

CHILD SAFETY AND WELLBEING POLICY

Our Service is committed to the safety, wellbeing and support of all children and young people in all aspects of operation within our Service. Services within Victoria are required to comply and adhere to the Child Safe Standards under the Child Wellbeing Safety Act 2005 (Vic). The Victorian Child Safe Standards were reviewed in 2019 with an aim to better align with the National Principles for Child Safe Organisations to ensure a greater focus on the safety and wellbeing of all children, improve Aboriginal cultural safety and empower children and young people. Our Service is committed to implementing an inclusive and culturally safe environment for Aboriginal and Torres Strait Islander children.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2	Safety	Each child is respected
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
2.2.3	Child Protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.

QUALITY AREA 5: RELATIONSHIPS WITH CHILDREN		
5.1.1	Positive educator to child interactions	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1	Governance	Governance supports the operation of a quality service

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS and NATIONAL LAW	
84	Awareness of child protection law
155	Interactions with children
168	Education and care service must have policies and procedures

S162(A)	Persons in day-to-day charge and nominated supervisors to have child protection training
358	Working with children check to be read

OTHER RELEVANT LAWS

Education and Training Reform Act 2006- Child safe standards- Managing the risk of child abuse in schools. Ministerial Order No. 870
The Commission for Children and Young People Act 2012
Failure to Disclose 2014
Failure to Protect 2015
The Charter of Human Rights and Responsibilities Act 2006 (Vic)
Working with Children Act 2005 (Vic)
Child Wellbeing and Safety Act 2005 (Vic)
Family Law Act 1975
Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015
Children Youth and Families Act 2005 (Vic)

PURPOSE

Our *Child Safety and Wellbeing Policy* will ensure the Service meets all obligations and requirements under the Child Wellbeing Safety Act 2005 (Vic). Our Child Safety and Wellbeing Policy will work together with the Service's *Code of Conduct Policy*, *Recruitment Process Policy*, *Child Safe Environment Policy*, *Reportable Conduct Scheme Policy* and other related policies to develop a child safe culture within the Service and community. This policy will provide direction and guidance for all educators, staff and visitors (including students and volunteers) to comply with and adhere to the 11 Child Safe Standards to ensure a child safe environment for all children. Eleven new Child Safe Standards were released in 2021, with Services having to comply to the new standards from July 2022. The 11 new Standards will replace the previous 7 Child Safe Standards and Principles.

The 11 Child Safe Standards aim to create a culture where:

- the safety of children is promoted,
- child abuse is prevented and
- allegations of child abuse will be taken seriously and acted upon.

SCOPE

This policy applies to families, staff, educators, Approved Provider, Nominated Supervisor, management, students, volunteers and visitors of the Service.

OUR COMMITMENT TO CHILD SAFETY AND WELLBEING STATEMENT

Our Service is committed to the safety and wellbeing of all children and young people. We understand our responsibilities and statutory duty of care to comply with both the Victorian Child Safe Standards and the Reportable Conduct Scheme to build our capacity as an organisation to prevent and respond to allegations of child abuse.

Our Service is committed to implementing and abiding by our *Child Safety and Wellbeing Policy* based on Child Safe Standards in Victoria (2022), which accentuates our *zero tolerance* for child abuse and raising awareness about the importance of child safety in our Service and the community.

We are dedicated to protecting children from abuse and neglect and promote a child safe environment, maintaining children's wellbeing. We adhere to our *Awareness of Child Protection Law... Policy*, standing by our mandatory reporting responsibilities to protect children from physical, sexual, emotional and psychological abuse and neglect.

We work to ensure there is clear awareness between appropriate and inappropriate behaviour concerning adults and children. We require clear precincts between children and employees, volunteers and the community to maintain children's safety.

We are dedicated to promoting cultural safety for Aboriginal children, cultural safety for children from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability.

We value diversity and do not tolerate any discriminatory practices.

We are committed to ongoing professional development for educators and staff to maintain their ability to distinguish and respond to situations of abuse and neglect, ensuring educators and staff are responsive to their responsibilities in keeping children safe.

We work in collaboration with the United Nations Convention on the Rights of the Child and have confidence in educating children about their right to be safe. We believe in teaching children what to do

if they feel unsafe and encouraging them to express their view and thoughts on matters that directly affect them.

As educators we listen to and empower children to act on any concerns, they or others may raise which is reflective in our policies and procedures in keeping children safe.

IMPLEMENTATION

Our Service is committed to creating and maintaining an environment that promotes the safety of all children and embeds the Victorian Child Safe Standards. All educators, staff and volunteers are responsible for promoting a culture of safety and wellbeing to minimise the risk of child abuse or harm to children whilst promoting children's sense of security and belonging.

DEFINITIONS

Child/Children refers to both children and young people under the age of 18 years.

Child Abuse refers to a sexual offence committed against a child, an offence committed against a child under section 49M (1) of the Crimes Act 1958 (Vic) such as grooming, physical violence against a child, causing serious emotional or psychological harm to a child, serious neglect of a child (Child Wellbeing and Safety Act 2005. Vic)

Complaint: Expression of dissatisfaction made to or about an organisation related to its products, services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required. [AS/NZS 10002:2014 Complaint Management Standard]

Information Sharing Obligations refers to the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme.

Significant Harm refers to circumstances causing concern for the safety, welfare and wellbeing a child or young person present to a significant extent. This means it is sufficiently serious to warrant a response by a statutory authority irrespective of the family's consent.

Reasonable grounds refer to the need to have an objective basis for suspecting that a child may be at risk of abuse and neglect based on:

- firsthand observation of the child or family
- what the child, parent, or other person has disclosed
- what can reasonably be inferred based on observation, professional training and/or experience that causes the mandated reporter to believe the child has been abused or is likely to be abused or,
- signs of physical or sexual abuse leading to the belief that the child has been abused.

Failure to disclose refers to the failure of a mandated reporter who has reasonable belief that a child under 16 has had a sexual offence committed to them by an adult to make a report to the police.

Failure to protect refers to a person of authority in the organisation who has the power or responsibility, but who negligently fails to reduce or remove the threat of substantial risk of child sexual abuse.

CHILD SAFE STANDARDS

In Relation to Standard 1: Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.

Through the identification and journey of establishing a culturally safe organisation, our Service will:

- show respect and a commitment to reconciliation by developing a Reconciliation Action Plan (RAP)
- promote cultural safety for Aboriginal children
- will reflect on the current level of cultural competence of our educators and staff
- model and provide guidance to educators and staff to ensure compliance with a zero tolerance of racism within the Service
- build and strengthen our knowledge and understanding of Aboriginal and Torres Strait Islander cultures, histories and contributions
- attend professional development to support educator and staff knowledge and understandings of Aboriginal and Torres Strait Islander cultures and perspectives
- identify and challenge our own cultural assumptions, beliefs and commitments to cultural competency

- engage with local Aboriginal families and communities through Aboriginal Education Consultative Groups
- invite Elders and Traditional Owners to speak to children, educators, staff and families about the histories and cultures of the local area
- develop an Acknowledgement of Country in collaboration with Elders, community members, children and families which will be displayed and given during special events and incorporated into the program on a regular basis
- develop awareness and meaningful understanding about Aboriginal and Torres Strait Islander people as part of the cultural heritage of all Australians
- encourage Aboriginal and Torres Strait Islander communities to access children services
- show sensitivity and respect to Aboriginal and Torres Strait Islander languages by incorporating verbal and visual languages into the Service environment
- ensure our *Interaction with Children Policy* is adhered to as educators develop positive relationships with children based on respect and fostering children's self-esteem and development

FOUNDATION STEPS or FUTURE STEPS

Our Service will reflect and review our cultural practices to determine the Service's journey and stage of cultural competence. Foundation Steps are to be identified for Services that are just starting out on their cultural competence journey. Foundation Steps are to be documented to outline changes required to policies, procedures and public commitments to show a plan of action to comply with Standard 1. Further Steps are to be documented for Services who have already begun a journey of cultural competence and the Service indicates they are meeting all Compliance Indicators of Standard 1.

A *Child Safety and Wellbeing Action Plan* has been developed to assist Services to document their progress and compliance of Standard 1 and identify actions required for Foundation Steps or to identify compliance as Further Steps.

In Relation to Standard 2: *Child safety and wellbeing is embedded in organisational leadership, governance and culture.*

In the planning, development and implementation of a *Child Safety and Wellbeing Policy*, our Service will:

- create and maintain a child safe environment and comply with the Ministerial Order No. 870- Child Safe Standards and Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015

- ensure a *Child Safety and Wellbeing Policy* is developed, implemented and reviewed with children, families and educators
- complete a self-audit to assess our progress in meeting the requirements of the Child Safe Standards
- develop a Code of Conduct specific to our Service and ensure the Code of Conduct is adhered to by all educators, staff and visitors to set behavioural expectations when working with children
- ensure compliance of the *Child Safety and Wellbeing Policy* and implementation of the 11 Child Safe Standards within the Service
- include child safety as a regular agenda item at team meetings
- adhere to a zero tolerance for child abuse
- value the input of and communicate regularly with families and carers regarding our *Child Safety and Wellbeing Policy*
- embed the eleven Child Safety Standards into Service policies and procedures
- promote the safety of children at all times
- foster a culture of openness and respect where children and adults feel safe to disclose risk of harm to children

In Relation to Standard 3: *Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.*

With a focus on children's rights to safety and participation, our Service will:

- listen to and act decisively on any child safety concerns or allegations of abuse that are made
- recognise, respect and foster children's rights where their voices and views are listened to and valued
- promote the inclusion of children's voices in all decisions that affect them
- ensure every child will be equally valued. Their achievements and learning will be celebrated
- collaborate with children and families to support children's learning
- ensure information about the child's participation in the program is available for families
- view children as active participants and decision makers, working with each child's unique qualities and abilities
- undertake critical reflection practices to reflect upon children's participation within the educational program
- ensure educators and staff adhere to the *Interactions with Children Policy* and provide a child safe, comfortable and happy environment where children's concerns are always taken seriously and responded to
- support children's consent by acknowledging and respecting a child's right to refuse or say no

- never force a child to do something against their requests: This includes rest, eat, participation in group experiences and activities
- respond respectfully and appropriately to children's attempts as they participate within the educational program
- empower children to speak up and raise any concerns
- encourage children to develop confidence in their ability to express themselves
- ensure children are aware of how to raise concerns or provide feedback
- respond or report to children about how their feedback has been acted upon
- discuss with children how their photos and images will be used within the service or outside of the service and where age-appropriate ask children's permission before taking photos or videos
- ensure all educators, staff and volunteers are committed to identifying possible risk and significant risk of harm to children and young people and adhere to the *Awareness of Child Protection Law... Policy*.
- educate children about protective behaviours through educational programs that are at an age-appropriate level and understanding
- provide opportunities for children to contribute to the development of the *Service Philosophy* and *Service Policies and Procedures*

In Relation to Standard 4: *Families and communities are informed and involved in promoting child safety and wellbeing.*

As we endeavour to inform and involve families and communities in establishing and maintaining a Child Safe approach, our Service will:

- ensure new families are provided with a *Parent Guide* during the enrolment and orientation process to share information regarding service operations and governance of the Service
- ensure all families are welcomed and respected at our Service and are encouraged and supported to participate in decision making
- maintain confidentiality and privacy as per our *Privacy Policy* when working with children, families and educators in relation to Child Protection matters
- respond to requests for information from Information Sharing Entities (ISEs) to improve children's wellbeing and safety under the Child Information Sharing Scheme
- ensure families are informed of our *Child Safety and Wellbeing Policy* upon enrolment through the Family Handbook and Orientation process.

- ensure families are invited and encouraged to participate in the development and review of Service Policies and the *Service Philosophy*
- provide regular information about the Service and ongoing opportunities for families to contribute to our curriculum
- inform families about the processes for providing feedback and making complaints
- encourage families to contribute to the continuous quality improvement progression within the Service through their involvement in the self-assessment and QIP review
- invite families to be involved with the self-assessment process and be informed of goals developed that form the Quality Improvement Plan (QIP)

In Relation to Standard 5: *Equity is upheld and diverse needs respected in policy and practice.*

As we aim to recognise and support diversity and work to promote vulnerable children, our Service will:

- ensure a *Statement of Commitment to Child Safety and Wellbeing* is reviewed to demonstrate a strong culture of child safety within the Service
- work in partnership with families and other professionals to ensure specific consideration and adaptations allow children with additional needs access and participation and achieve positive learning outcomes
- ensure all children are supported to participate in the educational program
- be responsive to each child, irrespective of their additional needs and abilities
- practice inclusivity and support children with additional needs to enable them to have equitable access to resources and participation of the educational program
- gather information about children's additional needs, cultural background and supports that may be required through the enrolment and orientation process
- support educators to implement inclusive strategies and practices in the delivery of quality education and care
- ensure the educational program and curriculum are inclusive and meet the individual needs of children with additional needs disability or developmental delay
- create an inclusive program, which is adaptable and supportive of all children
- ensure all children have the right to be treated equally and with respect

In Relation to Standard 6: *People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.*

To ensure suitable educators and staff are employed in line with Child Safe recruitment practices, our Service will:

- implement a probation and induction orientation program to ensure new educators and staff are aware of their roles and responsibilities in relation to ensuring children are safe and well within the Service
- ensure comprehensive processes are followed in relation to recruitment of new educators and staff
- implement effective pre-employment screening to ensure we engage educators and staff who have the skills, experience, qualifications and general 'fit' in line with legislative and regulatory requirements.
- ensure all preferred candidates undergo appropriate pre-employment checks including reference checks, Working With Children Checks (WWCC), immunisation status checks (including COVID-19 vaccination, as required), and where applicable National Police criminal history checks before an offer of employment is recommended
- ensure all educators and staff are required by law to undergo a Working with Children Check (WWCC) which is verified by the Service to ensure it is valid and current
- Request a new National Police criminal history check from all staff, educators and adults living at educators residence, every 12-18 months
- Online review of WWCC of all staff, educators, and adults living at the educators residence every 6 months
- ensure at least 2 references are provided for a reference check. Where possible references should be from the immediate previous employer. The reference checks will ascertain, where possible, the applicant's attitudes and behaviours in previous child-related roles and ascertain whether the applicant has ever been the subject of complaints
- provide an induction process for all new educators and staff including relevant information on child safe practices adhering to the Child Safe Standards, Code of Conduct, strategies that identify, assess and minimise risks to children and mandatory reporting procedures
- ensure comprehensive job descriptions for each position will be available for all applicants, educators and staff members

In Relation to Standard 7: *Processes for complaints and concerns are child-focused.*

With a focus on responding appropriately to complaints and concerns, Our Service will:

- ensure educators, staff and visitors follow and comply with the *Dealing with Complaints Policy* when matters are raised regarding Child Safety and Wellbeing

- follow the *Dealing with Complaints Policy* for procedures regarding receiving and managing informal and formal complaints
- safeguard the interests of all children, their families, educators, staff and visitors, using procedures to ensure appropriate privacy and confidentiality practices are upheld
- inform families about the processes for providing feedback and making complaints
- investigate and document the grievance or complaint fairly and impartially as per the Grievance/Complaints procedure
- keep appropriate records of any complaint investigation and outcome and store these records in accordance with our *Privacy Policy* and *Record Management Policy*
- notify the Regulatory Authority within 24 hours if a complaint alleges the safety, health or wellbeing of a child is being compromised. Notification must include any incident where there is a reasonable belief that physical and/or sexual abuse of a child has occurred or is occurring at the Service or any allegation that sexual or physical abuse of a child has occurred or is occurring at the Service
- ensure the *Reportable Conduct Scheme Policy* is adhered to and ensure that all allegations based on reasonable grounds are reported, including allegations made against educators or staff who do not have direct contact with children, and conduct that allegedly occurred outside of their work
- ensure educators or staff will report any concerns they may have about inappropriate actions of any other employee that involves children or young people to management as per the *Reportable Conduct Scheme Policy*

In Relation to Standard 8: *Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.*

In order to demonstrate our commitment to education and training for our educators, staff and volunteers, our Service will:

- provide all educators and staff with professional learning for the Child Safe Standards
- ensure Child Protection training is valid and updated every 12-18 months, and whenever significant changes are made to the child protection law or reporting requirements, to maintain skills and knowledge required by National Regulations and best practice
- develop a culture of learning through reflective practice within the service to drive continuous improvement
- ensure educators and staff participate in professional development to keep up to date with Child Protection ‘refresher’ and Child Safe Standards training ensuring currency and compliance

- ensure a person's Working with Children Check is read before the person is engaged as an educator, volunteer or staff member at the Service
- ensure the approved provider has read a person's Working with Children Check before nominating that person as a nominated supervisor or person in day-to-day charge of the service.
- ensure visitors to our Service are suitable and approved to work with children, including visitors engaged to provide professional development or allied health professionals

In Relation to Standard 9: *Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.*

As we develop a commitment to providing a safe physical and online environment for children, our Service will:

- ensure risk assessments are completed to contribute to the development of identifying, preventing and reducing risks of child abuse and harm
- strongly oppose any type of abuse against a child and endorse high quality practices in relation to protecting children
- ensure all educators, staff and visitors understand their roles and responsibilities in protecting children from abuse and neglect and maintain up-to-date knowledge of child protection law
- ensure educators and staff undertake child protection awareness training every 12-18 months, and whenever significant changes are made to the child protection law or reporting requirements
- assess and manage the risk of abuse to children as part of our daily practice
- work with an ICT security specialist to ensure the latest security systems are in place to ensure best practice
- obtain parent permission for children to use computers as part of the enrolment procedure
- ensure that children are never left unattended whilst a computer or mobile device is connected to the internet
- only use educational software programs and apps that have been thoroughly examined for appropriate content prior to allowing their use by children
- ensure privacy filters and parental control settings are turned on and used when children are accessing digital technologies online

In Relation to Standard 10: *Implementation of the Child Safe Standards is regularly reviewed and improved.*

With a focus on regular review of Child Safe Standards policies and procedures, our Service will:

- ensure our *Child Safety and Wellbeing Policy* is reviewed each year as part of our cycle of self-evaluation each year
- welcome input and plan consultation from children, families, educators and staff as part of the policy review process
- include the development of a Quality Improvement Plan (QIP) as part of the reflection procedure
- reflect on what current practices and actions regarding Child Safety and additional actions will be included in the QIP
- review the effectiveness of the *Dealing with Complaints Policy* and procedures to ensure all complaints and grievances have been handled fairly and professionally
- track complaints to identify recurring issues within the Service
- reflect and review complaints provided to our Service as opportunities for learning and improvement
- keep a complaints/grievance register to record details of complaints such as complainant details, investigation details and further action taken
- ensure each policy has a recommended review date stated in the 'Review' section of the policy document and changes are clearly documented through version control

In Relation to Standard 11: *Policies and procedures document how the organisation is safe for children and young people.*

To ensure our policies and procedures demonstrate how the organisation is safe for children, our Service will:

- ensure all policies and procedures will be made available for families and educators to view at all times
- ensure all policies developed will be made in consultation with management, staff, educators and families of children attending the Service
- ensure policies include clear, simple statements and are presented in a logical format
- ensure information about our *Dealing with Complaints Policy* is easily accessible to all families
- ensure the name and telephone number of the person to whom complaints can be made is clearly visible at the entrance to our Service
- discuss the issue with the complainant within 24 hours of receiving the verbal or written complaint
- investigate and document the grievance or complaint fairly and impartially
- notify the Regulatory Authority within 24 hours if a complaint alleges the safety, health or wellbeing of a child is being compromised. Notification must include any incident where there is a reasonable belief that physical and/or sexual abuse of a child has occurred or is occurring at the Service or any allegation that sexual or physical abuse of a child has occurred or is occurring at the Service

- provide information relating to Child Safe practices within our *Recruitment Process Policy* to ensure our recruitment and screening processes play a vital role in protecting children from harm

REVIEW

POLICY REVIEWED BY	Timage Abdulwadud & Rashida Siddique	AP & NS	20/12/2022
POLICY REVIEWED	Dec 2022	NEXT REVIEW DATE	Nov 2023