

## Child Safe Policy & Procedure

### Purpose

A child safe environment takes a preventative, proactive and participatory stance on child protection issues<sup>1</sup>.

ECMS educators are in daily contact with children and their families, and are well placed to observe when a child appears to be at risk of harm arising from abuse or neglect. ECMS has a duty of care to act immediately to protect and preserve the safety and wellbeing of the children in our care. Any person who believes, on reasonable grounds, that a child is in need of protection will immediately implement the procedures as outlined in this document.

ECMS staff are required to protect children from any harm and hazards, and to adequately supervise children at all times. As an organisation we recognise that child safety is everyone's responsibility.

We recognise that the reporting of incidents of suspected abuse can naturally raise fears and concerns and as such, no staff member will do this alone. We actively support each other and work closely together to keep children safe.

Please refer to the Operations Manual 2.18 Child Safe environment and 2.19 Supervision of children policy and procedure for further information regarding protecting and supervising children.

### ECMS Child Safety Commitment Statement

ECMS holds the safety and wellbeing of children central to all its work in practice, recruitment, professional development, advocacy & policy work.

In line with the UN Convention on the Rights of the Child, ECMS fully endorses the rights of all children to participate, have purpose, be protected and ensure that prevention from risk and harm is paramount in all we do.

ECMS has a duty of care to ensure children in our services are happy, safe and well and are empowered to have a voice.

ECMS is committed to the wellbeing of all children, families, staff, volunteers and partners in its delivery of high quality early childhood education and care.

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<sup>1</sup> Choose with care. Child Wise 2003

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We fully acknowledge our social, moral and legal obligations to ensure that all children, families and staff are protected and have opportunities to flourish in line with our vision, mission and values.

We are committed to:

- Empowering children: ECMS recognises that children have a voice and are vital and active participants in our organisation. We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.
- Ensuring that the health, safety and wellbeing of children in our care is protected at all times in the pursuit of promoting their learning, development and wellbeing
- Upholding the rights of all children to feel safe, and be safe, at all times
- Promoting a culture of inclusion as a principle for all children including Aboriginal children, children at risk, children from culturally and/or linguistically diverse backgrounds and children with additional needs.
- Encouraging active partnerships with parents/guardians and families and ensuring that best practice is based on a family centred approach with shared outcomes for children's learning, health, safety, wellbeing and development
- Fulfilling our duty of care obligations under the law by protecting children from any reasonable, foreseeable risk of injury or harm
- Ensuring that people caring for children in our organisation act in the best interests of the child and take all reasonable steps to ensure the child's safety and wellbeing at all times
- Promoting prevention of child abuse by identifying potential risks early in the pathway of emerging risk and acting
- Embedding child safety and protective behaviours learning into the curriculum to empower children
- Taking all concerns, allegations and indications seriously by responding robustly and consistently in line with ECMS' Organisational Policies and Procedures
- Notifying DHHS regarding any concerns on the safety and wellbeing of a child
- Reviewing and monitoring all ECMS systems and processes annually to ensure they meet requirements to uphold child safety.
- Implementing a robust child safe recruitment process in line with the *child safe organisation* indicators when employing staff and volunteers.
- Ensure that the Child Safety Standards are mandatory professional development requirements for ALL staff employed by ECMS

**If you believe a child is at immediate risk of abuse phone 000.**

### Scope

This policy applies to all staff, students on placement, volunteers, parents/guardians, children and others attending ECMS services, including during offsite excursions and activities.

All of our staff and volunteers must agree to abide by our Code of Conduct PC 1.1 which specifies the standards of conduct required when working with children.

### Legislative responsibilities

Our organisation takes our legal responsibilities seriously, including:

- Failure to disclose: Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.

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- Failure to protect: People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- Mandatory reporting: is the legal obligation certain professionals have to report child abuse of any type. Teachers registered with VIT are mandatory reporters.
- Duty of Care: All ECMS staff have a duty of care in relation to children and their safety and wellbeing. This policy and procedure requires all ECMS to report any allegation or suspicion of child abuse.

### Legislation and standards

- UN Convention on the Rights of a Child Article 12 & 19
- Children, Youth and Families Act 2005 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic)
- Crimes Act 1958
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Education and Care Services National Law Act 2010 (Vic)
- Education and Care Services National Regulations 2011 (Vic)
- Family Law Act 1975 (Cth)
- National Quality Standard, Quality Area 2: Children's Health and Safety
- National Quality Standard, Quality Area 3: Physical Environment
- National Quality Standard, Quality Area 7: Leadership and Service Management
- Occupational Health and Safety Act 2004 (Vic)
- Working with Children Act 2005 (Vic)
- Working with Children Regulations 2006 (Vic)
- Child Safe Standards, Victoria
- Education and Training Reform Amendment (Child Safe Schools) Act 2015
- [OCEO 2.0 Protected Disclosure](#) policy and procedure
- [OCEO 5.0 Complaints & feedback](#) policy and procedure

### Definition of Abuse & Neglect

- Physical abuse of, or non-accidental or unexplained injury to, a child.
- A disclosure of sexual abuse by a child or witness, or a combination of factors suggesting the likelihood of sexual abuse - for example the child showing concerning behaviours and/or sexualised behaviours outside the normal realm of development for that child.
- Emotional abuse and ill treatment of a child affecting the child's stability and healthy development.
- Persistent neglect, poor care or lack of appropriate supervision, where there is a likelihood of harm to the child, or the child's stability and development.
- Persistent family violence or parental substance misuse, psychiatric illness or intellectual disability - where there is a likelihood of harm to the child or the child's stability and development.

Reasonable grounds include:

- The harm or risk of harm has a serious impact on the child's immediate safety, stability 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 or development.
- The child's parents cannot or will not protect the child from harm.

For further information please see Appendix 2 & 3 of this document.

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## Roles and Responsibilities

CEO	<p>Is accountable for ensuring:</p> <ul style="list-style-type: none"> <li>All aspects of this policy and procedure are strictly adhered to at all times</li> </ul>
Directors, P&C	<p>The Director of People and Capability is accountable for:</p> <ul style="list-style-type: none"> <li>ensuring recruitment and induction processes for staff and contractors meet legislation</li> <li>screening all staff, contractors, volunteers and students, including undertaking criminal history checks (if required), Working with Children Checks (except for individuals under the age of 18, registered teachers or police officers), reference checks and interviews, with written interview notes</li> </ul>
C&BS, Finance, SD&S General Managers, Operations	<p>Are responsible for:</p> <ul style="list-style-type: none"> <li>implementing the PC 2.0 Recruitment policy and procedure and Induction processes for staff and contractors</li> <li>ensuring mandatory reporting processes are implemented at the service level</li> <li>ensuring staff, contractors, volunteers and students undertake appropriate training and education on child protection, including recognising the signs and symptoms of child abuse, knowing how to respond, and understanding processes for reporting and managing concerns/incidents</li> </ul>
Area Managers	<p>Are responsible for:</p> <ul style="list-style-type: none"> <li>ensuring that the Nominated Supervisor/Centre Director 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 (Regulation 84)</li> <li>identifying the potential for and signs of child abuse at ECMS services, and developing and implementing effective prevention strategies in consultation with the Nominated Supervisor and staff through completing a risk assessment for each child in their service that they suspect maybe at risk</li> <li>ensuring that volunteers/students, parents/guardians and other visitors to the service are not left with sole supervision of individual children or groups of children</li> <li>ensuring that where the service has been notified of a court order prohibiting an adult from contacting an enrolled child, such contact does not occur while the child is on the service premises</li> <li>ensuring clear procedures are followed for reporting suspected child abuse and management of complaints</li> <li>offering support to the child and their family, and to staff in response to concerns or reports relating to the health, safety and wellbeing of a child at any ECMS service</li> <li>developing co-operative relationships with appropriate services and/or professionals (including Child FIRST) in the best interests of children and their families</li> </ul>

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	<ul style="list-style-type: none"> <li>identifying and implementing appropriate programs and practices to support the principles of a child safe organisation, in consultation with the Nominated Supervisor and staff at the service</li> <li>notifying DET, in writing, within 24 hours of becoming aware of a notifiable incident/complaint (or allegation regarding the health, safety and/or welfare of a child at an ECMS service</li> <li>maintaining confidentiality at all times</li> <li>ensuring that the Nominated Supervisor/Centre Director and all staff at the service who work with children are aware that it is an offence to subject a child to any form of corporal punishment, or any discipline that is unreasonable or excessive in the circumstances</li> <li>ensuring the Nominated Supervisor/Centre Director, staff, contractors, volunteers and students are kept informed of any relevant changes in legislation and practices in relation to this policy.</li> </ul>
Nominated Supervisors and Centre Directors	<p>Are responsible for:</p> <ul style="list-style-type: none"> <li>ensuring children are adequately supervised and that educator-to-child ratios are maintained at all times</li> <li>ensuring parents/guardians have completed the enrolment form in full, including details of authorised nominees, and permission forms for excursions and administration of medication and collection of children</li> <li>ensuring the physical environment at the service is safe, secure and free from hazards for children</li> <li>conducting risk assessments for excursions and considering children's safety when leaving the service premises</li> <li>implementing and practising emergency and evacuation procedures</li> <li>ensuring there are appropriate procedures in place for the safe delivery and collection of children</li> <li>ensuring that all staff at the service who work with children are aware that it is an offence to subject a child to any form of corporal punishment, or any discipline that is unreasonable or excessive in the circumstances</li> <li>identifying and providing appropriate resources and training to assist staff, contractors, visitors, volunteers and students to implement this policy</li> <li>protecting the rights of children and families, and encouraging their participation in decision-making through the Parent Advisory Group meetings</li> </ul>
Child Safety Advisors	<p>ECMS Has 10 Child Safety Advisors (CSAs)</p> <p>Northcote</p> <ol style="list-style-type: none"> <li>1. Janet Williams-Smith</li> <li>2. Shanna Mudie</li> <li>3. Kathryn Rawlings</li> <li>4. Kalie Littlewood</li> </ol> <p>Area Managers</p> <ol style="list-style-type: none"> <li>5. Nicole Smith</li> <li>6. Lesley Forbes</li> </ol>

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	<p>Centre Directors</p> <ol style="list-style-type: none"> <li>7. Sue Zacharis (Newport Gardens)</li> <li>8. Sarah Klein (St Vincent's)</li> <li>9. Karen Mills (Werribee West)</li> <li>10. Christine Kibby (Hurstbridge)</li> </ol> <p>All CSAs have undergone Child Safety training.</p> <p>Our CSAs:</p> <ul style="list-style-type: none"> <li>• Facilitate and deliver ongoing professional development in relation to child safety</li> <li>• Provide assistance and clarification to any matter in relation to Child Safety</li> <li>• Provide support and guidance with matters of reporting abuse/suspected abuse</li> <li>• Provide support and guidance with matter relating to this policy and its implementation</li> <li>• For further detail please refer to the <a href="#">CSA Schedule</a></li> </ul>
Employees, Volunteers, Contractors, and Student Placement Workers	<p>Are responsible for working within the parameters of this policy and procedure at all times by:</p> <ul style="list-style-type: none"> <li>• reading and complying with this policy</li> <li>• undertaking training as directed by the line manager</li> <li>• immediately reporting any concerns, including in relation to potential for child abuse, to the Nominated Supervisor/Centre Director</li> <li>• abiding by the service's PC 1.1 Code of Conduct.</li> </ul>
Parent/Guardians	<ul style="list-style-type: none"> <li>• reading and complying with this policy</li> <li>• immediately reporting any concerns, including in relation to potential for child abuse, to the Nominated Supervisor/Centre Director</li> <li>• abiding by the service's PC 1.1 Code of Conduct.</li> </ul>

## Prevention

At ECMS, we recognise the importance of being preventative rather than reacting to an incident after it has happened.

### 1. ECMS culture

We are all responsible for the safety and well-being of children. We communicate openly and honestly. We are open to external feedback and advice. We will be transparent and accountable. We will continue to educate employees, volunteers, children and their families to raise any concerns they have about children's safety through the creation of a child-friendly environment. In particular, this means listening to and believing children who raise concerns. We will maintain an accessible, responsive and fair complaints process in place. We have trained and appointed 10 staff to act as Child Safety Advisors, who are a point of contact for all staff in relation to child safety matters.

### 2. Code of conduct

We implement our code of conduct for all adults who interact with children, including setting clear boundaries of behaviour between adults and children. We provide guidance to children about expectations of their interactions with other children and educators and be clear about what is unacceptable behaviour. In addition, our educators are bound by the ECA Code of Ethics and the VIT Code of Conduct.

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### 3. Policy and procedure

Our policies and procedures are developed with a child safe lens. We have child safe procedures in place appropriate to their setting. This includes a comprehensive organisation risk profile and mitigation strategies for identified risks.

### 4. Recruitment & screening

We implement good standards in the recruitment and screening of our employees and the engagement of volunteers and others who work with children and includes conducting three referee checks for all employees and volunteers. We require Working with Children Checks and National Criminal History Checks. Our statement of commitment to child safety is included in all our employment advertisements and position descriptions.

### 5. Induction and orientation

We provide initial and ongoing training for staff to:

- raise awareness of child sexual abuse, grooming and reporting requirements;
- raise awareness of appropriate/inappropriate behaviour;
- ensure understanding of the process for handling complaints and/or allegations; and
- ensure understanding of the requirements of a child safe environment.

### 6. Reflective practice & professional development.

We undertake regular supervision of all staff through our Reflective Practice & Professional Development program. Screening of staff and volunteers is an ongoing process through continuing oversight and maintenance of current Working with Children Checks. We will document and immediately report suspicious behaviour, complaints and expressed concerns. We conduct child safety training with our staff on a regular basis to maintain currency and diligence.

### 7. Provide Support.

We will actively support those who raise concerns about the safety of children. We discourage secrecy and encourage staff to report any concerns at any time.

### 8. Immediate Reporting

Where a complaint of sexual abuse of a child becomes known it is immediately reported to the authorities and steps taken to assess and minimise any risk or harm. We actively support investigations into any concerns about children and/or allegations of abuse or harm towards children by the relevant authorities. We clearly document all instances and action taken. We act lawfully and support the relevant authority's investigations in any criminal or child protection investigations.

### Allegations, concerns and complaints

Our organisation takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our staff are trained to deal appropriately with allegations. We operate on the principle of "What if I am right!".

We work to ensure all children, families, staff and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour.

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We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place (see information about failure to disclose above).

If an adult has a reasonable belief that an incident has occurred then they must report the incident. Factors contributing to reasonable belief may be:

- a child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)
- behaviour consistent with that of an abuse victim is observed
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour.

### How to respond if a child discloses an incident of abuse to you

1. Try and separate them from the other children discreetly and **listen** to them carefully.
2. Let the child use their **own words** to explain what has occurred.
3. **Reassure** the child that you take what they are saying seriously, and it is not their fault and that they are doing the right thing.
4. **Explain** to them that this information may need to be shared others, such as with their parent/carer, specific people in your organisation, or the police.
5. **Do not make promises** to the child such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
6. Do not leave the child in a distressed state. If they seem at ease in your company, stay with them.
7. **Complete** the [incident report](#) form.
8. As soon as possible after the disclosure, **record** the information using the child's words and report the disclosure to your line manager
9. Ensure the disclosure is recorded **accurately**, and that the record is stored **securely**.

### How to respond if a parent/carer says their child has been abused in your organisation or raises a concern

1. Explain that ECMS has processes to ensure all abuse allegations are taken very seriously.
2. Ask about the wellbeing of the child.
3. Allow the parent/carer to talk through the incident in their own words.
4. Advise the parent/carer that you will take notes during the discussion to capture all details.
5. Explain to them the information will need to be repeated to authorities or others, such as ECMS Managers, the police and child protection.
6. Do not make promises at this early stage, except that you will do your best to keep the child safe.
7. Provide them with an [incident report form](#) to complete, or complete it together.
8. Ask them what action they would like to take and advise them of what the immediate next steps will be.
9. Ensure the report is recorded accurately, and that the record is stored securely.

Staff need to be aware that some people from culturally and/or linguistically diverse backgrounds may face barriers in reporting allegations of abuse. For example, people from some cultures may experience anxiety when talking with police, and communicating in English may be a barrier for some. You need to be sensitive to these issues and meet people's needs where possible, such as having an interpreter present (who could be a friend or family member).

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If an allegation of abuse involves an Aboriginal child, you will need to ensure a culturally appropriate response. A way to help ensure this could include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal community controlled organisations.

Some children with a disability may experience barriers disclosing an incident. For example, children with hearing or cognitive impairments may need support to help them explain the incident, including through sign language interpreters.

Advice on [communicating with people with a disability](#) can be found on the Department of Health and Human Services website.

Staff/educators can seek general advice by calling the Child Wise helpline: 1800 99 10 99

### Incident/concern management and general reporting guidelines

Where there is a belief, on reasonable grounds, that a child/young person has been harmed or is at risk of harm, ECMS staff are ethically bound to act to maintain children's safety and wellbeing. In addition, there is also a legal obligation to report the any concerns to the appropriate authorities.

#### General guidelines

- The best interests of the child should always be the primary consideration, with due regard to confidentiality and fairness to the person against who the allegation is made.
- Children should be encouraged to approach any person in the service to express concerns about their treatment, and should be made to feel confident that they will be taken seriously.
- Employees and volunteers must be clear about who they are expected/permitted to approach when expressing concerns.
- Any investigation undertaken by the service must ensure procedural fairness and natural justice for a person suspected of abusing a child.
- Records must be kept about any child safety concern or complaint, and stored in accordance with the service's Privacy and Confidentiality Policy. These records must contain information about the action taken, including any internal investigation and any reports made to statutory authorities or professional bodies.
- Everyone at the service must be made aware of the need to report serious matters involving child protection to external authorities.
- Privacy must be maintained, and information must only be disclosed on a need-to-know basis.
- **Instances of physical and sexual abuse of children are crimes and must be reported to the police.** If a child discloses any such abuse, the service must listen, respond and report to both the police and child protection authorities.
- A report to the appropriate authorities can be made even if staff and others working with children at the service do not have all the necessary information.
- Permission is not required from parents/guardians of a child where abuse is suspected, and parents/guardians do not need to be notified that a report has been made.

#### Forming a professional judgement

Forming an objective and professional judgement can be based on:

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- warning signs (or indicators) of harm or potential harm, that have been observed or inferred
- knowledge of child development
- knowledge of cultural backgrounds
- knowledge of any difficulties experienced or support currently being received by a family
- consultation with colleagues and other professionals
- professional obligations and duty of care responsibilities
- established service protocols
- individual service procedures
- legal requirements, such as mandatory reporting.

### Gathering information

- Make notes
- Record your observations, and date and sign the entries
- Continue to observe
- Record your observations, and date and sign the entries
- Consult colleagues
- Access support and advice from your colleagues, compare notes and brainstorm possible strategies to address areas of concern
- Develop action plans based on service procedures
- Understand and consult the policies and procedures when determining what action to take
- Talk to other agencies about helping the family
- Collaborate with or engage community health services, local government services, Child FIRST, regional Department of Human Services/Child Protection officers and disability services. You may wish to instigate a case meeting
- Talk to the child. Do this with respect for the child or young person's need for privacy and confidentiality
- Talk to the parents/guardians. Only do this when it will not jeopardise the safety of the child or young person

**If you believe a child is at immediate risk of abuse phone 000.**

If you are unsure who to report to, contact ChildFIRST for support and advice. Staff also have the option of contacting the National Child Abuse Prevention Helpline on 1800 99 10 99. Both of these agencies can provide support and advice based on your discussions. You can also contact an ECMS Child Safety Advisor for support and clarification.

### **As an ECMS employee:**

- It is your responsibility to report a belief, based on reasonable grounds that a child is in need of protection from physical or sexual abuse when you form this belief in the course of your work at ECMS
- You must make your report without unnecessary delay
- You are required to report each time you become aware of any further reasonable grounds for your belief
- You do not have to be able to prove that the abuse has occurred
- It is your personal responsibility to report - it is not the responsibility of your supervisor, principal, senior or boss
- Your identity as a notifier will generally remain confidential under the Children's Youth and Families Act, 2005

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## Procedure for reporting suspected/abuse

Where educators have any concerns about abuse they will immediately inform their Nominated Supervisor and Area Manager who will support them in making the report to the appropriate body. (DET, ChildFIRST, Child Protection Services and police). Complete the [incident report template](#).

### FOUR CRITICAL ACTIONS FOR EARLY CHILDHOOD SERVICES – Responding to Incidents, disclosures and suspicions of child abuse

#### 1. Responding to an emergency

If the child is at immediate risk of harm we will ensure their safety by:

- Separating the alleged victim and others involved
- Administering first aid (if required)
- Calling 000 for urgent medical and/or police assistance to respond to immediate health or safety concerns
- Contacting an Area Manager/General Manager/Child Safety Advisor

#### 2. Reporting to Authorities

If the suspected/alleged abuse has occurred within the service we will immediately:

- Report to the police
- Report to the Area Manager/General Manager
- Notify the Regulator [www.acecqa.gov.au/national-quality-agenda-it-system](http://www.acecqa.gov.au/national-quality-agenda-it-system) or call 1300 307 415

If the suspected abuse has occurred within the family or community setting we will immediately:

- Report to DHHS Child protection if:
  - The child is immediate need of protection from abuse
  - Is at risk of being harmed (or has been harmed) and the harm has, or is likely to have a serious impact on the child's safety, stability or development
- Report to the Police
- Report to the Area Manager/General Manager
- Notify the Regulator [www.acecqa.gov.au/national-quality-agenda-it-system](http://www.acecqa.gov.au/national-quality-agenda-it-system) or call 1300 307 415

#### 3. Contacting parents/carers

Prior to contacting parents/carers we will consult with DHHS Child Protection or Victoria Police to determine what information can be shared with parents/carers.

They may advise us:

- a. Not to contact – on the basis the parent/carer are alleged to have engaged in the abuse or the child is a “mature minor” and does not wish for the parent/carer to be contacted

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- b. To contact the parents/carers and provide agreed information as soon as possible. As an approved provider it is a requirement for that the parent/carer is notified within 24hrs if the suspected abuse has occurred within our service.

#### 4. Providing ongoing support

It is important that all educators continue to work in a professional manner with the parents. The Nominated Supervisor/Area Manager will keep the educators informed of what happens after the notification process and remain up to date with the Child Protection intervention.

We will also take reasonable steps to ensure the child feels safe and supported whilst attending the service. This includes making referrals to wellbeing professionals.

We will also take reasonable steps to ensure the safety and wellbeing of our staff, including access to our Employee Assistance Program and critical debriefing (where required).

### Making a report to ChildFIRST

A report to ChildFIRST should be considered if, after taking into account the available information, the staff member forms a view that raising their concerns will have a low-to-moderate impact on the child, and that the immediate safety of the child will not be compromised. 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.

ChildFIRST provides a consolidated intake service to Family Services within sub-regional catchments. ChildFIRST 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/Child First

[http://www.dhs.vic.gov.au/\\_data/assets/pdf\\_file/0003/582591/flowchart-mandatory-reporting-27-5-10.pdf](http://www.dhs.vic.gov.au/_data/assets/pdf_file/0003/582591/flowchart-mandatory-reporting-27-5-10.pdf)

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## How to make a Notification to Child Protection Services

1. The Educator is required to telephone the following Child Protection Services according to area:

**Northern and western suburban LGAs** **1300 664 977**

Banyule, Brimbank, Darebin, Hobsons Bay, Hume, Maribyrnong, Melbourne, Melton, Moonee Valley, Moreland, Nillumbik, Whittlesea, Wyndham, Yarra.

**Eastern suburban LGAs** **1300 360 391**

Boroondara, Knox, Manningham, Maroondah, Monash, Whitehorse, Yarra Ranges.

**Southern suburban LGAs** **1300 655 795**

Bayside, Cardinia, Casey, Frankston, Glen Eira, Greater Dandenong, Kingston, Mornington Peninsula, Port Phillip, Stonnington.

**Western Division Intake – Rural 1800 075 599**

**This covers services in the Northern and Southern Grampians**

2. Ask to speak to the INTAKE WORKER regarding a REPORT. **Write down the worker's name**

3. The following information needs to be provided to the intake worker, where possible:

- State your name, the organisation you work for and the address of the service
- Child's name, age, sex, aboriginality, ethnic background and address
- Child's present location
- The reason for the report. Detail your protective concerns in a factual and specific manner
- Your specific relationship/role with the child concerned
- Family composition name of parents and their address
- Parental status (i.e. single parent, guardian, foster carer etc.)
- Current state of child's custody e.g. any family law court access conditions in place
- Siblings' names, sex and ages
- Other adults in the house that you might know about
- Other people or agencies involved in the care and/or support of the child and family (i.e. MCHN, ChildFIRST, disability services, schools for older siblings etc.)
- Any concerns you might know about regarding the protective worker's safety in visiting the home (e.g. aggressive dogs, firearms, violence)
- The time the child is due to be collected and/or the best time to find the parents at home
- Whether the family knows the notification is being made

4. The educators may feel a responsibility to tell the parents that they have or will be making a notification. This decision will be made in consultation with the DHHS Child Protection Worker/Police.

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## Who Informs the Parents?

If the family is to be notified of the report, ECMS Management will be guided by DHHS Child Protection and/or Police.

## Monitoring and Evaluation

In order to assess whether the values and purposes of the policy have been achieved, ECMS will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness, particularly in relation to identifying and responding to child safety concerns
- monitor and report on the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notify parents/guardians at least 14 days before making any changes to this policy or its procedures (Regulation 172(2)).

## Regular review

This policy will be reviewed annually and following significant incidents if they occur. We will ensure that families and children have the opportunity to contribute.

## Approved Resources

We encourage all ECMS services to use the following resources:

- UN convention on the rights of the child – child friendly [poster](#)
- [Traffic light model](#) – Identifying, Understanding and responding to sexual behaviours in children

## Language

At ECMS we encourage the use of consistent and accurate language to best support and keep children safe.

- We will always use the correct anatomical term for a person's body parts
- We discourage the use of the term "stranger danger". Generally offenders are known and trusted by the child.

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## Attachment 1 – Responsibilities of the Nominated Supervisor & Certified Supervisor

In relation to child safety matters, the Nominated Supervisor is responsible for:

- ensuring that they are aware of current child protection legislation, its application and any obligations that they may have under that law
- keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy
- ensuring their staff participate in appropriate training and education on child protection, including recognising the signs and symptoms of child abuse, knowing how to respond, and understanding processes for reporting and managing concerns/incidents
- identifying the potential for child abuse at the service, and developing and implementing effective prevention strategies in consultation with ECMS and staff
- ensuring that where the service has been notified of a court order prohibiting an adult from contacting an enrolled child, such contact does not occur while the child is on the service premises
- identifying and implementing appropriate programs and practices to support the principles of a child safe organisation in consultation with ECMS and staff at the service
- 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 (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 and management of complaints
- notifying the ECMS line manager immediately on becoming aware of a concern, complaint or allegation regarding the health, safety and welfare of a child at their service
- offering support to the child and their family, and to staff in response to concerns or reports relating to the health, safety and wellbeing of a child at their service
- implementing and reviewing this policy in consultation with ECMS
- maintaining confidentiality at all times

In relation to child safety matters, Certified Supervisors and other staff are responsible for:

- keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy
- undertaking appropriate training and education on child protection, including recognising the signs and symptoms of child abuse, knowing how to respond, and understanding processes for reporting and managing concerns/incidents
- identifying the potential for child abuse at the service, and developing and implementing effective prevention strategies in consultation with ECMS and the Nominated Supervisor
- ensuring that where the service has been notified of a court order prohibiting an adult from contacting an enrolled child, such contact does not occur while the child is on the service premises
- identifying and implementing appropriate programs and practices to support the principles of a child safe organisation in consultation with ECMS and Nominated Supervisor at the service
- co-operating with other services and/or professionals (including Child FIRST) in the best interests of children and their families

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- 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 and management of complaints
- notifying the Nominated Supervisor and the line manager 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
- maintaining confidentiality at all times
- reviewing this policy in consultation with ECMS, Nominated Supervisor, staff, contractors and parents/guardians.

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## Attachment 2 - What is child sexual abuse?

- A child or young person is sexually abused when any person uses their power over the child to involve that child in sexual activity.
- Under Victorian child welfare law a child is any person under 18 years of age. The use of the term child in this booklet includes adolescents.
- Child sexual abuse involves a wide range of sexual activity. It may include fondling of the child's genitals (or getting the child to fondle the perpetrator's genitals); masturbation (with the child as either observer or participant); oral sex (either fellatio or cunnilingus); vaginal or anal penetration by a penis, finger, or any other object; fondling of breasts; voyeurism (regular observation of the child) or exhibitionism. It can also include exposing the child to pornography or using the child for the purposes of pornography or prostitution.
- Other terms for child sexual abuse include child sexual assault, child sexual victimisation, child exploitation, child sexual misuse, child molestation, child sexual maltreatment and child rape.
- Abuse occurs when a person uses their authority, either by using force or not, to get a child to participate in activities that are for the adult's or older person's sexual gratification. Children always have less power than adults. The closer the relationship between the child and the adult, the greater the dependency and therefore the greater the power that the adult has over the child.
- Children lack the necessary information and maturity to make an 'informed' decision about sexual activities with an older person. They do not have adult knowledge of sex and sexual relationships, or the social meaning of sexuality and its potential consequences.
- Sexual activity between a child and older person is inappropriate because children are never in a position to give informed consent to such activities.
- **Child sexual abuse is a criminal offence.**
- Children may be sexually abused by family members (incest), by acquaintances or by strangers. Child sexual abuse occurs in all types of families, regardless of cultural, economic or education level.
- Children of all ages — from infants to adolescents, may be sexually abused. Child sexual abuse may occur once or many times over a period of months or years. Over ninety percent of child sexual abuse perpetrators are male. Child sexual abuse happens to both boys and girls, however boys are abused far less often than girls. Girls are more likely to be abused by a family member, whereas boys are more likely to be abused by someone known to them outside the family<sup>2</sup>.

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<sup>2</sup> DHHS Child Protection Understanding and responding: for professionals working with children who have experienced sexual abuse

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### Attachment 3 Signs or indicators of harm

<p><b>PHYSICAL ABUSE</b></p> <p>Physical indicators:</p> <ul style="list-style-type: none"> <li>• bruises</li> <li>• burns</li> <li>• scalds</li> <li>• welts</li> <li>• internal injuries</li> <li>• shaking injuries</li> <li>• strangulation.</li> </ul> <p>Behavioural indicators:</p> <ul style="list-style-type: none"> <li>• wary of physical contact with adults</li> <li>• frightened of parent</li> <li>• expresses little or no emotion when hurt</li> <li>• unduly compliant, shy, withdrawn, passive, uncommunicative</li> <li>• offers unlikely explanation for injuries</li> <li>• nervous, aggressive, disruptive.</li> </ul>	<p><b>SEXUAL ABUSE</b></p> <p>Physical indicators:</p> <ul style="list-style-type: none"> <li>• injury to genital or rectal area—bleeding or bruising</li> <li>• discomfort in urinating or defecating</li> <li>• frequent urinary tract infections</li> <li>• vaginal or anal bleeding or discharge</li> <li>• sexually transmitted diseases</li> <li>• pregnancy, especially in very young adolescents.</li> </ul> <p>Behavioural indicators:</p> <ul style="list-style-type: none"> <li>• child tells of abuse</li> <li>• persistent and age-inappropriate sexual activity</li> <li>• regressive behaviour—bed-wetting, speech loss</li> <li>• delinquent or aggressive behaviour</li> <li>• self-injurious behaviour—alcohol abuse, self-mutilation, suicide attempts, prostitution</li> <li>• shows signs of depression.</li> </ul>
<p><b>EMOTIONAL ABUSE</b></p> <p>Physical indicators:</p> <p>The child or young person is:</p> <ul style="list-style-type: none"> <li>• treated as a scapegoat</li> <li>• emotionally rejected</li> <li>• isolated</li> <li>• verbally abused continually</li> <li>• devalued</li> <li>• exposed to family violence.</li> </ul> <p>Behavioural indicators:</p> <ul style="list-style-type: none"> <li>• compliant, passive, undemanding</li> <li>• low self-esteem</li> <li>• demanding, aggressive and angry</li> <li>• antisocial and destructive</li> <li>• depressed and suicidal</li> <li>• attention seeking.</li> </ul>	<p><b>PHYSICAL NEGLECT</b></p> <p>Physical indicators:</p> <p>The child/young person is not provided with:</p> <ul style="list-style-type: none"> <li>• a safe environment</li> <li>• food</li> <li>• clothing</li> <li>• shelter</li> <li>• recommended/required medical care.</li> <li>• Neglect includes abandonment, rejection or forced eviction from home.</li> </ul> <p>Behavioural indicators:</p> <ul style="list-style-type: none"> <li>• indiscriminate with affection</li> <li>• constantly miserable and irritable</li> <li>• alienated from peers, withdrawn, pale, listless</li> <li>• begs for food</li> <li>• engages in delinquent acts</li> <li>• poor social skills.</li> </ul>
<p><b>FAMILY VIOLENCE</b></p> <ul style="list-style-type: none"> <li>• conduct that is real or threatened by a family member and/or pet that causes any family member to fear for his/her wellbeing and safety</li> </ul>	<p><b>CUMULATIVE HARM &amp; MULTI_DIMENSIONAL ABUSE</b></p> <ul style="list-style-type: none"> <li>• repeated and ongoing neglect</li> <li>• the existence of several types of abuse occurring at the same time</li> </ul>

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## Attachment 4: GROOMING

The offence of grooming concerns predatory conduct undertaken to prepare a child for sexual activity at a later time<sup>3</sup>. Sexual offending is generally a premeditated act. The sexual offender “manipulates people and situations in order to gain and maintain access to their victims”<sup>4</sup>.

The sexual offender will inappropriately<sup>5</sup>

- spend special time with a child
- give gifts to the child
- show special favours to one child but not others
- allow the child to step outside of boundaries or rules
- touch the child
- test and break professional boundaries

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<sup>3</sup> [Victoria State Government](#)

<sup>4</sup> Choose with Care Child Wise 2004

<sup>5</sup> Child Safety Train the Trainer Child Wise 2016

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## Attachment 5: Sexually concerning behaviours in children

The following information has been taken directly from the Child Wise training (Train the trainer, July 2016)

### Definition

The practice definition of sexually concerning behaviours in children is ...

...when they have engaged another party in sexual activity that is either unwanted or where, due to the nature of the situation, the other party is not capable of giving consent (eg: children who are younger or who have a cognitive impairment). This includes:

- physical force or threats
- sexual exposure, peeping
- fondling, masturbation
- oral sex, penetration of a vagina or anus using a penis, finger or object and/or
- exposure to pornography

### Sexual activity amongst children

ECMS encourages its educators to “being alert to children’s behaviours as it is important in the prevention of abuse”.

This requires all educators and staff to be aware and observant of behaviours:

- consider the behaviour in the context of age, is it appropriate or concerning?
- The context of the play or behaviour
- Is the behaviour out of character or a change in presentation for the child?
- Consider how the child would know about these sexual behaviours or verbalisations?

### Using the CARE principle

When assessing a child’s behaviours, educators can use the CARE principles to assist them. Healthy sexual behaviours meet ALL four criterion listed below:

**Consent** – all people in the behaviour have given consent

**Age** – all people involved are of the right age and ability to give consent, according to the law

**Respect** – All people involved treat each other with respect and are not “taking advantage”

**Equality** – there are no unequal power relationships between the people involved (eg: position or role, intellectual capacity)

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