



Child Protection 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

Reg	84	Awareness of child protection law
Reg	84	Refresher training every 12-24 month OR as law changes
Reg	86	Notify parent/carer/authorised emergency contact within 24 hours
Reg	168	Child safe policies and procedures
Reg	174	Notify the NQAITS of any serious incident involving a child in care
Reg	183	Records kept for 25 years

Legal requirements

Law		Children and young persons (care and protection act 1998 NSW)
Law		Crimes act 1990 (316A)
Law		Crimes act 1990 (43B)
Law		Children's guardian act 2019 (NSW)
Law		Crimes act 1900 – 66 EB and 66 EC
Law		Child protection (working with children) act 2012
Law		Civil Liability act (2020)

Aim

The service takes our responsibility to provide a safe and caring environment for all children seriously. We believe that the safety of children is paramount at all times and aims to protect a child's right to be safe from abuse of any kind.

Statement of commitment

Our service fundamentally believes that all children have the right to a life that is free from harm. Our service aims to provide an environment that is free from any type of abuse and foster a child's growth and development as per the individual requirements of each child. Educators at our service are aware of their obligations under the law in regards to the welfare of children and at all times uphold their obligation. In addition to this, our service aims to provide regular training to all educators (along with any volunteers, students etc) on child protection issues to ensure that, in the sad event a child has suffered abuse, the service can act quickly in the best interests of the child.



Legislative Context

As Early Child Educators we are Mandatory Reporters and are required by law to report suspected child abuse and neglect to government authorities.

The Children and young persons (care and protection) act 1998 NSW states that Mandatory Reporters have a legal requirement to report a child under 16 years who is "at risk or likely to be at risk of significant harm" to the Department of Communities and Justice (DCJ). Categories of harm include: sexual abuse, physical abuse, serious psychological harm, neglect, pre-natal, domestic violence, education and medical neglect.

The Crimes act 1990 (316A) states that is a legal requirement for any adult who know, believes or reasonably ought to know that a child abuse offence has been committed against a child under 18 years to report the offence to the Police. The Crimes act 1990 (43B) states that it is a legal requirement for an employee, volunteer, contractor or leader working in an organisation reduce or remove the risk of a child under 18 years being a victim of child abuse.

The Children's guardian act 2019 (NSW) states that it is a legal requirement for the owner/Authorised Supervisor to report allegations, offences or convictions of child abuse against a worker to the Children's Guardian within 7 days and investigate and report within 30days.

The education and care service national regulations state that child abuse should be reported to NQAITS. Regulation 84 states that educators must complete refresher training every 12-24 months or as legislation changes. All responsible persons must hold CHCPRT001 qualification. Services are required to have child safe policies and procedures (regulation 168) and records must be kept for 25years as per regulation 183.

The child protection (working with children) act 2012 states it is legal requirement for worker/volunteers to be cleared to work with children prior to commencement by obtaining a Working with Children Check (WWCC).

Child Story Reporter

The Mandatory Reporter Guide supports mandatory reporters in NSW to determine whether a report to the Child Protection Hotline is needed for concerns about possible abuse, and provided alternative ways to support vulnerable children and young people.

<https://reporter.childstory.nsw.gov.au/s/>

Child Protection Helpline 132 111



Action for educators to take

When educators suspect that a child is a significant risk of harm (outside of the service) they are encouraged to recognise the indicators or cues (physical indicators, changes in behaviour, psychological indicators etc). (Appendix 1)

Educators should discuss their concerns with fellow educators and supervisors. Educators should also respond to children disclosure in a calm and respectful manner.

Records should be kept confidential and include the date, time and any information about the findings. Body maps may be used to pictorially document where injury has occurred, photos of children's genitals must never be taken.

Reports will be made to the relevant organisations - the child protection hotline and where required to police.

After the process we will review our policy and procedures to ensure the best possible steps were taken to respond to the abuse.

Recognise – indicators and cues

Respond – respond to the child and the family appropriately

Record – what and how to record child harm

Report – who and how to report child harm

Review – support all stakeholder for continuous improvement

Abuse that occurs at the service

All Educators 18 years and older will not be employed at the service without a current working with children check and the service induction process will highlight our zero tolerance to child abuse and explaining their roles in relation to child protection.



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Educators should report any indicators of abuse to the nominated supervisor or authorised supervisor as soon as possible.

An investigation will be conducted, the staff member will be stood down pending the findings of the investigation.

Where abuse has occurred at the service the authorised persons must report the abuse to the child protection hotline, the child guardian and the NQAITs. If the abuse is of a sexual or serious physical nature it must also be reported to the police.

As per the Children's guardian act 2019 (NSW) the owner/Authorised Supervisor will report the allegations, offences or convictions of child abuse against a worker to the Children's Guardian within 7 days and investigate and report within 30days.

Child Safe Standards

All educators will be aware of the 10 Child Safe Standards and are actively working to embed the standards in our policies and procedures.

The Child Safe Standards recommended by the Royal Commission provide a framework for making organisations safer for children. They have been accepted by the NSW government. Based on extensive research and consultation, the Standards provide tangible guidance for organisations to create cultures, adopt strategies and act to put the interests of children first, to keep them safe from harm.

The Standards have been designed to:

- help drive cultural change in organisations
- be principle-based and outcome-focused
- be flexible enough that they can be adapted by organisations of varying sizes and characteristics
- avoid placing undue burden on organisations
- help organisations address multiple risks
- balance caution and caring

The Child Safe Standards





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- be a benchmark against which organisations can assess their child safe capability and set performance targets
- be of equal importance and interrelated.

A child safe culture is a set of values and practices that guide the attitudes and behaviour of all staff. Good leaders champion these values and embed them in organisational governance.

The following values should be at the heart of any approach that prioritises children's safety:

- The best interests of children and their protection from harm is paramount.
- Child abuse is not tolerated and must not happen.
- Children's rights are understood and respected.
- Concerns about child safety raised by children and their parents and carers are acted on.
- Reporting abuse is not obstructed or prevented.

Educators' role in child protection

- Ensure children are supervised at all times.
- Share your concerns with the service supervisors and collaborate with relevant colleagues.
- After looking at the mandatory report guide (MRG) consider whether it is appropriate to at first continue our relationship and reports or to immediately call the mandatory reporter line.
- Report any situation where they suspect a child is at risk of significant harm to the Child Protection Helpline.
- Promote the welfare, safety and wellbeing of children at the service.
- Have an awareness of referral agencies for families where concerns of harm do not meet the significant harm threshold.
- Be aware of obligations as per the children and young persons (care and protection) act 1998 (NSW).
- Ensure child protection qualifications are current and up to date and participate to refresher training every 12-24 months or as regulations change.
- Educators must leave their personal devices in their bags. Educators can not have photos of any children at the service on their device, unless signed consent from families and supervisor is collected for use in an assessment.
- Assist in supporting children and families when liaising with relevant government agencies.
- I will not drink alcohol or use illicit substances while on the service's premises and I will not come to the service while under the influence of alcohol or illicit substances.
- I will not smoke on the service's premises.
- I will not show favouritism towards any child.
- I will refrain from developing close personal relationships with children out of the carer/child relationship.
- I will refrain from using abusive, derogatory or offensive language.

Reviewed Jan 2024



Appendix 1

Follows are some examples of indicators or cues to be aware of when identifying child abuse. They are not limited to this list

Physical abuse

Indicators may be physical or behavioural and include:

- Bite marks
- Bruises
- Burns
- Broken bones
- Hair missing in tufts
- No or little emotion when hurt
- Regression
- Overly compliant, shy, withdrawn, passive
- History of injury which is vague, bizarre or variable
- Threatening to hurt a child

Domestic violence

Indicator include:

- Isolating a victim from family and friends
- Controlling their access to money
- Diminishing their self-esteem
- Preventing them from practising their religious beliefs
- Intimidating them
- Threatening them

Emotional abuse

Categories include: terrorising, rejecting, isolating, ignoring and corrupting. Indicators may be physical or behavioural and include:

- Depression
- Symptoms of stress
- Toileting accidents
- Psychosomatic complaints
- Overly compliant or passive behaviour
- Overly shy or withdrawn
- Low self esteem
- Aggressive or delinquent behaviour
- Constant criticism, belittling, teasing of a child or young person, or ignoring or withholding praise or affection
- Excessive or unreasonable demands



Neglect

Categories include: physical, mental, educational, supervisory and abandonment. Indicators may be physical or behavioural and include:

- Poor personal hygiene
- Lack of adequate or suitable clothing
- Constantly hungry or malnutrition
- Lack of medical or dental care
- Constant fatigue
- Frequent lateness, early arrival or reluctance to leave
- Lack of supervision appropriate to age
- Parent is emotionally unavailable

Sexual abuse

Indicator may be physical or behavioural and include:

- Knowledge of sexual behaviour inappropriate to age
- Sudden unexplained fears
- Toileting accidents
- Bruises or bleeding from external genitalia, vagina or anus regions
- Signs of pain, itching or discomfort in the anal or genital area
- Depression, withdrawal or suicide
- Threat of sexual abuse
- Exposing a child to prostitution or child pornography or using a child or young person from pornographic purposes.