



Child Protection/Child-Safe Environment Policy

Purpose

This policy will provide a clear set of guidelines:

- To ensure a safe environment and minimise the risk of abuse of children enrolled at St Kevin's Out of Hours School Care (OHSC) Centre
- For the reporting of child abuse or suspicion of child abuse.

Policy statement

1. Values

St Kevin's Out of Hours School Care (OHSC) Centre has a moral and legal responsibility to ensure that all children are safe in their care, and will provide resources, information and guidance for providing a child-safe environment for children enrolled in and attending the early childhood program.

St Kevin's Out of Hours School Care (OHSC) Centre believe that:

- People caring for children must act in the best interests of the child and take all reasonable steps to ensure the child's safety and wellbeing
- All children have the right to feel safe and be safe at all times
- Practice will be based on a partnership approach and shared responsibility for children's safety, wellbeing and development
- All children will be given the opportunity to reach their full potential and participate in society irrespective of their family circumstances and background.

St Kevin's Out of Hours School Care (OHSC) Centre is committed to:

- Establishing, maintaining and strengthening a child-safe environment
- Developing and maintaining an open and aware culture in which children feel valued, respected and cared for
- Supporting the rights of the child
- Fulfilling their duty of care by protecting children from any reasonable, foreseeable risk of injury or harm
- Promoting children's development and wellbeing.

2. Scope

This policy applies to staff, committee, students on placement, volunteers and parents/guardians whose child/ren are attending, or who wish to enrol child/ren, in St Kevin's Out of Hours School Care (OHSC) Centre early childhood programs.

3. Background and legislation

The protection of children, who are one of the most vulnerable groups in society, is a shared responsibility between the family, the general community, police, government and professionals working with children. It involves making sure that all children are safe, their needs are met and minimising the possibility of child abuse. Each adult has a significant role to play to ensure the safety

and wellbeing of children and young people at all times, including making an appropriate response when an allegation has been made.

The Community Care Division of the Victorian Government's Department of Human Services has a publication, *Protocol Between Child Protection and Children's Services* (2004), that details the requirements and procedures for managing reports and suspicions of child abuse in a children's service.

Relevant legislation may include but is not limited to:

- *Education and Care Services National Regulations 2011 (ECSNR)*
- *Education and Care Services National Law Act 2010*
- *Children, Youth and Families Act 2005*
- *Child Wellbeing and Safety Act 2005*
- *Working with Children Act 2005*
- *The Charter of Human Rights and Responsibilities Act 2006*
- *Family Law Act 1975.*

4. Definitions

Abuser, offender and perpetrator: Words used to describe a person who abuses a child or young person.

Abuse, neglect and maltreatment: Any non-accidental injury to a child.

Bullying: Act of intimidating weaker people to make them do something; act of intentionally causing harm to others through verbal harassment, physical assault or other more subtle methods of coercion.

Child: 'A child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier' (Convention on the Rights of the Child, United Nations, Article 1). The *Child and Young Persons Act 1989* describes a child or young person as a person under seventeen years.

Child abuse: Act or omission by an adult that endangers or impairs a child's physical or emotional health and development. Children can be harmed both physically and emotionally. It can be a single incident but usually takes place over time. Abuse, neglect and maltreatment are generic terms used to describe situations in which a child may need protection. Abuse includes any and all of the following:

- **Physical:** When a child suffers or is likely to suffer significant harm from an injury inflicted by a parent/caregiver or other adults. The injury may be inflicted intentionally, or it may be the inadvertent consequence of physical punishment or physically aggressive treatment of a child. Physical injury and significant harm to a child may also result from neglect by a parent/caregiver or other adult. The injury may take the form of bruises, cuts, burns or fractures, poisoning, internal injuries, shaking injuries or strangulation.
- **Sexual:** 'Utilisation of a child for sexual gratification by an adult or older child in a position of power, or permitting another person to do so'. This occurs when a person uses power or authority over a child to involve the child in sexual activity and the child's parent/caregiver has not protected the child. Physical force is sometimes involved. Child sexual abuse involves a wide range of sexual activity, from inappropriate touching or fondling of a child, exposing a child to pornography to having sex with a child (OCSC).
- **Emotional and psychological:** 'Chronic failure by the parent/caregiver to provide support and affection necessary to develop a sound and healthy personality.' This may include repeated rejection, use of threats to frighten the child, name calling, putdowns or continual coldness.

Racial, cultural and religious: Conduct that demonstrates contempt, ridicule, hatred or negativity towards a child because of their race, culture or religion (OCSC).

- Neglect: The failure to provide the child with the basic necessities of life, such as food, clothing, shelter, medical attention or supervision, to the extent that the child's health and development is, or is likely to be, significantly harmed (Department of Human Services).
- Exposure to domestic violence: When children and young people witness or experience the chronic domination, coercion, intimidation and victimisation of one person by another by physical, sexual or emotional means within intimate relationships (adapted from the Australian Medical Association definition).

Child sex offender: Someone who sexually abuses children and may or may not have been convicted.

child protection (lower case): The term used to describe the whole community's approach to the prevention of harm to children. It includes strategic action for early intervention, for the protection of those considered most vulnerable and for responses to all forms of abuse.

Child Protection Service: The Child Protection Service of the Department of Human Services has statutory responsibilities under the *Children and Young Persons Act 1989* for ensuring a child's safety. It is also referred to as Child Protection.

Code of conduct: Lists behaviours that are acceptable and those that are unacceptable, including professional boundaries, ethical behaviour and acceptable and unacceptable relationships.

Disclosure: The statement that the child or young person makes to another person that describes or reveals abuse.

Domestic/family violence: The repeated use of violent, threatening, coercive or controlling behaviour by an individual against a family member(s) or someone with whom they have or have had an intimate relationship, including carers.

Duty of care: A common law concept that refers to the responsibilities of organisations to provide children with an adequate level of protection against harm and all reasonable foreseeable risk of injury.

Grooming is a dual process of:

- Building a trusting relationship with the child and his/her carers
- Isolating the child in order to abuse them.
- Grooming occurs before the sex offence to access the child and after the offence to:
- Maintain access to the child
- Ensure the child's silence and the carer's/adults' continued trust.

Negligence: When someone is able to establish that:

- o The organisation or individual owed a duty of care to the person
- o The standard of care was breached
- o The act occurred
- o This breach has caused the person to suffer some form of damage.

Mandatory reporting: Describes the legal obligation of certain professionals and community members to report incidences of child sexual abuse. If the mandated reporters fail to report, they may be fined and/or incarcerated. Section 64(1C) of the *Children and Young Persons Act 1989* lists the following people as mandated to report:

- o Legally qualified medical practitioners

- o Registered nurses
- o Members of the Victorian police force
- o Primary and secondary school teachers and principals.

Office of the Child Safety Commissioner (OCSC): An organisation that makes children a priority. The commissioner provides advice to government on issues impacting on the lives of children, in particular vulnerable children.

Violent behaviour: Includes not only physical assaults but also an array of power and control tactics used along a continuum in concert with one another, including direct or indirect threats, sexual assault, emotional and psychological torment, economic control, property damage, social isolation and behaviour that causes a person to live in fear.

Voluntary (non-mandated) notification: Is a notification to the Child Protection Service by someone who believes a child is in need of protection. Section 64(1) of the *Children and Young Persons Act 1989* allows that any person who believes, on reasonable grounds, that a child is in need of protection may notify a protective intervener of that belief and of the reasonable grounds for it. Under this part of the Act, notifications are made out of moral reasons, rather than because the law has compelled someone to do so. The person making the notification is not expected to prove the abuse, and the law protects the anonymity of the person making the notification.

5. Sources and related centre policies

Sources

- Australian Childhood Foundation: www.childhood.org.au
- Choose with Care (Building Child Safe Organisations), an information and training program: www.childwise.net.au
- Office of the Child Safety Commissioner: www.ocsc.vic.gov.au
- Protocol between Child Protection and Children's Services 2004, Community Care Division Victorian Government Department of Human Services
- The United Nations Convention on the Rights of the Child
- Safe from Harm, the role of professionals in protecting children and young people: www.education.vic.gov.au
- Responding to Child Abuse, DHS Children, Youth & Families publication
- Working with children: www.justice.vic.gov.au/workingwithchildren

Centre policies

- Behaviour guidance
- Code of conduct
- Communication
- Complaints and grievances
- Inclusion and equity
- Employment and recruitment (including volunteers)
- Information technology and use
- Privacy
- Program participation
- Qualified staff

- Supervision

Procedures

The committee is responsible for:

- Identifying the risks of child abuse at St Kevin's Out of Hours School Care (OHSC) Centre
- Developing and implementing effective strategies to prevent child abuse
- Ensuring staff recruitment and induction supports the implementation of this policy
- Ensuring appropriate training and education for staff in recognising child abuse, symptoms of child abuse, what to do and how to respond
- The screening of all staff, volunteers and students, including the consideration of criminal history checks, working with children check, reference checks and interviews
- Ensuring clear procedures are in place for reporting suspicions of child abuse and management of complaints (refer to [Attachment 3](#) and the Complaints and grievances policy)
- Regularly involving parents/guardians, staff and children in the development of a child-safe environment
- Protecting the rights of children and families and, to the greatest extent possible, encouraging their participation in any decision-making
- Offering support to the child, family and staff in response to concerns or reports relating to the safety and wellbeing of a child in a early childhood program
- Implementing and reviewing this policy in consultation with the parents/guardians and staff
- Appointing a child safety officer/representative.

The staff are responsible for:

- Maintaining a professional role with children, with clear boundaries that serve to protect everyone from misunderstandings, perceptions or a violation of the professional relationship
- Undertaking training on child protection awareness, including processes for reporting and managing concerns/incidents, disciplinary procedures, guidelines for physical contacts between adults and children, and outside contact with children and their families
- Being aware of the signs and symptoms of abuse to a child (refer to definitions and [Attachment 3](#), 'Incident/concern management and reporting guidelines')
- Reporting any concerns, as soon as practicable, of suspected or discovered harm to a child to the child safety officer or committee president
- Cooperating with other services or professionals to work in the interests of the child and family
- Ensuring that families are made aware of the support services available to them and of the benefits these services can provide, especially to those families in most need of assistance
- Acknowledging and respecting children's individual identity, right to privacy, circumstances and cultural identity, and being responsive to the particular needs of the child
- Educating and empowering children to talk about events and situations that make them feel uncomfortable
- Displaying a copy of the Code of conduct policy on the main noticeboard and providing a copy to parents/guardians, volunteers and students (refer to the Program participation policy)

- Maintaining confidentiality
- Ensuring that no child is left alone, or out of sight, with a staff member (including volunteers)
- Complying with the Behaviour management policy of the centre.

The child safety officer is responsible for:

- Supporting the committee and staff to implement the guidelines in this policy
- Responding to any concerns or reports given to them regarding suspected or discovered harm to a child in an appropriate manner.
- The parents/guardians are responsible for:
- Reporting observations and/or concerns about potential situations of child abuse to the child safety officer or committee president
- Abiding by the centre's code of conduct.

Evaluation

In order to assess whether the policy has achieved the values and purposes, the committee will:

- As part of the annual family survey, incorporate relevant questions relating to this policy
- Take into account feedback from staff, parents/guardians and committee regarding the policy
- Monitor compliance with the expectations and procedures set out in the policy
- Monitor complaints and incidents regarding child protection.

Attachments

[Attachment 1](#): Child protection risk assessment

[Attachment 2](#): Child safe organisations

[Attachment 3](#): Incident/concern management and reporting guidelines

[Attachment 4](#): Child safety review checklist (OCSC, 2006)

[Attachment 5](#): Guidelines for recruitment of staff and volunteers

Authorisation

This policy was adopted by the St Kevin's Out of Hours School Care (OHSC) Centre committee of management at a committee meeting on **June 2016**

Review date: June 2018

Attachment 1 - Child protection risk assessment

Risk assessment means identifying the potential for child abuse in your centre and taking steps to reduce the possibility of it occurring.

It is important to create an awareness among staff and volunteers of possible risks to children from abuse, and how to implement a range of strategies to protect them from those risks and abuse.

Risk factors	Level of risk to children	Strategies to reduce risk	Evaluation
e.g. Appointment of a sex offender	High	Recruitment processes	
Opportunities for a child to be isolated within the program/premises	Medium	Ensure open spaces, no small hidden areas Police checks at recruitment	
Taking a child away from the program/premises	Low	Staff at St. Kevins coming and going Supervision at all times of group Secure hall door and parents enter with door bell Collection of children policy	
Close physical contact	Medium	Recruitment processes Code of conduct policy Inclusion & Equity policy	
Building environment	Low	As long as teaching staff on site only Office locked after hours Yard locked Hall secured	
High staff turnover	Medium	Recruitment processes Training policy to increase staffs feeling of being valued Staff rewards	
Limited staff turnover, with little outside scrutiny of the program	Low	Committee review of program Principles review of program, Parents review Open communication policy	
Unauthorised access by other people to the service, such as strangers, non-custodial parent	Low	Office locked after hours Yard locked Hall secured. Access with approval only	
Not recognising signs of abusive behaviour	Low	Training Policy	
Not raising concerns/suspicious of abuse	Medium	Open communication policy Culture of tolerance	
Children do not disclose abuse	Low	St Kevin's School and OHSC foster an open environment where children are encouraged to raise issues eg circle	

Low level of awareness and commitment to issue by management/staff	Low		
Absence of incident management procedures	Low	Child protection policy	
Use of multimedia and information technology	Low	Use within school environment only, which is via Catholic Education Office and is suitable content only.	

Attachment 2 - Child safe Practices at St Kevins OHSC

Child safe principle	Evidence
The organisation welcomes children and their families/guardians	<ul style="list-style-type: none"> • Staff readily interact with children in an age appropriate and respectful way • Children are treated as individuals; staff and volunteers strive to understand each child's particular interests and needs • Staff and volunteers listen to children and encourage their participation • Children are supported and comforted in an appropriate way, consistent with the child's wishes
The organisation recognises that children are vulnerable	<ul style="list-style-type: none"> • Staff and volunteers accept it is their role to protect children involved with their centre • Staff and volunteers accept there is a difference in power between a child and an adult • The centre maintains appropriate child-to-staff ratios • Policies are in place to minimise risk involved in one-to-one situations with a child • Equipment and activities appear appropriate for the activity and age of the children • Information about children is treated confidentially
The organisation recognises and responds to children with special needs, including a disability	<ul style="list-style-type: none"> • The centre is accessible to all children • Staff and volunteers relate to all children in a respectful and developmentally appropriate manner • Policies are in place to guide the physical and psychological care requirements of all children
The organisation actively encourages the participation of Aboriginal children	<ul style="list-style-type: none"> • Staff, volunteers and other children acknowledge and show respect for Aboriginal culture • Policies acknowledge that an Aboriginal child's cultural identity is fundamental to their overall wellbeing
The organisation recognises and responds to the particular needs of children from diverse cultural, linguistic and religious backgrounds	<ul style="list-style-type: none"> • Cultural diversity is welcomed and celebrated • Activities offered are representative of the cultural and religious mix of the local community • Staff, volunteers and other children acknowledge and show respect for the diversity
The organisation encourages children to participate in making decisions	<ul style="list-style-type: none"> • Children are asked their views and their views are respected and taken into consideration in making decisions • Children are involved in discussing appropriate behaviour
The organisation carefully recruits and manages its staff and volunteers	<ul style="list-style-type: none"> • The centre has policies on staff and volunteer recruitment and management covering: <ul style="list-style-type: none"> o Recruitment processes, including skills and qualifications required o Background checking and screening processes for all staff and volunteers o Working with children check and police checks

	<ul style="list-style-type: none"> o A code of conduct showing what is acceptable and unacceptable behaviours by staff and volunteers o A clear and accessible complaints procedure for use by children, parents and staff • Parents/guardians can access the policies on request
The organisation ensures the commitment to child safety is clear and shared by all	<ul style="list-style-type: none"> • A Child protection policy is in place and accessible • Staff and volunteers are aware of the Child protection policy • Staff and volunteers are interested in and engaged in their job
The organisation ensures staff and volunteers are informed about child safety and receive training where appropriate	<ul style="list-style-type: none"> • The centre has a clear staff development policy that includes areas of child development, child protection, risk management and safety procedures

Attachment 3 - Incident/concern management and reporting guidelines

The concept of forming a belief is a thinking process, in which a person is more likely to accept rather than reject the notion that there is significant harm for the child. If you are more likely to believe there is significant harm for the child, you have formed a belief. It is the Child Protection worker's role to investigate and prove significant harm, so other professionals need only have reasonable grounds for belief.

Responding to your belief that child abuse has occurred or is occurring can be the first important step in stopping the abuse and protecting the children from further harm.

General guidelines

- The best interests of the child is always the primary consideration, with due regard to confidentiality and fairness to the person against whom the allegation is made.
- Children are encouraged to approach any person in the centre to express concerns about their treatment and be confident that they will be taken seriously.
- Employees and volunteers are clear about whom they can approach to express concerns (refer to Complaints policy).
- Any investigation will ensure procedural fairness and natural justice for a person suspected of abusing a child.
- Records are kept about any child safety complaint and stored in accordance with the Privacy policy.
- Records contain information about the action taken, any internal investigation and any reports made to statutory authorities or professional bodies.
- Everyone, including children, is aware of the need to report serious matters involving child protection to external authorities. Privacy is maintained and information is only reported to those people who need to know.
- The physical and sexual abuses of children are crimes and are reported to the police. If a child discloses any such abuse, the organisation will listen, respond and report to the police.
- A report can be made, even if they do not have all the necessary information.
- Permission is not required from the parents, and they do not need to be notified that a report has been made.

Forming a professional judgement

Making objective observations and forming a professional judgement are based on:

- Warning signs (or indicators) of harm or potential harm that have been observed or inferred for information
- Knowledge of child development
- Knowledge of any support currently being received by the family
- Consultation with colleagues and other professionals
- Professional obligations and duty-of-care responsibilities
- Established protocols
- Individual centre processes
- Legal requirements, such as mandatory reporting.

Gathering information

Action	Details
Make notes	Record what you observe and date and sign the entry
Continue to observe	Record what you observe and date and sign the entry
Consult colleagues	Access support and advice from your colleagues, compare notes and brainstorm possible strategies
Develop action plans based on procedures	Understand St Kevin's Out of Hours School Care (OHSC) Centre policies and procedures about what to do
Talk to other agencies about helping the family	Collaborate with or engage community health services, local government services, regional Department of Human Services/Child Protection contacts, disability services—you may want to call a case meeting
Talk to the child	Do this with respect for the child or young person's need for privacy and confidentiality
Talk to the parents/guardians	Only do this when it will not jeopardise the safety of the child or young person

Signs or indicators of harm

- Physical signs of physical, sexual, emotional abuse or neglect may include but are not limited to include: bruises, burns, sprains, bites, cuts, fractures, frequent hunger, malnutrition, poor hygiene and inappropriate clothing.
- Behavioural signs of physical, sexual, emotional abuse or neglect may include but are not limited to: wariness or distrust of adults, fear of parents and going home, fearful when other children cry or shout, excessively friendly to strangers, very passive and compliant, headaches or stomach pains, displaying sexual behaviour that is unusual for the child's age, frequent rocking, sucking and biting, difficulty sleeping, withdrawn, aggressive and demanding, highly anxious, delayed speech, acting like a much younger child, often being tired and falling asleep.
- Disclosures by the child or others.

Reporting

- You do not have to prove that abuse has taken place, only reasonable grounds for your belief.
- You do not need permission from parents or caregivers to make a notification, nor do they need to be informed that a notification is being made.
- If you make a notification in good faith, you cannot be held legally liable—regardless of the outcome of the notification.
- The identity of the notifier will remain confidential unless the notifier chooses to inform the child and/or family, or if the notifier consents in writing to it being disclosed or the court decides it requires that information. How to make a notification
- Contact the regional Child Protection office as soon as possible.
- In an emergency, outreach crisis response, the Child Protection unit operates twenty-four hours and is toll free (131 278) if there is an emergency after hours or at the weekend

- Provide the following information:
 - The child's name, age and address
 - The reason for believing that the injury or behaviour is the result of abuse or neglect
 - The reason why the call is being made at this point in time
 - An assessment of immediate danger to the child/ren (information may be sought on the whereabouts of the alleged abuser/s)
 - A description of the injury or behaviour observed
 - The current whereabouts of the child or young child
 - Knowledge of other services involved with the family
 - Any other information about the family
 - Any specific cultural or other details that will help the child, such as Aboriginality, interpreter or disability needs
- A notification should still be made, even if the notifier does not have all the necessary information.

What happens next?

- A child protection worker will determine whether the child or young person's described circumstances fall within the legal definition of 'a child in need of protection'.
- A decision will be made as to the urgency of the situation.
- The notifier will be informed as to the progress of the investigation as soon as possible
- The police will become involved in cases of sexual or physical abuse allegations.
- The notifier may have an ongoing role, including:
 - Acting as a support person in interviews with the child or young person
 - Attending a case conference
 - Participating in case-planning meetings
 - Continuing to monitor the child's behaviour
 - Observing/monitoring the conditions on a protective court order that may relate to access or contact with a parent/guardian
 - Liaising with other professionals and child protection workers in relation to a child or young person's wellbeing
 - Providing written reports for case-planning meetings or court proceedings in relation to the child's wellbeing or progress.

Attachment 4 - Child safety review checklist (OHSC)

This checklist will assist organisations to identify risks and issues in relation to the protection of children, and the requirements for appropriate amendments to be made to the policy, practices or training and support for staff.

	Child safe standard question	Yes, describe how	No or only partly, describe what needs to be done	Person responsible for any action required	Time line and review date
Clear and public commitment to child safety	Is there a Child protection policy for the centre?	Yes			
	Have staff read and understood the policy?				
	Are parents/guardians made aware of this policy on enrolment at the centre?				
Children's rights to safety and participation	Are children welcomed, consulted and respected at the centre?				
	Are the indoor and outdoor environments physically safe?				
	Do you do a safety assessment for all activities?				
	Do your programs stimulate children and meet their physical, emotional, intellectual, social and recreational needs?				
	Do you encourage children with additional needs and from different backgrounds to participate and do they in fact participate?				
Employment of staff and volunteers	Are there adequate screening procedures for staff, volunteers and students on placement?				

Support for staff and volunteers	Is there a Code of conduct policy that explains the acceptable and unacceptable behaviours of parents/guardians/volunteers and students on placement at the centre?				
	Are staff aware of the risk of harm to children and the different types of harm? (Refer to definitions section of the policy.)				
Reporting a child safety concern	Do staff understand and feel confident about the process for reporting and acting on concerns about child safety?				
	Have staff identified any other support, assistance and resources they feel they need to assist in providing a child safe environment?				

Attachment 5 - Guidelines for the recruitment of staff & volunteers

The processes for the recruitment and selection of employees and volunteers demonstrate our commitment to maximising the safety of children and deterring unsuitable persons from attempting to work with our organisation. St Kevin's Out of Hours School Care (OHSC) Centre ensures:

Preparation for recruitment

- An explicit statement of our commitment to child safety is included in all advertising promotions.
- Job advertisements clearly state our commitment to child safety.
- Job descriptions include a statement about commitment to maintaining a child safe organisation and clearly outline responsibilities and accountability.
- Information sent to applicants includes: a copy of the Child protection policy, Code of conduct policy, Complaints/grievance policy and screening procedures.
- Letter of offer includes a statement about what is expected in terms of commitment and responsibilities for child safety.
- Multiple selection techniques includes:
 - One person is responsible for following the process right through to ensure continuity and that nothing is missed
 - Consideration of a criminal history notification and/or Working with Children Check
 - Confirmation of identity: original birth certificate or extract; driver's licence/passport
 - Verification of qualifications
 - Thorough reference checks: at least two (including the current or most recent employer); in person or on the telephone; must have observed the applicants work with children

Interview process

- At least three people are on the interview panel, including, where possible, a mixed gender and an outside person or someone with HR/interviewing experience
- Questions are behavioural based and ask the interviewee to provide examples of their past behaviour in specific situations relevant to the job
- Questions are values based on relationships with children, professional boundaries, resilience and motivation, teamwork, accountability and ethical dilemmas
- Questions are based key selection criteria
- Candidates are asked about their attitudes, aspirations and motivations
- More detail is asked for when answers are incomplete.

Ongoing management

- Orientation and induction cover information about values, attitudes, expectations and workplace practices in relation to maintaining a child safe environment.
- Regular meetings are held with staff and volunteers and the committee of management.
- Training and education are provided for all staff on child safety.
- Resourcing and support are provided for all staff.
- Staff and volunteers are treated with respect.