

## Purpose

All children have the right to experience quality education and care in an environment that promotes opportunities to thrive with adults who safeguard and advocate for their health, safety, security and wellbeing including the right to:

- be asked to express their views and wishes about matters affecting their lives and to have those views appropriately considered by adults;
- feel and be safe in their interactions with adults and other children and young people; and
- understand, as early as possible, what is meant by 'feeling and being safe'.

## Strategies

### The physical Environment

In order to promote a safe physical environment we will:

- Ensure all equipment and materials used at the service meet relevant safety standards.
- Remove, repair or replace worn and damaged buildings, structures equipment and resources which may provide a safety risk for children in a timely manner.
- Ensure learning environments are established that provide appropriate child groupings, sufficient space, and include carefully chosen and well-maintained resources and equipment (**National Regulation 103**).
- Organise indoor and outdoor spaces to ensure risks to the health and safety are minimised and that there is effective and adequate supervision available at all times (**National Regulation 115**).
- Conduct a risk assessment of the service environment on a quarterly basis to determine any risks to children's health and safety.
- Analyse and evaluate the risks associated with identified hazards.
- Determine appropriate ways to eliminate or control identified hazards.
- Review risk assessments after any serious incident report is made to the Regulatory Authority.

### Staffing and Supervision

- Ensure that sufficient numbers of educators are employed to ensure adequate supervision of children at all times (**National Regulation 123, 130-132, 271-272**).
- Manage rosters to not only ensure that adequate numbers of educators are on duty to meet ratio and qualification requirements (**National Regulation 126**) but that duty of care implications are considered to ensure adequate supervision at all times.
- Ensure screening and suitability of staff, volunteers as per the legislation and policy at the time of employment and as part of an ongoing process.
- Respond proactively to emerging staff performance concerns.

### Child Protection

- All educators and volunteers of our service are Mandatory Reporters and are required to report to the Child Protection Helpline (24 hours) (Phone: 132 111 or eReport at: <https://reporter.childstory.nsw.gov.au/s/>) if they have reasonable grounds to suspect a child or

young person is at risk of significant harm and have current concern about the safety, welfare or wellbeing of a child or young person.

- The Mandatory Reporter Guide will be used, to guide decision making and determine whether or not to report to the Child Protection Helpline under the new risk of significant harm reporting threshold.
- Staff will undertake training in order to effectively:
  - Make appropriate responses to all disclosures of abuse and any allegation of abuse against staff members of the service
  - Understanding of their responsibilities and procedure as a mandatory reporter
  - be able to recognise the factors that increase a child's vulnerability to maltreatment;
  - be aware of the vulnerabilities which may indicate a need to assess, monitor or curtail the behaviour of individuals in relation to children and young people within organisations

## Responsibilities for the Approved Provider

- Ensure the service operates in line with the Education and Care Services National Law and National Regulations with regard to the delivery and collection of children at all times (**National Regulation 99**).
- Ensure all staff have access to relevant professional development.
- Ensure that the Nominated Supervisor and staff members at the service who work with children are advised of current child protection legislation, its application, and any obligations that they may have under that law (**National Regulation 84**).
- Ensure that all responsible persons on the service have up to date child protection training (**National Law 162**)
- Ensure that all relevant staff and educators working with children have working with children check and have been cleared (**Child Protection Act 9**)
- Ensure that at least one person at the service holds asthma, anaphylaxis and first aid training at all times (**National Regulation 136**).
- Ensure that policies and procedures are up to date and reflecting the National Regulations (**National Regulation 168**).
- Ensure that all staff are aware of the policies and procedures of the service and that a copy of these are available for all visitors, families, students and staff of the service at all times (**National Regulation 170-171**).

## Responsibilities for the Nominated Supervisor

- Provide all staff and educators working directly with children with a copy of the Mandatory Reporter Guide to assist them in their reporting.
- Ensuring screening and suitability processes are maintained to meet policy and legislative requirements.
- Identifying and providing appropriate resources and training to assist staff, contractors, visitors, volunteers and students to implement this policy.
- Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy.
- Co-operating with other services and/or professionals in the best interests of children and their families.
- Ensuring that families are made aware of support services available to them and of the assistance these services can provide.
- Ensuring that all staff who work with children are supported to implement this policy in the service.

- Protecting the rights of children and families, and encouraging their participation in decision-making at the service.

## Responsibilities for the Educators

- Act in accordance with the obligations outlined in this policy.
- Raise concerns when barriers or threats to the protection of children and young people's safety and wellbeing are identified, including through the conduct of other adults at the site/service.
- Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy.
- Follow all record keeping requirements (**National Regulation 173, 177**).
- Undertaking appropriate training and education on child protection.
- Identifying any potential for risk and harm to a child at the service and developing and implementing effective prevention strategies in consultation with the approved provider and the nominated supervisor.
- Co-operating with other services and/or professionals in the best interests of children and their families.
- Informing families of support services available to them (such as child first), and of the assistance these services can provide.
- Ensuring that no child is left alone (or is out of sight) with a contractor, visitor, volunteer, student or parent/guardian at the service.
- Implementing the procedures for reporting suspected child abuse.
- Notifying the Nominated Supervisor or the approved provider immediately on becoming aware of any concerns, complaints or allegations regarding the health, safety and welfare of a child at the service.
- Offering support to the child and their family, and to other staff in response to concerns or reports relating to the health, safety and wellbeing of a child at the service.
- Provide a quiet place for children to rest when they are tired or stressed (**National Regulation 81**).
- Maintaining confidentiality at all times (**National Regulation 181**).
- Adhering to all service policies and procedures.

## Responsibilities for the Families

- Reading and complying with this policy.
- Reporting any concerns, including in relation to potential for child abuse, to the Nominated Supervisor.

## Related Statutory Obligations & Considerations

**Australian Children's Education and Care Quality Authority (ACECQA)** <http://www.acecqa.gov.au/>

**Children (Education and Care Services) National Law (NSW) No 104a**

<https://www.legislation.nsw.gov.au/#/view/act/2010/104a/full>

**Childwise** - [https://www.childwise.org.au/NSW Government](https://www.childwise.org.au/NSW%20Government)

**Child Story Reporter** - <https://reporter.childstory.nsw.gov.au/s/>

**Children and Young Persons (Care and Protection) Act**

**Child Protection (Working with Children) Act**

**Child Protection (Working with Children) Regulation**

## Commission for Children and Young People Act

**Early Years Learning Framework (EYLF)** - [http://files.acecqa.gov.au/files/National-Quality-Framework-Resources-Kit/belonging\\_being\\_and\\_becoming\\_the\\_early\\_years\\_learning\\_framework\\_for\\_australia.pdf](http://files.acecqa.gov.au/files/National-Quality-Framework-Resources-Kit/belonging_being_and_becoming_the_early_years_learning_framework_for_australia.pdf)

## Education and Care Services National Regulations

<https://www.legislation.nsw.gov.au/#/view/regulation/2011/653/full>

**FaCS** - [https://www.facs.nsw.gov.au/about\\_us/contact\\_us#districts](https://www.facs.nsw.gov.au/about_us/contact_us#districts)

**Kidsafe** - <http://www.kidsafensw.org/>

**Keep Them Safe** - <http://www.keepthemsafe.nsw.gov.au/>

**Mandatory Reporters Guide**- <https://reporter.childstory.nsw.gov.au/s/mrg>

**NSW Health** - <http://www.health.nsw.gov.au>

**National Quality Framework (NQF)** - <http://acecqa.gov.au/national-quality-framework/>

**NSW Interagency Guidelines** <https://www.facs.nsw.gov.au/providers/children-families/interagency-guidelines>

## Ombudsman Act

**Office of the Children's Guardian** - <http://www.kidsguardian.nsw.gov.au/child-safe-organisations/child-safe-elearning>

## Related Telephone Numbers

- Child Protection Helpline (24 hours) 132 111
- Early Childhood Education and Care Directorate 1800 619 113
- Family Court of Australia 1300 352 000
- Kidsafe 02 9845 0890
- National Child Abuse Helpline (9-5pm) 1800 991 099
- NSW Police Force 000
- NSW Ombudsman 9286 1000
- Office of the Children's Guardian 9286 7219

## Amendment History

Version	Amendment	Short Description
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This policy will be updated to ensure compliance with all relevant legal requirements every year. Appropriate consultation of all stakeholders (including staff and families) will be conducted on a timely basis. In accordance with Regulation 172 of the *Education and Care Services National Regulation*, families of children enrolled will be notified at least 14 days and their input considered prior to any amendment of policies and procedures that have any impact on their children or family.

Date: 17/02/2019

Version: 1

Last Amended By: Susan Chahwan

Next Review: February 2020

Position: Director