

Purpose

This policy provides a clear set of guidelines and procedures for the East Preston Islamic College Early Learning Centre (EPIC ELC) to:

- provide a safe environment for all children which ensures their safety, health and wellbeing

- promote the cultural safety of all children

- identify, reduce and remove risks of child abuse

- intervene when a child may be at risk of abuse or neglect

- involve children in child safety including listening to children and incorporating their views about how to provide a safe environment

- make staff aware of their legal and duty of care obligations to report child abuse and neglect

Policy statement

Values

EPIC ELC:

- is committed to the rights of all children to feel safe, and be safe at all times, including:

 - promoting the cultural safety of Aboriginal children

 - promoting the cultural safety of children from culturally and linguistically diverse backgrounds

 - promoting the safety of children with a disability

- values, respects and cares for children

- fosters opportunities for each child to participate, express their views and to learn and develop

- always acts in the best interests of each child and has zero tolerance of child abuse

- takes all reasonable steps to ensure the health, safety and wellbeing of children at all times, whilst also promoting their learning and development

- actively manages the risks of abuse or harm to each child, including fulfilling our duty of care (refer to *Definitions*) and legal obligations to protect children and prevent any reasonable, foreseeable risk of injury or harm

- continuously improves the way our service identifies risks of and responds to child

managing the risks to children whilst undertaking the investigation

updating the Commission for Children and Young People within 30 calendar days with detailed information about the reportable allegation and any action

notifying the Commission for Children and Young People of the investigation findings and any disciplinary action taken (or the reasons no action was taken)

maintaining confidentiality at all times (refer to *Privacy and Confidentiality Policy*)

reviewing this policy in consultation with staff, volunteers, parents/guardians, and children

providing appropriate resources and training to assist staff, contractors, volunteers and students to implement this policy (refer to *Sources*)

protecting the rights of children and families, and encouraging their participation in decision-making

keeping staff, contractors, parents/guardian, volunteers and students informed of any relevant changes in legislation and practices in relation to this policy

ensuring all staff, students, contractors, parents/guardians, volunteers and visitors abide by the *Code of Conduct Policy*

ensuring an explicit statement of EPIC ELC's commitment to child safety is included in all advertising promotion for the organisation.

The Nominated Supervisor and Persons in day-to-day charge are Responsible for:

keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy

ensuring continuous improvement in the implementation of the Child Safe Standards in EPIC ELC promoting an organisational culture of accountability for child safety which is open to scrutiny and is continuously reviewed and improved (refer to *Sources*)

ensuring the implementation of strategies to prevent child abuse in consultation with the Approved Provider and staff

providing appropriate resources and training to assist staff, contractors, volunteers and students to implement this policy (refer to *Sources*)

ensuring processes for responding to and reporting are followed when there are significant concerns for the safety, health or wellbeing of a child at the service (refer to Attachment 4 – Processes for responding to and reporting suspected child abuse)

notifying the Approved Provider or Person with Management or Control immediately on becoming aware of a concern, complaint or allegation regarding the safety, health and welfare of a child at EPIC ELC

offering support to the child and their family, and to educators and staff in response to concerns or reports relating to the safety, health and wellbeing of a child at EPIC ELC

making all staff aware of this policy, the Code of Conduct Policy and the Interactions with Childre730.7f2-11.3 ()0.7 (aw)-0.6 (ar)-6oba ch,of h,of-11.3 ()0.211.0.178 Tw T*f.50.006 T

using appropriate resources and undertaking training to assist with the implementation of this policy (refer to *Sources*)

abiding by the service's *Code of Conduct Policy* and *Interactions with Children Policy*.

Parents and Guardians are Responsible for:

The Approved Provider, Persons with Management Control, Nominated Supervisor, Persons in Day-to-Day Charge, staff, contractors and volunteers of early childhood services have legal and duty of care obligations to protect children under their supervision and care.

Duty of care obligations (refer to *Definitions*) require the Approved Provider, Person with Management or Control, Nominated Supervisor, Persons in Day-to-Day Charge, and staff to take reasonable steps to protect children from injury that is reasonably foreseeable.

In addition, organisations have a duty of care to take reasonable precautions to protect children from injury that is reasonably foreseeable.

Physical abuse: When a child suffers or is likely to suffer significant harm from an injury inflicted by a parent/guardian, caregiver or other adult. The injury may be inflicted intentionally, or be the consequence of physical punishment or the physically aggressive treatment of a child. Physical injury and significant harm to a child can also result from neglect by a parent/guardian, caregiver or other adult. The injury may take the form of bruises, cuts, burns or fractures, poisoning, internal injuries, shaking injuries or strangulation.

Sexual abuse: When a person uses power or authority over a child, or inducements such as money or special attention, to involve the child in sexual activity. It includes a wide range of sexual behaviour from inappropriate touching/fondling of a child or exposing a child to pornography, to having sex with a child and grooming with the intent of committing child sexual abuse.

Emotional and psychological abuse: When a child's parent or caregiver repeatedly rejects the child or uses threats to frighten the child. This may involve name calling, put downs or continual coldness from the parent or caregiver, to the extent that it significantly damages the child's physical, social, intellectual or emotional development.

Neglect: The failure to provide a child with the basic necessities of life, such as food, clothing, shelter, medical attention or supervision, to the extent that the child's health

Child protection notification: A notification to the Child Protection Service by a person who believes that a child is in need of protection.

Child Protection Service (also referred to as Child Protection): The statutory child protection service provided by the Victorian Department of Health and Human Services, to protect children and young people at risk of abuse and neglect. This service also works closely with Family Services (including Child FIRST) to support the assessment and engagement of vulnerable children and families in community-based services. **Code of conduct:** A set of rules or practices that establish a standard of behaviour to be followed by individuals and organisations. A code of conduct defines how individuals should behave towards each other and towards other organisations and individuals in the community (refer to *Code of Conduct Policy*).

Contractor: A person or company that undertakes a contract to provide materials or labour to perform a service or do a job. Examples include photographer, tradesperson, people contracted to provide an incursion.

Disclosure: (In the context of this policy) refers to a statement that a child or young person makes to another person that describes or reveals abuse.

Duty of care: A common law concept that refers to the responsibilities of organisations and staff to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury. In the context of this policy, duty of care refers to the responsibility of education and care services and their staff to provide children with an adequate level of care and protection against foreseeable harm and injury.

Maltreatment: (In the context of this policy) refers to physical and/or emotional mistreatment, and/or lack of care of the child. Examples include sexual abuse, the witnessing of family violence and any non-accidental injury to a child.

Mandatory reporting: The legal obligation of certain professionals and community members to report when they believe, on reasonable grounds, that a child is in need of protection from harm.

A broad range of professional groups are identified in the *Children, Youth and Families Act 2005* as 'mandatory reporters'. From 30 September 2015 this list includes VIT registered early childhood teachers. Mandated staff members must make a report to Victoria Police and/or Child Protection as soon as is practicable if, during the course of acting out their professional roles and responsibilities, they form a belief on reasonable grounds (refer to *Definitions*) that:

a child has suffered, or is likely to suffer, significant harm as a result of physical and/or sexual abuse (refer to *Definitions*) **and**

the child's parents/guardians have not protected, or are unlikely to protect, the child from harm of that type.

Mandatory reporters must also follow processes for responding to incidents, disclosures

Negligence: Doing, or failing to do something that a reasonable person would, or would not do in a certain situation, and which causes another person damage, injury or loss as a result.

Choose With Care: Child Protection – an information and training program:
www.childwise.net

Selection Process

At least three people are on the interview panel including, where possible, a gender mix and a person external to the service or someone with human resource/interviewing experience

Questions are behaviour-based and ask the interviewee to provide examples of their past behaviour in specific situations relevant to the job being applied for

Questions regarding relationships with children are values-

Resources and support are provided for all staff to ensure a child safe environment
Have a process to ensure that the registration of all early childhood teachers with Victorian Institute of Training remains current

Maintain a register of all staff with a WWCC card and regularly check the status of the WWCC cards of all staff to ensure that no one has been given a Negative Notice or had their card revoked or suspended or that it has expired

Develop processes to deal with a staff member who is given a Negative Notice including ensuring that they do not do any child-related work.

Attachment 3

Guidelines for incorporation of child safety into the recretetetafegisteraD DaBdec (1) (1) 2(w)1

If staff hold a reasonable belief that a child has been or is at risk of being abused, regardless of the advice of the Approved Provider or Person with Management or Control, or any other staff member, they must **still** make a report to Child Protection and/or Victoria Police.

The steps outlined in the Department of Education and Training's flowchart: *Four critical actions for early childhood services: Responding to Incidents, Disclosures and Suspicions of Child Abuse*, provides a summary of the critical actions which are to be followed: www.education.vic.gov.au

Records are kept about all child safety concerns or complaints. These records contain comprehensive descriptions of incidents/ issues of concern and provide evidence for actions taken, including reports made to statutory authorities or professional bodies and follow-up actions to be completed. The records are stored in accordance with the service's Privacy and Confidentiality Policy.

Privacy is maintained, and information is only disclosed on a need-to-know basis.

Permission is not required from parents/guardians of a child to make a report where abuse is suspected.

Managing a disclosure

It is very important to validate a c

wellbeing and the child is not in immediate need of protection. This may include circumstances when there are:

- significant parenting problems that may be affecting the child's development
- family conflict, including family breakdown
- families under pressure, due to a family member's physical or mental illness, substance misuse, disability or bereavement
- young, isolated and/or unsupported families
- families experiencing significant social or economic disadvantage that may adversely impact on a child's care or development.

Child FIRST provides a consolidated intake service to Family Services within sub-regional catchments. Child FIRST ensures that vulnerable children, young people and their families are linked effectively into relevant services, and this may be the best way to connect children, young people and their families with the services they need.

Making a report to child protection

A report to **Child Protection** should be made if, after taking into account the available information, the staff member forms a view that the child **is** in need of protection because:

- the harm or risk of harm has a serious impact on the child's immediate safety, stability and/or development
- the harm or risk of harm is persistent and entrenched, and is likely to have a serious impact on the child's safety, stability and/or development
- the child's parents/guardians are unwilling or unable to protect the child or young person from harm.

Upon receipt of a credible report, Child Protection will seek further information, often from professionals who may already be involved with the child or family, to determine whether further action is required. In determining what steps to take, Child Protection will also consider any concerns previously reported with regard to the child or young person. In most circumstances, Child Protection will inform the notifier of the outcome of investigations.

When reporting concerns of child abuse and/or neglect, it is important to remember that:

- a failure to notify the Department of Health and Human Services is an offence under section 182 of the *Children, Youth and Families Act 2005*
- Child Protection must be notified as soon as practicable
- it is not necessary to prove that abuse has taken place, only to provide reasonable grounds (refer to Definitions) for the belief
- permission from parents/guardians or caregivers is **not required** to make a notification, nor do they need to be informed that a notification is being or has been made
- if a notification is made in good faith, the notifier cannot be held legally liable for any consequences, 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 the disclosure of their identity, or if the court decides that this information must be disclosed

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 and their interactions with others

observing/monitoring the conditions of a protective court order that may relate to access or contact with a parent/guardian and following EPIC ELC's procedures where the conditions are breached

liaising with other professionals and child protection officers 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.

Contacting Parents/Carers

Parents/guardians should only be advised that a notification has been made after discussion with DHHS Child Protection or Victoria Police to determine what information can be shared.

The Reportable Conduct Scheme

The Approved Provider must initially notify the Commission for Children and Young People of a reportable allegation (refer to *Definitions*) within three business days and update the Commission of progress within 30 calendar days. '

The Approved Provider must also investigate the reportable allegation and provide the findings of the investigation to the Commission. The service must also respond to the Commission when contacted for information.

Support when making a report

