

Child Protection Policy

Policy Statement & Commitments

Brunswick East Primary School OSHC Service (BEPS OSHC Service) has an ongoing commitment to child safety, wellbeing and protection by providing and maintaining a child safe environment to children attending the program. BEPS OSHC Service Educators have a *duty of care* to report suspected incidences of child abuse or neglect, which exist under the *Child Safe Standards (2016)*, *The Reportable Conduct Scheme* and the *Children, Youth and Families Act 2005* and BEPS OSHC Service adheres to these requirements.

BEPS OSHC Service believes that the best way to ensure children’s protection is to establish an environment that minimises risks and sets out clear safeguards for educators to follow. BEPS OSHC Service aims to create an environment that minimises the risk of children being harmed in any way while in the care of BEPS OSHC Service.

The health, welfare and Safety of all children in care is paramount. BEPS OSHC Service will act on behalf of children to protect their rights to safety and security in accordance with legal and regulatory requirements. In cases of suspected child-abuse and other welfare concerns, staff will report to the appropriate authorities. All Staff working with children take on a duty of care to ensure that all children are protected and safe from harm.

BEPS OSHC Service regards as of the utmost importance, its role in the protection of the children in its care. This includes BEPS OSHC Service’s moral and legal duties to care for children associated with BEPS OSHC Service while not in the care of their parents or primary carers. Educators are made aware of the Child Protection Policy through induction and training procedures, and continual embedding of the Child Safe Standards throughout practice.

Child abuse includes physical, emotional and sexual abuse. OSHC Educators at BEPS OSHC Service learn about the nature of child abuse, and develop an awareness of how and why some children are victimised.

BEPS OSHC Service is committed to:

- taking every reasonable precaution to protect children from harm and any hazard likely to cause injury
- acknowledging children have the right to feel safe, with care, safety and personal privacy, and the right to counselling in the event of abuse or neglect
- providing families with information on protective procedures and why they are necessary,

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reassurance of their child’s safety, confidentiality, assurances that every effort is made to ensure their child is not in danger of abuse, and counselling and support in the event of abuse

- providing educators with child safety training in providing a protective environment, what to do in the event of identified abuse, and current trends and issues; protection from the risk of allegations being made against them; an environment where their concerns can be heard and acted upon; two-way communication with families and management; debriefing or counselling related to specific incidents; discussions and evaluations at educator meetings regarding protective practices; confidentiality; and knowing where to go for advice and support.

Definitions

Definition of abuse or maltreatment of a child – Child abuse or maltreatment is an act by parents or caregivers that endangers a child's physical, psychological or emotional health or development. Child abuse or maltreatment can be a single incident, but more often is related to a pattern of harm that occurs over a period of time.

Procedures

- The OSHC Management Sub-committee will ensure appropriate training and resources will be available to educators to help them to understand, comply with and respond to issues related to child protection.
- Educators are all mandatory reporters and can report concerns if they have reasonable belief that abuse is occurring
- Educators need to be aware of the physical and behavioural signs or indicators of abuse and neglect and take appropriate action.
- If an educator suspects a child is abused or neglected, or a child discloses this information to them, then they will:
 - advise the Coordinator of BEPS OSHC Service of the suspected abuse or neglect
 - record the child’s name, age, address and relevant details of the injury or behaviour, and date and sign the entry
 - detail the reasons for believing that the child is abused
 - detail an assessment of the immediate danger to the child.
 - The OSHC Coordinator will then notify the School Principal who will investigate further.
- Families will be kept informed of BEPS OSHC Services policies and practices in relation to child protection.
- All matters will be kept confidential.

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Educator Supervision, Protection & Support

- BEPS OSHC Service requires all educators to participate in training on child protection delivered by accredited child protection authorities or support agencies. This training will include:
 - identifying appropriate and inappropriate behaviours in relationships with children
 - the nature of child abuse and why some children are victimised
 - signs and symptoms of child abuse and maltreatment
 - how to respond if a child discloses sexual abuse
 - how to observe and record children’s behaviour
 - the process of reporting child maltreatment to relevant child protection and regulatory authorities
 - the role of the
 - Department of Human Services (DHS) in child protection issues.
 - The police
 - Child Protection agencies
 - The Reportable Conduct Scheme
- A guide to recognising signs of abuse or neglect will be made available to all educators who have attended child protection training, and will be regularly discussed at educator meetings, to remind educators of the possible signs of child abuse, and the procedures they should follow if a child in their care displays behaviour or physical signs that could indicate abuse has taken place.
- BEPS OSHC Service will ensure that educators are knowledgeable about current legislation and reporting requirements related to child protection and maltreatment and that a system for the reporting and recording of suspicious incidents is in place.
- BEPS OSHC Service will access current information from DHS, and the Reportable conduct scheme about the procedures to be taken in relation to allegations of child abuse or neglect. These responsibilities are highlighted to new educators and OSHC Management Sub-committee members at their induction.
- All educators, including students and volunteers, are regularly reminded about BEPS OSHC Service’s policies, procedures, and confidentiality requirements in regard to child protection.
- Child protection issues are discussed regularly at educator meetings. Educators are encouraged to share any observations or concerns in regard to child and educator protection risks. Resolutions are sought to eliminate risks, and the OSHC Management Sub-committee is advised of the issues and current strategies to resolve them.
- BEPS OSHC Service’s performance management system addresses educator performance in relation to child protection.

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- Educators will support each other to limit the time they are left alone with children.
- Visitors or trades people will not be left alone with children at any time.
- Volunteers and students must be supervised by an educator that has attained the age of 18 years and holds or is working towards an approved diploma level education and care qualification, whenever they are educating or caring for children.
- Casual relief educators will be rostered on with permanent educators. When this is not possible strategies will be implemented to minimise times when the relief person is working alone with any group of children.
- Educators will not be left alone with individual children except in emergencies and in accordance with other service policies.
- Grievances will be dealt with in accordance with BEPS OSHC Service’s educator grievance procedure.
- Any allegations of child abuse or neglect made against an educator will be treated with strict confidentiality while taking immediate action to protect children at risk, in consultation with the DHS, child protection agencies the police and the Reportable Conduct Scheme.
- BEPS OSHC may need to undertake an Independent Investigation; e.g Community Childcare in the event of an inquiry into allegations of abuse by an Educator at the Service

Recruitment strategies

- BEPS OSHC Service will ensure all educators working with children provide a current Working with Children check card.
- All information obtained through any criminal record screening will be treated in strict confidence and only used to determine suitability for employment by BEPS OSHC Service.
- Within the recruitment process, the applicant’s knowledge and experience of child protection issues will be determined.
- Prior to any appointment or offer of employment, the applicant’s referees will be contacted to determine:
 - details of the applicants previous employment
 - any history regarding child protection issues
 - the applicant’s reliability and consistency in implementing duty of care practices
 - the applicant’s supervision skills.
- The applicant’s employment record will be carefully checked in regard to the reasons for breaks in service, the reasons for any change of employment, and to ensure that the references provided are linked to recent employment.
- All new educators will be oriented to BEPS OSHC Service’s child protection policies and procedures and professional code of conduct.

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- Whenever possible, new educators will have a period of time to work alongside current educators to familiarise themselves with the children, families, other educators and service procedures, prior to taking up their new responsibilities in a full capacity.

Visitors to BEPS OSHC Service

- All visitors will be required to sign in and out of the school.
- Any unauthorised visitors will be asked to provide identification, preferably photo-ID.
- Where the visitor is unable to provide appropriate identification, BEPS OSHC Service may ask them to make an appointment and return at a later date. This will be dependent on the particular circumstances at the time. For example, a family member who has popped in to see what BEPS OSHC Service is like, with a view to enrolling their child, will not be turned away, provided that someone is available to show them around BEPS OSHC Service at that time. If the Coordinator or educators are at all unsure about the person, they will contact the School Principal.
- Appointments will only be made with people who have a valid reason for being in BEPS OSHC Service, and will be arranged through the Coordinator (or person in charge if the Coordinator is not available).

Information for Families

- BEPS OSHC Service will make available information on family support options to all families.
- Educators will be available to discuss any issues with families.
- BEPS OSHC Service will keep families up to date with any changes and seek their input.
- This policy will be made available to families.
- Families will be informed about relevant training undertaken by educators through newsletters and information on display in the foyer.

Children’s Supervision, Education & Empowerment

- Educators will foster children’s self-esteem and positive self-image through their interactions and relationships with children.
- BEPS OSHC Service’s behaviour management policy will be followed to positively guide children’s appropriate behaviour.
- Educators will encourage children to be assertive (i.e. learn when to stand up for themselves and say no when appropriate), and to communicate their needs and concerns.
- Educators will model assertive and appropriate respectful behaviour and language.

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- Educators will build relationships with all children based on trust, and will empower children to discuss what is ‘safe’ and who may be a ‘safe’ person to talk to.
- Educators will provide information about sexuality in an age-appropriate way.
- Children will be supervised at a level appropriate to the age and needs of the children, the program, time of day and associated risks and in accordance with the *Education and Care Services National Regulations 2011*.
- Rosters are planned to ensure appropriate supervision of children is maintained and appropriate educator-child ratios are maintained in accordance with the requirements of the Education and Care Services National Regulations.
- Higher levels of supervision will be needed when older and younger children are playing together. Educators will be aware that children have had different life experiences and are at different developmental stages.
- Children will only be released to authorised people.
- Educators will undertake appropriate consultation and referral regarding children’s inappropriate behaviour with family cooperation and approval (e.g. inclusion support agencies, child psychologists etc.).

Reporting Concerns

- BEPS OSHC Service will develop a procedure that outlines how an individual can complain about an issue relating to child protection or report an allegation of abuse and how BEPS OSHC Service will manage complaints or allegations of misconduct against an educator, volunteer, student or service user.
- BEPS OSHC Service will develop a procedure for documenting and reporting allegations of child abuse or neglect under duty of care requirements.
- All concerns will be acted upon in a confidential and uniform manner.

As soon as educators have some concern’s they have a duty of care to take constructive action:

- The Coordinator will in conjunction with appropriate educators assess the information and develop a plan of action.
- This plan may include noting issues of concern, and behaviour exhibited on a daily basis. This will be recorded in the child's file.
- The behaviour displayed by the child will need to be considered in the context of what is happening in the family. It is important not to define this as a problem of child maltreatment too early.
- The Coordinator will need to support and resource the educators working with the child. It is

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important that appropriate information about the family is discussed with educators so they are assured that the situation is being managed. This information will remain confidential.

- If the family is already linked to a family support service, it is appropriate that the Coordinator can discuss this with the School Principal, who may decide to contact the worker.
- It is recognised that the first step should always be to discuss any concerns with the family. This conversation may be conducted by the School Principal, in consultation with the Coordinator. However, there may be occasions where doing this may place the child or an educator at risk of harm. On these occasions a decision may be made to contact DHS as the first step in this process; however, it will be on advice from the School Principal.
- BEPS OSHC Service recognises that educators have a right to feel safe and not be placed in a position of risk as a result of carrying out their duties and responsibilities.

Procedure for educators when child abuse or maltreatment is suspected:

Verbal disclosure or obvious signs	Suspected but unsure
<p>Educators will:</p> <ul style="list-style-type: none"> – support the child, listen carefully, and reassure the child that they have done the right thing in telling the carer – write down what the child has said – not be accusatory about anyone, including the alleged perpetrator – discuss with the Coordinator, who will determine the next step. This may be in consultation with the School Principal – take whatever immediate action is necessary for the protection of the child. If the child is suffering from an injury that appears to warrant immediate medical attention, educators will ensure that a doctor treats the child. 	<p>The School Principal may:</p> <ul style="list-style-type: none"> – Share concerns with the family in a sensitive and tactful manner, provided that this will not increase the risk to the child. The parents' explanations will be carefully noted, and they will be encouraged to seek appropriate help (this is not an appropriate step with regard to sexual or other serious abuse which should be reported to DHS immediately; the School Principal is mandated to report under legislation) – monitor the situation by keeping records, including details such as when and under what circumstances disturbing physical or emotional changes occurred, and exact quotes from the family or child that may seem relevant to the issue – meet with the Coordinator and, where appropriate, the educator concerned, to decide whether or not it is necessary to discuss the concerns with the DHS.

Child FIRST (Family Information, Referral & Support Team)

A referral to Child FIRST may be the best way to connect children, young people and their families to services they may need to protect and promote their healthy development.

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Families requiring the support of family services generally have complex needs, which can adversely impact on a child’s development if appropriate supports and interventions are not provided in a timely manner. Significant concerns about the child’s wellbeing and development are highlighted by how often issues occur, how serious the issues are, and most importantly how the issues are affecting the child’s development.

For more information, fact sheets and supporting documents see the ‘Every Child Every Chance’ website: www.dhs.vic.gov.au/everychildeverychance

Different Aspects of Child Abuse/Maltreatment:

Physical Harm	This involves any non-accidental injury to a child or young person by a parent or caregiver. The injury may take the form of bruises, cuts, burns, fractures, bites, shaking and throwing.
Sexual Harm	This occurs when an adult or someone bigger or older than the child uses power or authority over the child or young person to involve the child in sexual activity. While physical force is sometimes involved, more often it is intimidation, threats, and engaging a child in ‘keeping secrets’ as a way of preventing a child from disclosing the abuse. Child sexual abuse involves a wide range of sexual activity. It may include fondling of the child’s genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, or exposure of the child to pornography.
Emotional/Psychological Harm	This occurs when a child or young person is repeatedly rejected, frightened by threats or exposed to domestic violence. This may involve a severe lack of appropriate nurturing, scapegoating or verbal abuse such as name-calling, or being put down by the parent or caregiver to the extent that it affects the child’s physical, emotional and intellectual growth and development.
Environmental Neglect	This is the failure to provide the child with the basic necessities of life, such as food, clothing, shelter and supervision, to the extent that the child’s physical health and development are placed at risk.

Mandatory Reporting

The Brunswick East Primary School Principal, teachers and the OSHC Educators are classed as mandated officers under the *Children, Youth and Families Act 2005*. They are obliged by this law to notify DHS, if they believe, based on reasonable grounds, that a child has suffered, or is likely to suffer significant harm as a result of physical injury or sexual abuse and the child’s parents/guardians have not protected or are unlikely to protect the child from such harm.

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Anyone is required to notify the police if they form a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child (under 16 years). Failure to disclose the information to police is a criminal offence – a **‘failure to disclose’ offence**.

It is the mandated officer’s responsibility to report a belief, based on reasonable grounds, that a child is in need of protection from physical, sexual, emotional, psychological or neglect harm, when this belief is formed in the course of practicing as a child care professional. The mandated officer must make a report without any unnecessary delay. They are also required to report each time they become aware of any further incidents based on reasonable grounds for this belief. They do not have to be able to prove that abuse has occurred.

If the mandated officer is one of a group of officer’s who share a belief, based on reasonable grounds, that a child is in need of protection from physical, sexual, emotional, psychological or neglect harm, then only one mandated officer needs to make the report. However, they must be satisfied that the report was made promptly and that all reasonable grounds were included in the notification.

When notifying, the mandated officer may feel torn between their legal and moral responsibilities to report, and their own beliefs may suggest that notifying may jeopardise the opportunity to maintain or develop a satisfactory working relationship with the suspected abuser or the child’s family. However, as the child's safety is paramount, it is essential that they make a notification. Notification does not provide grounds for civil action if the report is made in good faith. Good faith simply means an honest belief that the child was abused or that the substance of the notification, which may be only a suspicion, is based on reasonable grounds.

The anonymity of the notifier is preserved. The notifier is not obliged to inform the caregivers or abuser that a notification has been made about the child. This is the responsibility of the child protection worker.

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Sources & Legislative References

National Professional Support Coordinator Alliance 2012, *Getting started with policies for the NQF: Policies in Practice template: Establishing a Protective Environment*, www.pscalliance.org.au

Child Wise 2010, *Choose with Care; 12 Step to a Child Safe Organisation*, www.childwise.net

Early Childhood Australia 2005, *The Code of Ethics*, www.earlychildhoodaustralia.org.au

Shaw, M 2010, *Developing and implementing your service's child protection policy*, extract from *Putting Children First*, the Newsletter of the National Childcare Accreditation Council, no. 36.

UNICEF (n.d) *Fact sheet: A summary of the rights under the Convention on the Rights of the Child*, http://www.unicef.org/crc/files/Rights_overview.pdf

Department of Human Services, Office for Children, *About Child Abuse*, www.office-for-children.vic.gov.au/cp/abuse

Australian Institute of Family Studies, *National Child Protection Clearinghouse – What is Child Abuse? Who Abuses Children?* Fact sheets: www.aifs.gov.au

<i>Education & Care Services National Law Act 2010 (Vic) - 1– Section 3(2)(a) and (3)(a); 165-167; 170; 171; 174(2); 18967 (1) (2) and (3), 175 (1)</i>
<i>Education & Care Services National Regulations (2011) – Regulations 76(a)(b), 84 – 105, 161, 162, 165, 166, 168(2)(h)</i>
<i>My Time, Our Place, Framework for School Age Care in Australia</i>
<i>National Quality Standard for Early Childhood Education and Care & School Age Care (2010) – Standards 2.3, 5.1, 6.3, 7.3</i>
<i>Occupational Health & Safety Regulation 2007 (Vic) – S.R No. 54/2007, Div 4, 4.1.15 - 4.1.23</i>
<i>Children, Youth & Families Act (2005) – Protecting Children & Families</i>
<i>Working With Children Act (2005) – Employment of professionals</i>
<i>Information Privacy Act (2000) – Records Management</i>
<i>Health Records Act (2000) – Records Management</i>
<i>Child Safe Standards (2016)</i>
<i>Reportable Conduct Scheme</i>
<i>Commission for Children and Young People (CCYP)</i>

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