines the steps to be taken following a breach of the child protection risk management strategy in order to address the breach in a fair and supportive manner.

Definition

All educators and staff working with children have a duty of care to support and protect children. A duty of care is breached if a person:

- does something that a reasonable person in that person's position would not do in a particular situation
- fails to do something that a reasonable person in that person's position would do in the circumstances
- acts or fails to act in a way that causes harm to someone the person owes a duty of care

A breach is also any action or inaction by any member of the service, including children and young people, that fails to comply with any part of the strategy including any breach of:

- a statement of commitment to the safety of children and their protection from harm
- a code of conduct for interacting with children
- procedures for recruiting, selecting, training and managing paid employees and volunteers
- policies and procedures for handling disclosures or suspicions of harm, including reporting guidelines
- policies and procedures for implementing and reviewing the child protection risk management strategy
- risk management plans for high risk activities and special events
- strategies for communication and support

Processes to manage a breach of the child protection risk management strategy

The Nominated Supervisor or Approved Provider will manage breaches in a fair, unbiased and supportive manner:

- all people concerned will be advised of the process
- all people concerned will be able to provide their version of events
- the details of the breach, including the versions of all parties and the outcome will be recorded
- matters discussed in relation to the breach will be kept confidential
- an appropriate outcome will be decided

Suitable outcomes for breaches

Depending on the nature of the breach outcomes may include:

- emphasising the relevant component of the child protection risk management strategy, for example, the code of conduct
- providing closer supervision
- further education and training
- mediating between those involved in the incident (where appropriate)
- disciplinary procedures if necessary
- reviewing current policies and procedures and developing new policies and procedures if necessary

Risk Management

All high risk activities, including excursions/incursions, require a risk assessment. A risk assessment will include workplace health and safety concerns and analyse, evaluate and manage the risk of abuse or neglect to children.

Empowering Children (Child Safe Standard 7)

Our service is committed to ensuring children feel safe and comfortable in reporting concerns or allegations of abuse and are kept safe from harm

Educating Children about Protective Behaviour

We aim to teach children:

- about acceptable and unacceptable behaviour, and appropriate and inappropriate contact in a manner suitable to their age and level of understanding
- that they have a right to feel safe at all times
- to say 'no' to anything that makes them feel unsafe

Sources

Children, Youth and Families Act 2005

The Child Wellbeing and Safety Act 2005

Dept of Human Services Child Protection, Dept of Education and Early Childhood Development, Licensed Children's services and Victorian Schools "Protecting the Safety and Wellbeing of Children and Young People"

Education and Care Services National Regulations (July 2018)

Early Years Learning Framework