

# Child Safe Policy

## NQS

Element	1.1.2	Child-centred -Each child’s current knowledge, strengths, ideas, culture, abilities and interests are the foundation of the program.
	1.2.3	Child directed learning - Each child's agency is promoted, enabling them to make choices and decisions that influence events and their world.
	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.
	3.2.1	Inclusive environment - Outdoor and indoor spaces are organised and adapted to support every child's participation and to engage every child in quality experiences in both built and natural environments
	5.1.1	Positive educator to child interactions - Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included
	5.1.2	Dignity and rights of the child - The dignity and rights of every child are maintained
	5.2.1	Collaborative learning - Children are supported to collaborate, learn from and help each other.
	6.1.3	Families are supported - Current information is available to families about the service and relevant community services and resources to support parenting and family wellbeing.
	7.2.1	Continuous improvement - There is an effective self-assessment and quality improvement process in place.
	7.2.3	Development of professionals - Educators, co-ordinators and staff members’ performance is regularly evaluated and individual plans are in place to support learning and development

## National Law

Section	162A	Persons in day-to-day charge and nominated supervisors to have child protection training
	165	Offence to inadequately supervise children
	166	Offence to use inappropriate discipline
	167	Offence relating to protection of children from harm and hazards
	169	Offence relating to staffing arrangements
	170	Offence relating to unauthorised persons on education and care service premises
	173	Offence to fail to notify certain circumstances to Regulatory Authority
	174	Offence to fail to notify certain information to Regulatory Authority
	175	Offence relating to requirement to keep enrolment and other documents

## National Regulations

Reg	12	Meaning of serious incident
	82	Tobacco, drug and alcohol-free environment
	84	Awareness of child protection law
	87	Incident, injury, trauma and illness record
	100	Risk assessment must be conducted before excursion
	102B	Transport risk assessment must be conducted before service transports child
	120	Educators who are under 18 to be supervised
	123	Educator to child ratios—centre-based services
	145	Staff record
	146	Nominated Supervisor

147	Staff members
166	Children not to be alone with visitors
168(2)(h)	Education and care services must have policies and procedures in relation to providing a child safe environment
175	Prescribed information to be notified to Regulatory Authority
177	Prescribed enrolment and other documents to be kept by approved provider

## Aim

To ensure the safety, health and wellbeing of children through organisational culture, values and practices that embed a culture of child safety.

## Related Policies

Additional Needs Policy

[CCTV Policy](#)

Child Protection Policy

Education, Curriculum and Learning Policy

Educator and Management Policy

Excursion Policy

Governance Policy

Grievance Policy

Incident, Injury, Trauma and Illness Policy

Parental Interaction and Involvement in the Service Policy

Policy and Procedure Review Policy

Photography Policy

Privacy and Confidentiality Policy

[Recruitment Policy](#)

Relationships with Children Policy

Social Media Policy

Staffing Arrangements Policy

Technology Usage Policy

Tobacco, Drug and Alcohol Policy

## Implementation

All managers, staff and volunteers are committed to implementing the NSW Child Safe Standards. The safety, health and wellbeing of children is the number one priority of all staff and volunteers who understand children's safety is a shared responsibility. We have zero tolerance for any form of child abuse and are committed to acting in children's best interests. Our policies and procedures support and inform this commitment, and our leaders and managers regularly review staff and volunteer practices and understanding, prioritising training or taking other relevant action if required.

Our policies and procedures also support and comply with the Education and Care National Law and Regulations, and the National Quality Standard (NQS), whose guiding objective and principles outlined in section 3 include ensuring "the safety, health and wellbeing of children attending

education and care services”, “the rights and best interest of children are paramount”, the principles of equity, inclusion and diversity underlie this Law”, “that Australia’s Aboriginal and Torres Strait Islander cultures are valued”, and “that the role of parents and families is respected and supported.” This objectives and principles are embedded in many of the Laws and Regulations which we must comply with. The Laws, Regulations and NQS elements which are particularly relevant to child safety are listed above.

Below we discuss our Service’s approach to the ten Child Safe Standards, and outline Service policies or practices which support them (Standard 10 Policies and procedures document how the organisation is child safe.) Our contracts of employment require all employees to comply with service policies and procedures.

### **Standard 1 Child safety is embedded in organisational leadership, governance and culture**

A child safe organisational culture drives the way things are done and how issues and risks are managed. Strong, transparent and accountable leadership can deter perpetrators of abuse, and ensure employees understand and comply with their obligations to report suspicions or disclosures of abuse.

Service policies which support this Standard include our:

- **CCTV Policy** which promotes a child safe environment while complying with the Australian Privacy Principles
- **Child Protection Policy** which clearly outlines the responsibilities and obligations of all employees and volunteers under State child protection legislation. It also outlines our Child Protection Risk Management Strategy, including our Code of Conduct, Recruitment Procedures which ensure potential employees fully understand and support the child safe Service culture, Procedures for Reporting and Documenting Abuse or Neglect, Procedures for Managing Breaches of the Strategy, and Risk Management for High Risk Activities
- **Educator and Management Policy** which includes our Code of Conduct and Management Responsibilities.

The Code includes clear expectations of appropriate interactions with children, and examples of appropriate and inappropriate interactions, and the requirement for compliance with all Service policies and procedures. The Code also guides the behaviour of families and visitors, indicating they will not have physical contact with other children at the service unless a staff member is present.

Management responsibilities include ensuring staff meet qualification requirements, mandated educator to child ratios are maintained, all staff understand their responsibilities under the National Law, Regulations and NQS, all staff, visitors and volunteers comply with the Code of Conduct, organising or providing appropriate staff training and performance reviews, and regularly implementing documented staff meetings

- **Governance Policy** which includes the Governance Principle “recognise and manage risk to children.” This Principle is evident in the regular risk assessments completed by educators and staff as they assess and manage the potential risk of harm to children during activities and events, and in the regular formal and informal training educators and staff receive to refresh their skills and understanding of practices that ensure the safety of children including but not limited to child protection and child safe practices such as adequate supervision, managing

incidents and complaints, privacy requirements, implementing risk assessments, and safe excursion and transport practices

- **Grievance Policy** which includes our complaint handling procedures and guidelines, including potential outcomes
- **Incident, Injury, Trauma and Illness Policy** which requires staff maintain records that enable us to monitor, review and report incidents as required under the National Law (see also Standard 6)
- **Relationships with Children Policy** which covers positive interactions with children by educators, staff and other children (in cases of bullying for example)
- **Staffing Arrangements Policy** which includes procedures for supervising children to ensure their safety and remove any potential for child abuse, and requirements for clear Working With Children Checks.

Our Child Safe Policy is available to all families in our policy folder, as part of our regular policy review program.

### **Standard 2 Children participate in decisions affecting them and are taken seriously**

Educators promote a culture of participation and inclusion, viewing all children as active participants and decision makers as they seek to include the interests, ideas, strengths, culture, abilities etc of each child. They understand this is an essential part of effectively implementing the NQS and the Early Years Learning Framework (EYLF) which promote each child's agency, perspective and participation, and require that educators are responsive to each child's ideas, interests and needs. See for example NQS Elements 1.1.2 Child-centred, 1.2.3 Child directed learning and 5.2.1 Collaborative learning (where children are supported to learn from and help each other), EYLF Principle 'Secure, respectful and reciprocal relationships' and EYLF Practice 'Responsiveness to Children' which promote respectful and reciprocal relationships with children based on deep understanding of their interests, community and culture.

As part of this process, educators regularly empower children to take part in discussions about their safety and decisions that affect them, and value their ideas, suggestions and feedback. Educators are attuned to babies' and younger children's non-verbal cues to plan curriculum and respond in ways that empowers them. Our Educational Leader regularly reviews educators' practices and supports them to continually improve.

Service policies which support this Standard include our:

- **Child Protection Policy** which requires educators, as part of the 'Strategies for Communication and Support' component of the Child Protection Risk Management Strategy, to regularly include age appropriate learning about the way adults should behave from a child safety perspective, including their right to make decisions about their body and privacy, that they have a right to feel safe at all times, how to keep themselves safe, and what to do if they feel unsafe
- **Education, Curriculum and Learning Policy** which outlines practices which implement the EYLF, including regularly involving children in decision making about their learning and environment as part of the assessment and planning cycle
- **Relationships with Children Policy** which contains detailed guidelines and examples about children's inclusion, agency and peer support. The Policy also contains information and example

of appropriate Behaviour Guidance strategies which support children to express and meet their needs.

We also display the United Nations Convention on the Rights of the Child.

### **Standard 3 Families and communities are informed and involved**

Educators constantly build partnerships with families and community members, which provides many opportunities for discussion and feedback about safety practices. Educators and staff regularly encourage families to contribute to decisions about Service practices as well as their child's learning through questionnaires, information nights, face to face conversations and our 'Open Door Policy.' Families know they can locate Service policies and procedures at the foyer of the main entrance, and are asked for feedback when we review our policies. Providing information about service operations is also a requirement under NQS Element 6.1.3 'Families are supported.'

Child safe information is provided to families in various formats including displays and brochures, and is discussed in more detail with families the week our professional development covers element 2.2.3 Child Protection. Several Policies and our Code of Conduct are also included in our family enrolment/information packs.

We note this is consistent with our obligations under the guiding principles in the National Law section 3(3) to respect and support the role of parents and families.

Our response to child safety, including any cases of including in cases of harm, suspected harm or complaints, is also culturally sensitive. For example we engage with families and/or community members to improve our understanding of cultural behaviours and inform our responses.

Service policies which support this Standard include our:

- **Child Protection Policy** as discussed above
- **Educator and Management Policy** which includes our Code of Conduct as discussed above
- **Governance Policy** which includes our Service structure and identifies the people in leadership and management positions
- **Grievance Policy** which includes our complaint guidelines and the name of our Complaints Officer.
- **Parental Interaction and Involvement in the Service Policy** which highlights our 'Open Door' approach to facilitating transparent, two-way communication
- **Policy and Procedure Review Policy** which outlines how and when families will be encouraged to provide feedback on policies and procedures

### **Standard 4 Equity is upheld and diverse needs are taken into account**

Educators regularly plan and implement learning which promotes the benefits of cultural diversity, and the unique abilities and strengths each person has regardless of any additional needs, personal preferences or orientations, or family structure. Educators focus daily on ensuring *each child* can reach their potential in an inclusive environment which supports their participation, identity, connection to their world and sense of wellbeing. These practices underpin the NQS and the EYLF which promote equity, diversity and inclusion. See for example NQS Element 3.2.1 Inclusive Environment and Standard 5.1 Respectful and Equitable Relationships are maintained with each

Child, as well as EYLF Principle High Expectations and Equity and EYLF Practice Cultural Competence. Educators also use the indicators under the EYLF Learning Outcomes to help identify children with vulnerabilities and additional needs.

In addition, where possible our staff profile reflects the diversity at our Service and in the local community, as this assists in building relationships with children and families, and in building the cultural competence of all educators and staff.

Service policies which support this Standard include our:

- **Additional Needs Policy** which discusses how we design or adapt the environment to ensure each child can participate and achieve meaningful learning outcomes, and how we work with external professionals, families and children to help achieve this outcome
- **Child Protection Policy** which includes the indicators of abuse, the practices to effectively manage a suspicion or disclosure of harm, including where children may be unwilling to discuss this, and regular activities and experiences which teach children about their right to privacy, safety and who to approach for help if they don't feel safe
- **Education, Curriculum and Learning Policy** which outlines additional strategies educators use to promote each child's inclusion and participation, including establishing links with local cultural groups and using intentional teaching strategies to promote cultural customs, stories, traditions, history, inviting families and community members to visit and complete activities with children
- **Relationships with Children Policy** which covers inclusive practices as outlined in Standard 2 and also outlines practices to help support children through traumatic events

#### **Standard 5 People working with children are suitable and supported**

Our managers do not rely solely on clear Working with Children Checks. Our human resource practices support the recruitment and ongoing management of employees who implement strong child safe practices every day. For example our employment advertising includes a Statement of Commitment to Child Safety, interview questions establish the suitability of staff, referees are contacted, our Induction process requires all staff to review and acknowledge in writing our Child Protection Policy and Code of Conduct, job descriptions set clear expectations about child safety, and we implement probationary periods. The Nominated Supervisor also implements an ongoing training program tailored to each staff member's needs and goals which are identified through regular performance reviews.

Our employee and volunteer induction processes include reviewing child safe policies, procedures and expectations, and educators and staff review one or two Service policies every week as part of their professional development. Volunteers are required to comply with all service policies and procedures and code of conduct.

Service policies which support this Standard include our:

- **Child Protection Policy** which includes Recruitment practices that clearly describe the expectations for employees to provide a child safe environment
- **Educator and Management Policy** which, in line with NQS Element 7.2.3 Development of professionals, requires the performance of educators and staff to be regularly evaluated against

their position description, and training plans devised and implemented where there is an identified need, including for example in child safe practices. Training may occur through a recognised face to face or on-line training course, mentoring and at staff meetings. The Nominated Supervisor must include training funds in the annual budget.

The Policy also outlines orientation practices to ensure new or returning staff are aware of current service policies and procedures, including those ensuring they meet their child protection obligations.

- **Recruitment Policy/Procedure** which contains screening processes, use of position descriptions and interviews
- **Staffing Arrangements Policy** which contains qualification requirements, including those consistent with the Child protection (Working With Children) Act 2018, and Supervision procedures with a child safety focus
- **Tobacco, Drug and Alcohol Policy** which clearly states educators and staff must not drink alcohol or take drugs at the Service, and must not attend if adversely affected by alcohol or drugs, including prescription medication.

#### **Standard 6 Processes to respond to complaints of child abuse (or other concerns) are child-focused**

Complaints are taken very seriously at our Service, and children's safety and wellbeing is always our number one priority. Our child safety practices emphasise a child focus rather than focusing on adult intent, and as mentioned under Standard 3, we engage with families and/or community members to respond in culturally sensitive ways where appropriate.

Service policies which support this Standard include our:

- **Child Protection Policy** which contains a clear step by step procedure for reporting harm or suspected harm, for example to Police, Child Protection, the ECEC Regulatory Authority and Children's Guardian (under Reportable Conduct Scheme). It also includes information about referrals to family support services and exchanging information with other specified organisations (under Chapter 16A of the *Children's and Young Person's (Care and Protection) Act 1998*).

Where staff are the subject of child safety complaints, the Approved Provider or Nominated Supervisor must review their duties, decide if it's safe for them to continue working with children while the complaint is investigated, and if so ensure they're appropriately supervised at all times

- **Grievance Policy** which contains clear and transparent investigation guidelines including time frames, review processes, privacy and confidentiality requirements and potential outcomes of complaints including disciplinary action. The Policy clearly requires educators and staff support children to access the complaints process for all complaints alleging their safety or wellbeing is or could be harmed, if not already implementing the procedures in the Child Protection Policy. In line with the Policy and guidelines we also maintain a Complaint Register and regularly review the types, content and outcome of complaints to identify any patterns and underlying issues
- **Incident, Injury, Trauma and Illness Policy** which includes requirements under the National Law and Regulations to document and promptly notify the Regulatory Authority any 'Serious Incidents,' complaints alleging a Serious Incident has occurred, complaints that the National Law or Regulations have been breached, any circumstances arising at the Service that pose a risk to

the health, safety and wellbeing of a child, and of any incident, complaint or allegation that physical or sexual abuse of a child has occurred.

**Standard 7 Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training**

Our Service is committed to a culture of ongoing learning and continuous improvement (as required under NQS element 7.2.1). This includes a commitment to ensuring all educators and staff know how to identify and respond to all forms of child abuse, and are aware of current child safe knowledge and practices.

Service managers, for example, ensure they and all educators and staff participate in annual refresher training on their child safe obligations, the importance of taking a child-focused approach, the indicators of abuse and patterns of behaviour that indicate a risk to children, record keeping and reporting procedures, and Service child safe practices, policies and resources. Training may be provided in-house, or by external providers where appropriate. Child safety is also regularly included on staff meeting agendas. Child safe training always includes case studies and examples to support the development of practical skills and 'real-life' child safe responses.

Service policies which support this Standard include, as previously discussed, our:

- **Child Protection Policy** (see all Standards)
- **Educator and Management Policy** (see Standard 5)

**Standard 8 Physical and online environments minimise the opportunity for abuse or other kinds of harm to occur**

We comply with child safety requirements under the National Education and Care Law and Regulations (refer those listed at the front of this policy). For example, Law section 165 'Offence relating to protection of children from harm and hazards' requires all employees and volunteers to take a risk management approach to safety, and Regulation 168(2)(h) requires services to have Policies relating to providing a child safe environment. ACECQA has indicated in its draft Child Safe Policy Guideline this covers supervision, staffing, child protection and the physical environment. Employees and volunteers regularly complete risk assessments prior to implementing activities or events that could potentially expose children to harm from a child protection and environmental perspective. Risk assessments always involve identifying and assessing risks, implementing measures to eliminate risks or to reduce them to acceptable levels, and ongoing monitoring. There are also the notification requirements outlined in our Incident, Injury, Trauma and Illness Policy to promptly notify the Regulatory Authority of child safety issues which we discussed under Standard 6.

Managers, staff and educators understand the physical environment can provide opportunities for abuse to occur and implement supervision practices that reduce this risk. Where possible, physical environments are altered to increase natural lines of sight while respecting a child's right to privacy, and their need for risky play which allows them to temporarily 'disappear' (refer Sandseter's categories of risky play.) There is an increased focus on higher-risk locations including nappy change areas, and during events, transitions and excursions. This is reflected in our risk assessments, including those required under the National Regulations prior to conducting excursions or transporting children.

We also consider and protect children's safety in the online environment in an age appropriate way. Educators may discuss with younger children, for example, how there's no way to be sure who they're interacting with online. With older school age children, educators may cover risks like sharing intimate images, cyberbullying, and meeting in person with online contacts. If needed, staff are provided with training on online risks to children, and families are provided with relevant information to support their parenting and children's wellbeing in line with NQS Element 6.1.3.

Service policies which support this Standard include our:

- **CCTV Policy** as discussed under Standard 1
- **Educator and Management Policy** which includes our Code of Conduct and the requirements when visitors attend the service. These include ensuring visitors are never left alone with children, and have a child protection clearance (unless exempt)
- **Incident, Injury, Trauma and Illness Policy** as discussed under Standard 6
- **Photography Policy** which promotes children's privacy and safety by requiring parents to consent before photos/videos are taken of their child, and before these are posted on any social media platforms, websites or used in service publications
- **Social Media Policy** which also promotes children's privacy and safety by banning educators and staff from using personal cameras or phones to take photos/video at the service, and from posting children's private information, photos or videos to their personal social media accounts.
- **Staffing Arrangements Policy** which discusses issues affecting the adequacy of supervision (these include the visibility and accessibility of areas where children are playing), supervision practices including the need for educators to position themselves to see as much of the play area as possible and to follow any playground supervision plans, particular activities that require focused supervision (including in bathrooms/toilets and higher risk activities). Other practices which support Regulation requirements include ensuring educator to child ratios are always met and educators under 18 are always supervised
- **Technology Usage Policy** which requires devices only be used to support children's learning, only age appropriate websites are accessed, and that educators directly supervise children when they're on-line.

### **Standard 9 Implementation of the Child Safe Standards is continuously reviewed and improved**

We are committed to a culture of continuous improvement, and we strive to reach or maintain an Exceeding rating under the NQS. We continually review our child safe practices and policies, and review any incidents and complaints to identify systemic causes which we address where possible. Regular training to embed child safety practices, and identify emerging trends and knowledge is a priority (reflected in training plans), and where relevant we seek a specialist external provider to facilitate this.

To support our continuous improvement, all managers, educators and staff also regularly engage in documented critical reflection of Service practices and policies, interactions with children and families, and children's learning and development. This involves considering issues from multiple perspectives including those of children, families, colleagues and theorists, considering social justice and power imbalances, and often implementing changes in practice as a result. As part of our regular

reviews, we may review the Child Safe resources available on the Office of the Children’s Guardian website.

Service policies which support this Standard include our:

- **Policy and Procedure Review Policy** which requires all Service policies and procedures to be regularly reviewed and updated in a scheduled, documented process. Regulatory authorities implementing the Education and Care Services National Law and Regulations require all policies be reviewed at least annually
- **Relationships with Children Policy** which contains extensive guidelines and examples to support positive interactions with children and behaviour management guidance. The Policy also clearly states staff must not isolate or intimidate children, or use corporal punishment to guide behaviour.

### **Standard 10 Policies and procedures document how the organisation is child safe**

As discussed above, we have many Policies and Procedures that support our child safe focus. These are accessible to employees and families in hard copy and electronic versions and where possible bilingual staff discuss relevant policies with families in their home language.

Managers implement a robust performance management procedure where non-compliance with the National Law, Regulations or Service policies and procedures is identified, for example through reporting and feedback arrangements between room/group leaders, the Educational Leader and the Nominated Supervisor, or through our complaint handling process.

Any questions about child safety or this Policy may be directed to a Responsible Person at the service (the Approved Provider, Nominated Supervisor or Person in Day to Day Charge). If employees, volunteers and families have concerns about the Approved Provider or Nominated Supervisor’s ability to provide or maintain a child safe environment, they should first discuss their concerns with another Responsible Person who will investigate and if substantiated contact the Child Protection Hotline on 132 111, the NSW Regulatory Authority on 1800 619 113, the Police on 000 or the Children’s Guardian on 8219 3600 for advice. Employees, volunteers and families may contact these organisations directly if they believe the Responsible Person has not taken appropriate action.

## **Source**

**Education and Care Services National Law and Regulations**

**National Quality Standard**

**Early Years Learning Framework**

**UN Convention on the Rights of the Child**

**National Principles for Child Safe Organisations (Child Safe Standards)**

**Children’s Guardian Act 2019 – including the NSW Child Safe Standards**

**A Guide to the Child Safe Standards – Office of the Children’s Guardian**

**Implementing the Child Safe Standards: A guide for early childhood education and outside school hours care services - NSW Department of Education**

## **Review**

This policy will be reviewed annually by Management, Employees, Families and Interested Parties