

Policy 16

Child Safe Environment and Wellbeing Policy

Policy Statement

Wideview Outside School Hours Care Service believes that it is every child's right to be safe and protected from all forms of abuse, violence, or exploitation. It is the legal and moral obligation of all adults who work within our service to ensure the safety and wellbeing of all children in our care.

All educators, including casuals, volunteers and students have a duty of care to ensure the safety and protection to all children who access the service's facilities and programs by adhering to the Child Safe Standards and practices. Where a conflict may arise between the interests of the service or approved provider and the rights and best interests of a child or the children to whom the approved provider provides education and care, the rights and best interests of the child or children will prevail.

The safety and welfare of all children is of paramount importance. Every child and young person have the right to be safe, we strive to create a child safe and child friendly environment where all children are valued and heard, are safe and protected. We recognise the diversity of all children and young people, including (but not limited to) the needs of Aboriginal and/or Torres Strait Islander children and young people, and children and young people from culturally and/or linguistically diverse backgrounds.

We are committed to child safety and our obligation as Mandatory Reporters as indicated under legislation. We ensure policies and procedures are in place that support our Educators and volunteers to achieve these commitments.

Links to Education and Care Services National Regulations Law and National Quality Standard

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2	Safety	Each child is respected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
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.
4.1.1	Organisation of educators	The organisation of educators across the service supports children's learning and development.
7.1	Governance	Governance supports the operation of a quality service.
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.

EDUCATION AND CARE SERVICES REGULATIONS AND NATIONAL LAW	
Sec 162A	Child protection training
Sec 165	Offence to inadequately supervise children
Sec 166	Offence to use inappropriate discipline
Sec 167	Offence relating to protection of children from harm and hazards
Reg 77	Health, hygiene and safe food practices
Reg 82	Environment to be free from tobacco, vaping devices, vaping substances, drugs and alcohol
Reg 84	Understanding of child protection law
Reg 85	Incident, injury, trauma and illness policies and procedures
Reg 86	Notification to parents of incident, injury, trauma and illness
Reg 87	incident, injury, trauma and illness record
Reg 115	Premises designed to facilitate supervision
Reg 122	Educators must be working directly with children to be included in ratios
Reg 145	Staff record
Reg 165	Record of visitors
Reg 16	Children not to be alone with visitors
Reg 167	Record of service's compliance
Reg 168	Education and care service must have policies and procedures
Reg 170	Policies and procedures to be followed
Reg 171	Policies and procedures to be kept available
Reg 175	Prescribed information to be notified to Regulatory Authority

Procedure

If you believe a child is at immediate risk, phone 000.

1. Our Service

1.1 Our service policies and procedures that provide for:

- (i) A commitment to ensuring a particular child's safety, welfare and wellbeing are paramount in all decisions and actions.
- (ii). Ensuring all staff complete child protection training as required by the Education and Care Services National Law, with up-to-date records of training maintained.
- (iii) Maintaining a register of child protection concerns
- (iv) Ensuring that staff know how to report any concerns and having the NSW Early Learning Commission's Reporting Guide in a place accessible by all staff
- (v) Conduct child protection risk assessments
- (vi) Maintain accurate daily attendance records, ensuring children are accounted for at all times

2. Our children

- 2.1 Will be involved in making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say and build respectful and trusting relationships.
- 2.2 We promote diversity and acceptance of people from all walks of life and cultural backgrounds, at WOOSHC we -
- promote the cultural safety, participation, and empowerment of Aboriginal and indigenous children.
 - promote the cultural safety, participation, and empowerment of children from culturally and/or linguistically diverse backgrounds.
 - ensure that children with a disability are safe and can participate equally.

3. Educators and volunteers

- 3.1 All educators employed by the service over the age of 18 years including management, full time/ part time educators, volunteers and students will be subject to a Working with Children Check that must be verified through the office of the children's guardian before starting in any role.
- 3.2 When the service engages incursion contractors, the provider is required to provide a Working with Children check verification, or a Certificate for Self-Employed People. These certificates are issued through the NSW Commission for Children and Young People. Application form and instructions are available on <https://www.acyp.nsw.gov.au/> or <https://ocg.nsw.gov.au/>
- 3.3 All staff and volunteers must agree to abide by our code of conduct which specifies the standards of conduct required when working with children. Our WOOSHC community are given the opportunity to contribute to the development of the code of conduct.
- 3.4 Staff and volunteers are aware and understand The Child Safe Standards —
1. Child safety is embedded in organisational leadership, governance and culture.
 2. Children participate in decisions affecting them and are taken seriously.
 3. Families and communities are informed and involved.
 4. Equity is upheld, and diverse needs are taken into account.
 5. People working with children are suitable and supported.
 6. Processes to respond to complaints of child abuse are child focused.
 7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.
 8. Physical and online environments minimise the opportunity for abuse to occur.
 9. Implementation of the Child Safe Standards is continuously reviewed and improved.
 10. Policies and procedures document how the organisation is child safe.

4. Training and supervision

- 4.1 Training and education are important to ensure that everyone understands that child safety is everyone's responsibility.
- 4.2 All staff will complete child protection training as required by the Education and Care Services National Law, with up-to-date records of training maintained.
- 4.3 We aim to train and mentor staff and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.
- 4.4 New staff and volunteers will be advised and mentored to ensure they understand WOOSHC's commitment to child safety, the child safe standards and that everyone has a role to play in protecting children.
- 4.5 Any inappropriate behaviour will be reported through appropriate channels, including NSW Communities and Justice, office of the children's guardian and NSW Police, depending on the severity and urgency of the matter.

5. Mandatory Reporting

- 5.1 A Mandatory Reporter is anybody who delivers services to children as part of their paid or professional work. In OOSH services, mandatory reporters are:
 - Educators that deliver services to children either paid or voluntary
 - Management, whose duties include direct responsibility or direct supervision for the provision of these services.
- 5.2 Educators are mandated to report to Department of Communities and Justice (DCJ) if they have current concerns about the safety or welfare of a child relating to section 23 of the NSW Children and Young Persons (Care and Protection) Act 1998 Section 23 (1) within 24 hours.
 - (a) the child's or young person's basic physical, psychological, medical and education needs are not being met or are at risk of not being met,
 - (b) the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated,
 - (c) the child or young person is living in a household where there have been incidents of domestic violence and are at risk of physical or psychological harm.
- 5.3 Reports should be treated with strict confidentiality in adherence to the service's Confidentiality Policy and Procedures. Any educator who forms a belief based on reasonable grounds that a child is at risk of harm should discuss their concerns with their Team Leader/ Nominated Supervisor, as he or she may have information the educator is not aware of.
- 5.4 The Team Leader/ Nominated Supervisor will assist educators in completing the online Mandatory Reporters Guidelines tool (MRG) to determine whether the report meets the threshold for **significant** risk of harm. The MRG is an interactive tool and is available online at: <https://reporter.childstory.nsw.gov.au>
- 5.5 The report page from the MRG should be downloaded and recorded for future reference regardless of whether further action is recommended.
- 5.6 If directed by the MRG to report to DCJ, educators should report their concerns to the Child Protection Helpline:

Mandatory Reporters phone 13 36 27
Non-Mandatory reporters' phone 132 111
- 5.7 Once a report is made to the Helpline no further report needs to be made unless new information comes to hand.
- 5.8 If new information presents concerning the child or young person run the MRG tool again. Where concerns do not meet the significant harm threshold, the MRG tool will guide educators to 'Document and continue the relationship'. This requires the service to continue to support, provide services, and coordinate assistance and referral for the child and their family. For assistance with referral information. - Family Services <https://dcj.nsw.gov.au/>

6. Information exchange

- 6.1 To provide effective support and referral it may be necessary to exchange information with other prescribed bodies including government agencies or non-government organisations and services.
- 6.2 The NSW Children and Young Persons (Care and Protection) Act 1998 has been amended (2009) to include chapter 16A Information Exchange. Under Chapter 16A NSW Children and Young Persons (Care and Protection) Act 1998, educators will exchange information that relates to a child or young person's safety, welfare, or wellbeing, whether the child or young person is known to Community Services and whether the child or young person consents to the information exchange.
- 6.3 The information requested or provided **must** relate to the safety, welfare, or wellbeing of the child. Information includes:
- A child or young person's history or circumstances
 - A parent or other family member, significant or relevant relationship
 - The agency's work now and in the past
- 6.4 Where information is provided in good faith and according to legal provisions, under section 29 & section 245G NSW Children and Young Persons (Care and Protection) Act 1998; reporters cannot be seen as breaching professional etiquette or ethics or as a breach of professional standards. There can be no liability for court action.
- 6.5

7. Where a complaint is made about an Educator or someone in the service

- 7.1 Should an incident occur that involves a child being put at risk of harm from an educator, volunteer, trainee or person visiting the service, this is regarded as '**reportable conduct**' and necessitates such conduct being reported to the NSW Ombudsman within 30 days.
- 7.2 Where the allegation is made to an educator or member of management the facts as stated will be recorded in writing, using an Incident Report template that includes dates, times, names of person/s involved, name of person making allegation and the person making the report. This report should be kept on record and treated as strictly confidential.
- 7.3 If the Nominated Supervisor is suspected, then management should be informed.
- 7.4 The relevant forms together with information and assistance are available online at <https://ocg.nsw.gov.au/> The person making the report should follow the advice of the Ombudsman's Departmental Officers.
- 7.5 For the protection of both the children and the educator involved, the educator should be encouraged to take leave or be removed from duties involving direct care and contact with children, until the situation is resolved.
- 7.6 Support should be provided to all involved. This support can be given in the form of counselling or referral to an appropriate agency.

8. Removal and Assumption of Care by Department of Communities and Justice

- 8.1 Department of Communities and Justice (an agency within the NSW Government) and NSW Police have the legal authority to remove children from their parents' responsibility where:
- There are reasonable grounds to believe that the child or young person is at significant risk of harm
 - AND
 - The risk is immediate.
- 8.2 Section 34 of the Children and young Persons (Care and Protection) Act 1988 (the Act) authorises DCJ to take whatever action necessary to safeguard or promote the safety, welfare and well-being of a child or young person who needs care or protection.
- 8.3 Staff will follow the procedure for removal of care.
- DCJ should contact WOOSHHC to seek approval from the Nominated Supervisor or the Responsible Person on duty to collect the child and advise about the need to remove the child from the service,

including the names of the representatives and the proposed arrival time (DCJ may be assisted by Police).

- Do not contact the child's parent/s to advise them about the removal of the child.
- Contact the Nominated supervisor if not on duty immediately to advise them that a child will be removed from care by DCJ representatives and details provided.
- If there has not been a prior call, the Responsible Person on duty should:
 - Confirm the identification of the representatives (formal ID)
 - Record the names and contact details of the representatives and the names of any Police in attendance.
 - Request that they sign the visitor in/out.
 - If there is any doubt about the identity of the DCJ representatives the Certified Supervisor on duty or, if the removal is taking place outside office hours, contact the Child Protection Helpline on 133627 (the mandatory reporting number)

8.4 If the parent contacts and/or arrives at the service for information they should be directed to contact the Department of Communities and Justice, or to call the Child Protection Helpline on 132111. Where possible a caseworker should remain at the service to inform the parent.

8.5 Educators or parents can also contact the Complaints Unit on 1800 000 164 if they have a complaint in relation to the removal.

Sources, further reading and useful websites

- Australian Children's Education & Care Quality Authority. (2014).
- My Time, Our Place: Framework for School Age Care in Australia (2011).
- Child Story <https://reporter.childstory.nsw.gov.au>
- Office of the children guardian <https://ocg.nsw.gov.au/>
- Department of Communities and Justice Services <https://dcj.nsw.gov.au/>
- NSW Commission for Children and Young People <https://www.acyp.nsw.gov.au/>
- Child Protection Helpline 13 36 27
- NSW Ombudsman <https://www.ombo.nsw.gov.au/>

Policy review information –

The Service encourages staff and parents to be actively involved in the annual review of each of its Policies and Procedures. In addition, the Service will accommodate any new legislative changes as they occur, and any issues identified as part the Service's commitment to quality improvement. The Service consults with relevant recognised authorities as part of the annual review to ensure the policy contents are consistent with current research and maintain the highest standards of child safety and practice.

Review Date	Date completed	By Whom	Collaborated	Comment
July 2023	July 2023	Brandi (Manager)	Staff Committee Parents	
July 2024	Aug 2024	Brandi (Manager)		
July 2025	29 th July 25	Brandi (Manager)		
July 2026	20 th April 2026	Brandi (Manager)		