

Child Safe Environment Policy

NQS

QA2	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.
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National Regulations

Regs	84	Awareness of child protection law
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Aim

All children who come to Adelaide University Childcare Services Inc (AUCS) have the right to feel and be safe. AUCS is committed to the safety and well-being of all children accessing our services. AUCS will create an environment that ensures the health, safety and emotional wellbeing of children will always remain paramount.

To ensure all employees, volunteers and students of AUCS take their responsibility to protect children from any type of harm very seriously, and understand their reporting obligations under the ***Children and Young People (Safety) Act 2017*** Section 30 and 31.

Implementation

All employees, volunteers and students are mandatory reporters and must report risks of harm as soon as possible if they suspect on reasonable grounds that a child is, or may be at risk of harm.

Reasonable grounds refer to the need to have an objective basis for suspecting that a child may be at risk of harm based on:

- First hand observation of the child or family
- What the child, parent or other person has disclosed
- What can reasonably be inferred based on observation, professional training and/ or experience.

The reporter is not required to prove that harm or risk of harm has occurred.

Engaging Children and Young People

AUCS respects the views of children and young people who access the service. We listen to and involve children and young people in making decisions that affect them. Children have a voice in our service. AUCS ensures that children, young people and their families know and understand their rights and how to access support, advice and the grievance procedure.

This is achieved through:

- Clearly communicating with children using age appropriate and developmentally appropriate language
- Educating children and young people on their rights including their right to safety and right to be listened to
- Developing strong secure relationships with children
- Encouraging children to be involved in decision making about changes at the service
- Ensuring the AUCS grievance procedures are included in family, staff, student, and volunteer induction packs.

This belief is underlying in AUCS philosophy. All employees, volunteers and students listen to and act upon any disclosures, feedback or complaints that children, young people and their families raise with us.

The United Nations Convention on the Rights of the Child agreement is upheld at all times, and influences all decisions made at the service.

Child Protection Risk Management Strategy

The Approved Provider, Nominated Supervisor, employees, volunteers and students will implement a Child Protection Risk Management Strategy to ensure the health, wellbeing and safety of all children at the service, protect children from harm and protect the integrity of employees, volunteers and students. The Strategy includes the following components:

1. Code of Conduct
2. Recruitment
3. Supervision, Training and Support
4. Reporting and Responding to Harm or Risk of Harm
5. Reporting and Responding to Complaints or Feedback
6. Risk Management for High-risk Activities and Special Events
7. Strategies for Communication and Support

This Strategy and Policy is evidence of AUCS commitment to providing a child safe environment. We will lodge a 'Child Safe Environments Compliance Statement' as required under the *Children and Young People (Safety Act) 2017* online through the Department of Human Services every 5 years or whenever our policy is updated (whichever occurs first).

1. Code of Conduct

The service upholds the Code of Conduct for a Child Safe Organisation for employers, educators, volunteers, students, families and children to ensure the safety and wellbeing of all children. In the event of a breach of this Code of Conduct AUCS will ensure the safety of the child and commence an immediate thorough investigation to determine further action.

2. Recruitment Procedures

AUCS takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children. We employ a range of screening measures and apply best practice standards in the screening and recruitment of staff.

Requirements include:

- a. job advertisements which include qualifications and skills required, and culture of child safety and protection
- b. job descriptions which outline level of professional skills required and responsibilities
- c. on the job observations and probationary periods
- d. referee and qualification checks
- e. AUCS will meet the requirements of the *Child Safety (Prohibited Persons) Act 2016* which requires that all staff, volunteers and students have a Not Prohibited Working with Children Check (WWCC) issued by the Screening Unit of the Department of Human Services
- f. WWCCs will be undertaken by all educators at least every 5 years, AUCS will cover the cost of these checks
- g. visitors and students (over the age of 14 years) on professional placements who attend AUCS will provide WWCC before they commence their placement, these will need to be less than 5 years old
- h. all WWCCs will be verified and Registration of Interest completed through the Department of Human Services website

3. Supervision, Training and Support

All staff who work with children will have ongoing supervision, support and training so that their performance is developed and enhanced to promote the establishment and maintenance of a child safe environment.

This will include the following:

- a. an induction process which ensures all new employees, volunteers and students will receive a copy of this policy
- b. annual performance appraisals
- c. providing access to relevant legislation and other resources - Safe Environments for Children and Young People Booklet and Mandatory Reporting Guide to be provided in the staff room and programming area
- d. staff, volunteers and students complete Responding to Risks of Harm, Abuse and Neglect – Education and Care training every 3 years
- e. regular inclusion of child protection and risk management strategy at staff meetings
- f. the layout of the service and work areas have been developed and will be maintained to facilitate clear lines of visibility and observations by all staff

4. Reporting and Responding to Harm or Risk of Harm

The Approved Provider, Nominated Supervisor, employees, volunteers or students may suspect harm if:

- a. a child says they have been harmed
- b. someone else, for example another child, a parent, or an employee/volunteer/student, says harm has occurred or is likely to occur
- c. a child tells them they know someone who has been harmed (it is possible that they may be referring to themselves)
- d. they are concerned at significant changes in the behaviour of a child, or the presence of new unexplained and suspicious injuries
- e. they see the harm happening

Managing and recording a disclosure of harm

If the Approved Provider, Nominated Supervisor, employees, volunteers or students have concerns about the safety of a child they will:

- a. find a private place to talk
- b. remain calm and listen in an attentive, active and non-judgmental way
- c. encourage the person (including a child) to talk in their own words
- d. take anything a child says seriously
- e. allow children to be part of decision-making processes where appropriate
- f. ask just enough open-ended questions to act protectively without asking any leading questions which suggest an answer
- g. tell the person they have done the right thing in revealing the information and they'll need to tell someone who can help keep them safe
- h. not investigate or mediate the matter themselves
- i. 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)
- j. document as soon as possible so the details are accurately captured using the AUCS Disclosure of Harm Form, including:
 - i. time, date, location and who was present
 - ii. full details of the (suspected) harm
 - iii. exactly what the person said using "I said", "they said," statements
 - iv. the questions educators asked
 - v. any comments educators made
 - vi. educators' actions following the disclosure
- k. ensure the management and storage of records complies with AUCS Privacy and Confidentiality Policy
- l. follow AUCS reporting procedures

Managing and recording a suspicion of harm

The Approved Provider, Nominated Supervisor, employees, volunteers and students will:

- a. remain alert to any warning signs or indicators
- b. pay close attention to changes in the child's behaviour, ideas, feelings and the words they use
- c. make written notes of observations in a non-judgmental and accurate manner, and manage in line with AUCS Privacy Policy
- d. assure a child that they can come to talk when they need to, and listen to them and believe them when they do
- e. follow AUCS reporting procedures

Making a Report

A report will be made using the following procedure preferably on the same day there is a disclosure or suspicion of significant harm, and no later than 24 hours after the disclosure or suspicion

The Approved Provider, Nominated Supervisor, employees, volunteers and students will:

- 1. Consider whether disclosure or suspicion needs to be reported to Police**
 - a. contact the police on 000 if there is an immediate danger to a child and intervene immediately if it is safe to do so
 - b. contact the police where the child has been or may be the victim of a criminal offence (including where a child is at risk of significant harm outside the family)
 - c. get clear guidance from police about who will tell the child's parents about the disclosure and who can give ongoing support

- d. refer the child, young person or their family to other appropriate services
 - e. continue to provide a service to the child or young person and their family and monitor their circumstances.
- 2. Consider whether the disclosure or suspicion must be reported to the Department for Child Protection**
- a. make a report by phone to the **Department for Child Protection** on 13 14 78 (available 24 hours/7 days). If unsure about reporting ring the hotline for advice. **Non-serious cases** can be reported on-line
 - b. make the report with the assistance or support of the Nominated Supervisor
 - c. get clear guidance from the person answering about who will tell the child's parents of the disclosure and who can give ongoing support
- 3. Consider whether referral is needed to family services**
- a. connect families with referral agencies where concerns of harm do not require reports to the Department for Child Protection or the police. Under the legislation, supporting a family where children are at risk is important. See Department for Child Protection (www.childprotection.sa.gov.au) for details about family support services. Family consent will be sought before making referrals
- 4. Consider whether you must notify ECEC Regulatory Authority**
- a. notify the Regulatory Authority about any incident, including any suspected or alleged incident, of harm that has occurred at the service. This includes any physical or sexual abuse that has occurred or is occurring while the child is at the service

Allegations against Service Personnel

The reporting procedure above will also be followed where there are allegations of harm against the Approved Provider, Nominated Supervisor, employees, volunteers or students. The Approved Provider or Nominated Supervisor will:

- a. complete an Accident, Injury, Acute Incident Report form and notify the Regulatory Authority within 24 hours of making the report
- b. provide appropriate support for any employee/volunteer/student who has an allegation made against them
- c. protect the identity of employees/volunteers/students in relation to unsubstantiated complaints
- d. review the person's duties, and if they continue to interact with children, ensure they are appropriately supervised at all times
- e. seek legal advice about restricting that person's work activities if relevant

In the event that the allegation concerns the Nominated Supervisor or the Approved Provider the report will be escalated to the ECEC Regulatory Authority

Confidentiality

It is important that individuals keep a Report confidential while the matter is investigated. Employees, volunteers or students will not discuss the Report with people who are not involved, or inform the person they have made the complaint about, to ensure the matter can be investigated without prior knowledge and contamination of evidence.

Safeguards for reporters

Reports made to the Department for Child Protection or Police are kept confidential. Under the *Children and Young People Safety) Act 2017*

if the report is made in good faith:

- a. the report will not breach confidence or standards of professional conduct
- b. the report can't incur civil or criminal liability
- c. 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 1991*.

Support after disclosure

The Approved Provider or Nominated Supervisor will provide assistance to access appropriate support and counselling services for all parties affected by a disclosure of harm.

5. Code of Conduct for a Child Safe Organisation

All employees, volunteers and students working with children have a duty of care to support and protect children which is breached if a person:

- a. does something that a reasonable person wouldn't do in a particular situation
- b. fails to do something that a reasonable person would do in the circumstances
- c. acts or fails to act in a way that causes harm to someone owed a duty of care

In relation to Risk Management, a breach of that duty of care includes any action or inaction by an employee, volunteer or student that fails to comply with Risk Assessment plans.

Employees, volunteers or families should report the breaches to the Nominated Supervisor or Approved Provider who will manage an investigation into the breach in a fair, unbiased and supportive manner in line with the AUCS Grievance Handling Policy and Procedure.

For example:

- a. those involved in the breach will be able to provide their version of events
- b. matters discussed in relation to the breach will be kept confidential
- c. an appropriate outcome will be decided
- d. everyone affected will receive a clear written statement (letter or email) of the outcome
- e. records will be kept about the details of the breach, including the versions of all parties and the outcome of the breach

Depending on the nature of the breach outcomes may include:

- a. emphasising the relevant component of the Risk Management plan, for example, the Code of Conduct
- b. providing closer supervision
- c. professional development and training
- d. mediating between those involved in the incident (where appropriate)
- e. disciplinary procedures if necessary
- f. reviewing current policies and procedures and developing new policies and procedures if necessary
- g. termination of employment

6. Risk Management for High-risk Activities and Special Events

The Nominated Supervisor and employees will analyse the risk of 'harm' to children for all relevant events including purchase of new equipment as well as high risk activities where there is an increased risk of harm to children for example:

- a. water based activities
- b. special events like service concerts and family information days where there will be a large number of visitors or people present
- c. events or activities where visitors will be present
- d. taking images of children and young people
- e. cyber safety and social media guidelines
- f. excursions
- g. playground renovations
- h. activities using dangerous equipment

The Nominated Supervisor and employees will:

- a. Complete an Excursion/Event Risk Management Planning Form
- b. Identify all the elements of an activity (eg objectives, location, participants, transportation, toileting/change room procedures, appropriate supervision and adult to child ratios, photography policy, managing medications, managing illness and injury, procedure applying to visitors, physical environment)
- c. Identify the risks
- d. Analyse the likelihood and consequences of the risks
- e. Evaluate the level of risk (eg low, moderate, high, extreme)
- f. Implement strategies to eliminate or minimise the risk
- g. Review the activity to determine how it could be improved

Where relevant the Nominated Supervisor will encourage families to provide feedback on the risk of harm to children and strategies to minimise the risk. Feedback may be sought via newsletters or survey forms, or during parent information sessions.

7. Strategies for Communication and Support

The Nominated Supervisor will implement the following to ensure families, employees, volunteers and students are aware of AUCS Risk Management:

- a. regularly advise families and prospective families (at least every 6 months) via service newsletters, emails and information evenings about the reasons for and components of our risk management assessments, where they can access our Child Protection Policy and Risk Management assessments and that we welcome feedback about the Policy/Assessments. We may include what we aim to teach children about protective behaviour
- b. provide written information about our risk management assessments during enrolment and orientation and include in Parent Handbook
- c. regularly include (at least every 6 months) the reasons for and components of our risk management assessments in staff meetings and include in Staff Handbook
- d. ensure educators talk to children about things that are important to them
- e. display posters about child protection issues, including safe and supportive environments
- f. include child protection issues and our risk management assessments in employees' performance and training plans
- g. ensure educators regularly include learning about appropriate child protection issues in the Curriculum, including how to keep themselves safe, and what to do if they feel unsafe
- h. make relevant resources available to employees and families

Related Documents

Code of Conduct for a Child Safe Organisation
 Safe Environments for Children and Young People Booklet
 Mandatory Reporting Guide
 AUCS Privacy Policy
 Disclosure of Harm form
 Suspicion of Harm form
 Mandatory Notification Record
 Excursion/Event Risk Management Planning Form

Sources

Children and Young People (Safety) Act 2017

Criminal Law Consolidation Act 1935

Child Safety (Prohibited Persons) Act 2016

Child Safety (Prohibited Persons) Regulations 2019

Department for Child Protection

Department of Human Services

Department of Education

Education and Care Services National Law and Regulations

Review

The Policy, including Child Risk Management Strategy, will be reviewed annually and after any disclosure or suspicion of harm being actioned. The review will include checks to ensure the strategy reflects current legislation, continues to be effective, or whether any changes and additional training are required. The review will be conducted by AUCS Employees and Families, and a policy review working party.

Version History

Version	Date	Policy approval	Description of changes	Effective date	Review date
1.0	16/06/2022				06/2023
1.1	20/01/2023		Updated as per feedback from DHS		01/2024