

CHILD SAFE

PRINCIPLE

Greater Shepparton City Council Children's Services are committed to the rights of all children to feel safe, and be safe at all times.

Culturally safe environments are established in which the diverse and unique identities and experiences of all children are respected and valued, promoting the cultural safety of Aboriginal children, children from culturally and/or linguistically diverse backgrounds and the safety of children with a disability.

DEFINITIONS

Child abuse: Constitutes any act committed against a child involving:

- physical violence
- sexual offences
- serious emotional or psychological abuse
- serious neglect.

Child Protection: The statutory child protection service provided by the Department of Families, Fairness and Housing (DFFS) – Child Protection, which is able to intervene to protect children and young people at risk of significant harm.

Child FIRST: A community based intake and referral service. Child FIRST ensures that vulnerable children, young people and their families are effectively linked to relevant services, including Child Protection.

Child Safe Standards: The new Child Safe Standards set out minimum requirements and outline the actions organisations must take to keep children and young people safe. There are eleven new Child Safe Standards effective 1 July 2022.

Corporal Punishment: Is the use of physical force with the intention of causing a child to experience pain or discomfort to correct or punish a child's behaviour (*Rowland, Gerry, & Stanton, 2017; United Nations Committee on the Rights of the Child [UNCRC], 2006*).

Discipline: Can be understood as action taken by adults towards children to stop or change behaviour that is inappropriate or not desired. (*ACECQA – Inappropriate Discipline – Information Sheet*)

Orange Door Is an access point for women, children and young people who are experiencing family violence or families who need assistance with the care and wellbeing of children to access the services they need to be safe and supported.

Reportable Conduct Scheme: The Reportable Conduct Scheme seeks to improve organisations' responses to allegations of child abuse and neglect by their workers and volunteers. The Scheme is established by the *Child Wellbeing and Safety Act 2005 (the Act)*.

Reportable Conduct: There is an allegation of 'reportable conduct' where a person has a reasonable belief that there has been:

- a sexual offences committed against, with or in the presence of a child
- sexual misconduct
- physical violence committed against, with or in the presence of a child
- behaviour that causes significant emotional or psychological harm
- significant neglect of a child
- misconduct involving any of the above

GUIDELINES

Children's Services will ensure:

1. Every reasonable precaution is taken to protect children at the service from harm and hazards that are likely to cause injury (*Education and Care Services Law – section 167*) (*Children's Services Act 1996 – 107 OCC only*).
2. No child being educated and cared for by the service is subjected to:
 - (a) any form of corporal punishment; or
 - (b) any discipline that is unreasonable in the circumstances (*Education and Care Services Law – section 166*).
3. At all times the dignity and rights of each child are maintained (*Education and Care Services Regulation 155*).
4. Staff, educator's, students and volunteers pay particular attention to the needs of children and young people with disability, children and young people from culturally and linguistically diverse backgrounds, those who are unable to live at home, and lesbian, gay, bisexual, transgender and intersex children and young people.
5. Child protection information will be provided initially at induction and ongoing training and updated information will be offered to staff, educator's, students and volunteers.
6. Nominated supervisors, staff members, educators, volunteers and students at the service who work with children are advised of—
 - (a) the existence and application of the current child protection law; and
 - (b) any obligations that they may have under that law (*Education and Care Services Regulation 84*).
7. Persons in day-to-day charge and Nominated Supervisors have successfully completed child protection training (*Education and Care Services Law – section 162 A*).
8. Staff members, educators complete the *DET - 'Protecting Children - Mandatory Reporting and other Obligations for the Early Childhood Sector* online training, as a required area of staff induction and every 12 months thereafter. A copy of the certificate received on completion is to be provided to the *People and Development Department* at Greater Shepparton City Council to be held electronically in their staff file. Refer to the following <https://training.infosharing.vic.gov.au/login/index.php>
9. All Staff members, educators, volunteers and students will comply with the following:
 - *Child Safe Standards*
<https://www.education.vic.gov.au/childhood/providers/regulation/Pages/childsafe.aspx>
 - *Reportable Conduct Scheme*
<https://www.education.vic.gov.au/childhood/providers/regulation/Pages/reportableconduct.aspx>
 - *Child Wellbeing and Safety Act 2005*
<https://www.legislation.vic.gov.au/in-force/acts/child-wellbeing-and-safety-act-2005/033>

10. Staff, educators, volunteers and students will promote a culture of child safety and wellbeing and the safe use of online environments by identifying and mitigating risks in the online and physical environments without compromising a child's right to privacy, access to information, social connections and learning opportunities.
11. Children are informed about their rights and participate in decisions affecting them, including to safety, information and participation.
12. Processes for complaints and concerns are child-focused where complaints are taken seriously and responded to promptly and thoroughly.
13. Staff members and educators and where appropriate volunteers and students are aware of identifying signs of child abuse; knowing how to respond as soon as they witness an incident or form a reasonable belief that a child has, or is at risk of being abused or suffering significant harm; obligations to protect children and processes for reporting. Refer to *Obligations to protect children in early childhood services* at the following:
<https://www.education.vic.gov.au/childhood/providers/regulation/Pages/protectionprotocol.aspx>
14. *The PROTECT – Responding to Suspected Child Abuse: Template for all Victorian Early Childhood Services* is to be used to document any suspicion that a child has been, is being or is at risk of being abused
https://www.education.vic.gov.au/Documents/about/programs/health/protect/EarlyChildhood_ReportingTemplate.pdf
15. The service notifies the Regulatory Authority online through the NQAIT System at www.acecqa.gov.au in the following circumstances:
 - of becoming aware of a serious incident that has occurred at the service within 24 hours (*Education and Care Services National Law - section 174(2)(a), 174A and Education and Care Services National Regulation 12, 176(2)(a)(ii)*).
 - of any incident where the Approved Provider reasonably believes that physical abuse or sexual abuse of a child or children has occurred or is occurring while the child is or the children are being educated and cared for by the education and care service, **within 7 days** (*Education and Care Services National Law - section 174(2)(a)(b) and Education and Care Services Regulation 175(2)(d)*)
 - of any allegations that physical or sexual abuse of a child or children has occurred or is occurring while the child is or the children are being educated and cared for by the education and care service (other than an allegation that has been notified under *Education and Care Services National Law - section 174(2)(b)* of the *Education and Care Services Law*, **within 7 days** (*Education and Care Services National Law - section 174(2)(c) and Education and Care Services Regulation 175(2)(e)*).
16. Staff members and educators do not require the authorisation of parents/guardians to make a report to DFFH - Child Protection and /or Victoria Police if they form a reasonable belief that a child has, or is at 'risk' of abuse or suffering significant harm.
17. Early Years Services Management is notified of any notifications made to DFFH - Child Protection, Child FIRST or Orange Door.

18. If a service has an urgent issue regarding the protection of a child and needs assistance **out of hours** they are to contact :
- Children's Services - On call Coordinator 0408 329 300
19. In the event a service is contacted by the DFFH - Child Protection and /or Victoria Police by phone, regarding a child in their care, the following steps are to be taken:
- The Staff member/educator is to take the DFFH- Child Protection representative/Police Officers name and switchboard number, and pass this information onto the Service Leader/Responsible Person to follow up
 - Identification can be confirmed by contacting DFFH- Child Protection reception and line Manager/ or the Local Police Station, and is required before any information is to be exchanged.
 - If DFFH - Child Protection /Victoria Police are requesting information about a child as part of an initial investigation, the service is obligated to provide such information.
20. In the event a DFFH - Child Protection representative and/or Victoria Police visits the service, regarding a child in their care, the following steps are to be taken:
- Staff members/ educators must inform the Services Leader/Responsible Person
 - Identification can be confirmed by contacting DFFH- Child Protection reception and line Manager/ or the Local Police Station, and is required before any information is to be exchanged.
 - Service Leader/Responsible person to be present with DFFH - Child Protection representative/Police Officer when interviewing the child
 - Child interviews can be conducted at the service without parental consent or knowledge
 - It is the responsibility of DFFH - Child Protection to advise the parent/guardians of any interview at the earliest possible opportunity, either before, or by the time the child arrives home.
 - If a parent/guardian removes their child before the scheduled interview has taken place, the Service Leader/Responsible Person is to contact DFFH - Child Protection and/or Victoria Police immediately.
 - Staff/ educators do not have the power to prevent parent/guardians from removing their child from the service and nor should they prevent them.
21. In the event a DFFH - Child Protection representative and/or Victoria Police need to **remove a child** from the service , the following steps are to be taken:
- Staff members/ educators must inform the Service Leader/Responsible Person
 - Identification is to be provided by DFFH - Child Protection / Police Officer and confirmed before the child is allowed to leave the service
 - Identification can be confirmed by contacting DFFH - Child Protection reception and line Manager /or the Local Police Station
 - If DFFH - Child Protection / Police Officer do not provide identification, the child is not allowed to leave the service until identification has been confirmed.
 - It is the responsibility of DFFH - Child Protection and /or Victoria Police to advise the parents/guardians of the details in accordance with their requirements.
22. Staff members or educators who have made a report to DFFH - Child Protection and / or Victoria Police when they formed a reasonable belief that a child was or is at 'risk' of abuse or suffering significant harm, are encouraged to debrief with Early Years Services Management and/or

Service Leader, and to access the EAP (Employee Assistance Program), via Council's Insite - <http://insite/wiki#/pages/employee-assistance-program> or call 1300 687 327

23. Staff members or educators who have a concern for a child or family's wellbeing can make a referral to Child FIRST or Orange Door. Referrals can be made for vulnerable children, young people (0 to 17 years) and their families, including families with an unborn child.
24. In the event of allegations against a staff member, educator, student or volunteer the following steps will be taken:
- Allegation must be reported to the following:
 - Service Leader/ Responsible Person
 - Team Leader Children's Services
 - Early Years Services Manager – who will ensure appropriate investigation is conducted
 - The allegation will be reported by the Early Years Services Manager to Greater Shepparton City Council People and Development Manager and where relevant and applicable to the Greater Shepparton City Council *Managing Workplace Performance Behaviours* procedure and *Reportable Conduct Scheme* procedure will be followed.
 - Service Leader/Team Leader Children's Services/ Early Years Services Manager will Notify the Regulatory Authority of a complaint that alleges:
 - a serious incident has occurred or is occurring while a child is being educated and cared for by a service
 - the National Law and/or National Regulations have been contravened
 - Support for a staff member, educator, student or volunteer will be based on individual needs.
25. All allegations and details of an incident that is made against a staff member, educator, student or volunteer will be kept confidential.

Related Policies

- Greater Shepparton City Council – *Child Safe and Wellbeing Policy*
- Greater Shepparton City Council – *Corporate Procedure Reportable Conduct Scheme*
- Greater Shepparton City Council – *Employees Code of Conduct*
- Greater Shepparton City Council – *Managing Workplace Performance and Behaviours*
- Delivery and Collection of Children
- Excursions
- Governance and Management of the Service
- Interactions and Relationships with Children
- Providing a Child Safe Environment
- Students, Volunteers and Visitors

National Quality Standards – 2.2.3, 5.1.2; 6.1.3; 7.1.2; 7.1.3

Education and Care Services National Regulations – 12, 84, 155,174 (2)(b),175(d)(e) 176(2)(a)(ii)

Education and Care Services National Law – section 162A, 166,167, 147(2)(a)(b)(c)(e)

Children’s Services Act 1996 – 107 (OCC only)

Child Safe Standards

National Principles for Child Safe Organisations

Child Wellbeing and Safety Act 2005

Reportable Conduct Scheme

Sources and Reference Tools

- ACECQA
- *Guide to the National Quality Framework – ACECQA*
- *Education and Care Services National Regulations 2011*
- *Education and Care Services National Law 2010*
- *Children’s Services Act 1996*
- *Child Wellbeing and Safety Act 2005*
- *Department of Education and Training (DET) – Child Safe Standards*
<https://www.education.vic.gov.au/childhood/providers/regulation/Pages/childsafes.aspx>
- *Department of Education and Training (DET) - Reportable Conduct Scheme*
<https://www.education.vic.gov.au/childhood/providers/regulation/Pages/reportableconduct.aspx>
- *Department of Education and Training (DET) – Obligations to protect children in early childhood services*
- *Department of Families, Fairness and Housing (DFFH) – Child Protection*
- *Commission for Children and Young People (CCYP)*
- *Child FIRST* <https://services.dffh.vic.gov.au/child-first-and-family-services>
- *Orange Door -* <https://orangedoor.vic.gov.au/>
- *National Principles for Child Safe Organisations*
[https://childsafefhumanrights.gov.au/sites/default/files/2019-02/National Principles for Child Safe Organisations2019.pdf](https://childsafefhumanrights.gov.au/sites/default/files/2019-02/National%20Principles%20for%20Child%20Safe%20Organisations2019.pdf)

Reviewed: June 2022
Next review due: June 2024

Updated 09/2023 - removing reference to Family Day Care due to cease of Family Day Care operations