

## Child Safe Policy

### NQS

Element	1.1.2	Child-centred -Each child’s current knowledge, strengths, ideas, culture, abilities and interests are the foundation of the program.
	1.2.3	Child directed learning - Each child's agency is promoted, enabling them to make choices and decisions that influence events and their world.
	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.
	3.2.1	Inclusive environment - Outdoor and indoor spaces are organised and adapted to support every child's participation and to engage every child in quality experiences in both built and natural environments
	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
	5.1.2	Dignity and rights of the child - The dignity and rights of every child are maintained
	5.2.1	Collaborative learning - Children are supported to collaborate, learn from and help each other.
	6.1.3	Families are supported - Current information is available to families about the service and relevant community services and resources to support parenting and family wellbeing.
	7.2.1	Continuous improvement - There is an effective self-assessment and quality improvement process in place.
	7.2.3	Development of professionals - Educators, co-ordinators and staff members’ performance is regularly evaluated and individual plans are in place to support learning and development

### National Law

Section	162A	Persons in day-to-day charge and nominated supervisors to have child protection training
	165	Offence to inadequately supervise children
	166	Offence to use inappropriate discipline
	167	Offence relating to protection of children from harm and hazards
	169	Offence relating to staffing arrangements
	170	Offence relating to unauthorised persons on education and care service premises
	173	Offence to fail to notify certain circumstances to Regulatory Authority
	174	Offence to fail to notify certain information to Regulatory Authority
	175	Offence relating to requirement to keep enrolment and other documents

### National Regulations

Reg	12	Meaning of serious incident
	82	Tobacco, drug and alcohol-free environment
	84	Awareness of child protection law
	87	Incident, injury, trauma and illness record

100	Risk assessment must be conducted before excursion
102B	Transport risk assessment must be conducted before service transports child
120	Educators who are under 18 to be supervised
123	Educator to child ratios—centre-based services
145	Staff record
146	Nominated Supervisor
147	Staff members
166	Children not to be alone with visitors
168(2)(h)	Education and care service must have policies and procedures in relation to providing a child safe environment, including matters relating to - (i) the promotion of a culture of child safety and wellbeing within the service; and (ii) the safe use of online environments at the service.
168(2)(o)	Education and care service must have policies and procedures in relation to dealing with complaints, including matters relating to - (i) the provision of a complaint handling system at the service that is child focused; and (ii) the management of complaint that alleges a child is exhibiting harmful sexual behaviours.
175	Prescribed information to be notified to Regulatory Authority
177	Prescribed enrolment and other documents to be kept by approved provider

## Aim

To ensure the safety, health and wellbeing of children through organisational culture, values and practices that embed a culture of child safety.

## Related Policies

Additional Needs Policy  
 CCTV Policy  
 Child Protection Policy  
 Education, Curriculum and Learning Policy  
 Educator and Management Policy  
 Excursion Policy  
 Family Violence Safety Policy  
 Governance Policy  
 Grievance Policy  
 Incident, Injury, Trauma and Illness Policy  
 Parental Interaction and Involvement in the Service Policy  
 Policy and Procedure Review Policy  
 Photography Policy  
 Privacy and Confidentiality Policy  
 Recruitment Policy  
 Relationships with Children Policy  
 Social Media Policy  
 Staffing Arrangements Policy

Technology Usage Policy  
Tobacco, Drug and Alcohol Policy

## Implementation

All managers, staff and volunteers are committed to implementing the Child Safe Standards. The safety, health and wellbeing of children is the number one priority of all staff and volunteers who understand children's safety is a shared responsibility. We have zero tolerance for any form of harm to children and are committed to acting in children's best interests. Our policies and procedures support and inform this commitment, and our leaders and managers regularly review staff and volunteer practices and understanding, prioritising training or taking other relevant action if required.

Our policies and procedures also support and comply with the Education and Care National Law and Regulations, and the National Quality Standard (NQS), whose guiding objective and principles outlined in section 3 include ensuring "the safety, health and wellbeing of children attending education and care services", "the rights and best interest of children are paramount", the principles of equity, inclusion and diversity underlie this Law", "that Australia's Aboriginal and Torres Strait Islander cultures are valued", and "that the role of parents and families is respected and supported." This objectives and principles are embedded in many of the Laws and Regulations which we must comply with. The Laws, Regulations and NQS elements which are particularly relevant to child safety are listed above.

Below we discuss our Service's approach to the eleven Child Safe Standards, and outline Service policies or practices which support them (Standard 11 Policies and procedures document how the organisation is safe for children and young people.) Our contracts of employment require all employees to comply with service policies and procedures.

**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**

Our service will:

- encourage and actively support a child's ability to express their culture and enjoy their cultural rights
- embed strategies that equip all staff, volunteers and children to acknowledge and appreciate the strengths of Aboriginal culture and understand its importance to the wellbeing and safety of Aboriginal children and young people
- not tolerate racism, adopt measures to identify and confront racism, and address instances of racism with appropriate consequences
- actively support and facilitate Aboriginal children and their families' participation and inclusion
- ensure our policies, procedures, systems, and processes together create a culturally safe and inclusive environment and meet the needs of Aboriginal children and their families.

It is the right of every Aboriginal child to be immersed in their culture in a way that allows them to feel their identity is valued and respected. Culture includes community and family connections, spiritual and material relationships with lands and waters that hold significance under traditional laws and customs, and languages, dance, ceremony and heritage.

Educators are required to:

- promote learning outcomes in the approved learning framework which include outcomes related to "Children have a Strong Sense of Identity," and Principles which include:
  - '**Respect for diversity**' which includes *"promoting greater understanding of Aboriginal and Torres Strait Islander ways of knowing and being."*
  - '**Ongoing Learning and Practice**' where educators *"become co-learners with children, families and community, and value the continuity and richness of local knowledge shared by community members, including Aboriginal and Torres Strait Islander Elders."*
  - '**Responsiveness to Children**' which includes educators *"respond(ing) to children's expertise, cultural traditions and ways of knowing, the multiple languages spoken by some children, particularly Aboriginal and Torres Strait Islander children"* (Belonging Being & Becoming The Early Years Learning Framework)
- meet the NQS Principle about valuing Australia's Aboriginal and Torres Strait Islander Cultures." Many of the indicators for meeting and exceeding the 40 NQS elements reference the need to consider and respond to First Nations' identities, culture, language and history in a local community and national context.

Service policies which support this Standard include our:

- **Education, Curriculum and Learning Policy** which requires educators implement an educational program which includes each child's culture, language and everyday lives

- **Educator and Management Policy** which makes it clear any form of racism will breach our Code of Conduct
- **Grievance Policy** which highlights our Service takes instances or allegations of discrimination very seriously
- **Parental Interaction and Involvement in the Service Policy** which encourages families to share their culture and experiences with educators and the children
- **Relationships with Children Policy** which requires educators, in line with the approved learning framework, support and implement an anti-bias, cross cultural program throughout the Service and intentionally teach children about avoiding stereotypes and the benefits of diversity

## **Standard 2 Child safety and wellbeing is embedded in organisational leadership, governance and culture**

Our service will:

- make a public commitment to child safety
- champion and model a child-safe culture
- facilitate the implementation of our Child Safe Policy
- reiterate our Code of Conduct, which provides guidelines for staff and volunteers on expected behavioural standards and responsibilities
- continue to implement risk-management strategies that focus on preventing, identifying, and mitigating risks to children
- ensure staff and volunteers understand their obligations on information-sharing and record keeping.

We strongly support a child safe organisational culture which drives the way things are done and how issues and risks are managed. Strong, transparent and accountable leadership can deter perpetrators of harm, and ensure employees understand and comply with their obligations to report suspicions or disclosures of harm. Our managers and leaders regularly review practices to ensure ongoing compliance with Service policies and procedures, and to promote a child safe culture.

Service policies which support this Standard include our:

- **CCTV Policy** which promotes a child safe environment while complying with the Australian Privacy Principles
- **Child Protection Policy** which clearly outlines the responsibilities and obligations of all employees and volunteers under State child protection legislation. It also outlines our Child Protection Risk Management Strategy, including our Code of Conduct, recruitment procedures which ensure potential employees fully understand and support the child safe Service culture, procedures for managing disclosures or suspicions of harm and breaches of the Strategy, the Reportable Conduct Scheme, and risk management for high risk activities

- **Child Safe Policy** which, in addition to the Child Safe Standards, also includes our obligations under the Child Information Sharing Scheme legislated in the Child Wellbeing and Safety Act 2005 to share information with other entities to promote the safety or wellbeing of a child. These are discussed after Standard 11
- **Educator and Management Policy** which includes our Code of Conduct and Management Responsibilities. *The Code* includes clear expectations of appropriate interactions with children, and examples of appropriate and inappropriate interactions, and requires compliance with all Service policies and procedures. The Code also guides the behaviour of families and visitors, indicating they will not have physical contact with other children at the service unless a staff member is present. *Management responsibilities* include ensuring staff meet qualification requirements, mandated educator to child ratios are maintained, all staff understand their responsibilities under the National Law, Regulations and NQS, all staff, visitors and volunteers comply with the Code of Conduct, organising or providing appropriate staff training and performance reviews, and regularly implementing documented staff meetings
- **Family Violence Safety Policy** which implements our obligations under the Family Violence Sharing Scheme legislated in the Family Violence Protection Act 2008 to share information with other entities if we reasonably believe this will help manage an established risk of a perpetrator committing family violence, or an established risk of a victim survivor being subjected to family violence
- **Governance Policy** which includes the Principle “recognise and manage risk to children.” This Principle is evident in the regular risk assessments completed by educators and staff as they assess and manage the potential risk of harm to children during activities and events, and in the regular formal and informal training educators and staff receive to refresh their skills and understanding of practices that ensure the safety of children including but not limited to child protection and child safe practices such as adequate supervision, managing incidents and complaints, privacy requirements, implementing risk assessments, and safe excursion and transport practices
- **Grievance Policy** which includes our complaint handling procedures and guidelines, including potential outcomes
- **Incident, Injury, Trauma and Illness Policy** which requires staff maintain records that enable us to monitor, review and report incidents as required under the National Law (see also Standard 7)
- **Privacy and Confidentiality Policy** which outlines how our practices are consistent with the Australian Privacy Principles
- **Relationships with Children Policy** which covers positive interactions with children by educators, staff and other children (in cases of bullying for example)
- **Staffing Arrangements Policy** which includes procedures for supervising children to ensure their safety and remove any potential for harm to children, and requirements for clear Working With Children Checks.

Our Child Safe Policy is available to all families on our website and in our front office.

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

Our service will:

- inform children about their rights, including to safety, information, and participation
- recognise the importance of friendships and encourage support from peers to help children feel safe and less isolated
- offer access to sexual abuse prevention programs and relevant related information in an age-appropriate way
- attune staff and volunteers to signs of harm and facilitate child-friendly ways for children to express their views, participate in decision-making, and raise their concerns
- put strategies in place to develop a culture that facilitates participation and is responsive to the input of children
- provide opportunities for children to participate
- respond to their contributions to strengthen confidence and engagement.

Educators promote a culture of participation and inclusion, viewing all children as active participants and decision makers as they seek to include the interests, ideas, strengths, culture, abilities etc of each child. They understand this is an essential part of effectively implementing the NQS and the Early Years Learning Framework (EYLF) which promote each child's agency, perspective and participation, and require that educators are responsive to each child's ideas, interests and needs. See for example NQS Elements 1.1.2 Child-centred, 1.2.3 Child directed learning and 5.2.1 Collaborative learning (where children are supported to learn from and help each other), EYLF Principle 'Secure, respectful and reciprocal relationships' and EYLF Practice 'Responsiveness to Children' which promote respectful and reciprocal relationships with children based on deep understanding of their interests, community and culture.

As part of this process, educators regularly empower children to take part in discussions about their safety and decisions that affect them, and value their ideas, suggestions and feedback. Educators are attuned to babies' and younger children's non-verbal cues to plan curriculum and respond in ways that empowers them. Our Educational Leader regularly reviews educators' practices and supports them to continually improve.

Service policies which support this Standard include our:

- **Child Protection Policy** which requires educators, as part of the 'Strategies for Communication and Support' component of the Child Protection Risk Management Strategy, to regularly include age appropriate learning about the way adults should behave from a child safety perspective,

including their right to make decisions about their body and privacy, that they have a right to feel safe at all times, how to keep themselves safe, and what to do if they feel unsafe

- **Education, Curriculum and Learning Policy** which outlines practices which implement the EYLF, including regularly involving children in decision making about their learning and environment as part of the assessment and planning cycle
- **Relationships with Children Policy** which contains detailed guidelines and examples about children's inclusion, agency and peer support. The Policy also contains information and example of appropriate Behaviour Guidance strategies which support children to express and meet their needs.

#### **Standard 4 Families and communities are informed, and involved in promoting child safety and wellbeing**

Our service will ensure:

- families participate in decisions affecting their child
- we engage and openly communicate with families about our child safe approach and that relevant information is accessible
- families contribute to the development and review of our policies and practices
- we inform families and carers about our operations and governance.

Educators constantly build partnerships with families and community members, which provides many opportunities for discussion and feedback about safety practices. Educators and staff regularly encourage families to contribute to decisions about Service practices as well as their child's learning through questionnaires, information nights, face to face conversations and our 'Open Door Policy.' Families know they can locate Service policies and procedures on our website and in our front office. Providing information about service operations is also a requirement under NQS Element 6.1.3 'Families are supported.'

Child safe information is provided to families in various formats including displays and brochures. Several Policies and our Code of Conduct are also included in our family enrolment/information packs.

We note this is consistent with our obligations under the guiding principles in the National Law section 3(3) to respect and support the role of parents and families.

Our response to child safety, including in cases of harm, suspected harm or complaints, is also culturally sensitive.

Service policies which support this Standard include our:

- **Child Protection Policy** as discussed above
- **Educator and Management Policy** which includes our Code of Conduct as discussed above



- **Governance Policy** which includes our Service structure and identifies the people in leadership and management positions
- **Grievance Policy** which includes our complaint guidelines and the name of our Complaints Officer.
- **Parental Interaction and Involvement in the Service Policy** which highlights our 'Open Door' approach to facilitating transparent, two-way communication
- **Policy and Procedure Review Policy** which outlines how and when families will be encouraged to provide feedback on policies and procedures

#### **Standard 5 Equity is upheld and diverse needs respected in policy and practice**

Our service:

- understands children come from diverse circumstances, and supports each child and their family in meaningful and appropriate ways
- provides children with access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand
- pays particular attention to children with additional needs and children who are unable to live at home
- pays particular attention to the needs of Aboriginal children and provides/promotes a culturally safe environment for them.

Educators regularly plan and implement learning which promotes the benefits of cultural diversity, and the unique abilities and strengths each person has regardless of any additional needs, personal preferences or orientations, or family structure. Educators focus daily on ensuring *each child* can reach their potential in an inclusive environment which supports their participation, identity, connection to their world and sense of wellbeing. These practices underpin the NQS and the EYLF which promote equity, diversity and inclusion. See for example NQS Element 3.2.1 Inclusive Environment and Standard 5.1 Respectful and Equitable Relationships are maintained with each Child, as well as EYLF Principle High Expectations and Equity and EYLF Practice Cultural Competence. Educators also use the indicators under the EYLF Learning Outcomes to help identify children with vulnerabilities and additional needs.

In addition, where possible our staff profile reflects the diversity at our Service and in the local community, as this assists in building relationships with children and families, and in building the cultural competence of all educators and staff.

Service policies which support this Standard include our:

- **Additional Needs Policy** which discusses how we design or adapt the environment to ensure each child can participate and achieve meaningful learning outcomes, and how we work with external professionals, families and children to help achieve this outcome

- **Child Protection Policy** which includes the indicators of harm, the practices to effectively manage a suspicion or disclosure of harm, including where children may be unwilling to discuss this, and regular activities and experiences which teach children about their right to privacy, safety and who to approach for help if they don't feel safe
- **Education, Curriculum and Learning Policy** which outlines additional strategies educators use to promote each child's inclusion and participation, including establishing links with local cultural groups and using intentional teaching strategies to promote cultural customs, stories, traditions, history, inviting families and community members to visit and complete activities with children
- **Relationships with Children Policy** which covers inclusive practices as outlined in Standard 3 and also outlines practices to help support children through traumatic events

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

Our managers will ensure:

- recruitment, including advertising, referee checks and staff and volunteer pre-employment screening, emphasise child safety and wellbeing
- relevant staff and volunteers have current working with children checks or equivalent background checks
- all staff and volunteers receive an appropriate induction and are aware of their responsibilities to children, including record keeping, information sharing and reporting obligations
- we focus ongoing supervision and people management on child safety and wellbeing.

Our managers do not rely solely on clear Working with Children Checks. Our human resource practices support the recruitment and ongoing management of employees who implement strong child safe practices every day. For example our employment advertising includes a Statement of Commitment to Child Safety, interview questions establish the suitability of staff, referees are contacted, our Induction process requires all staff, including volunteers, to review and acknowledge in writing our Child Protection Policy and Code of Conduct, job descriptions set clear expectations about child safety, and we implement probationary periods. The Nominated Supervisor also implements an ongoing training program tailored to each staff member's needs and goals which are identified through regular performance reviews.

Our employee and volunteer induction processes include reviewing child safe policies, procedures and expectations. Volunteers are required to comply with all service policies and procedures and code of conduct.

Service policies which support this Standard include our:

- **Child Protection Policy** which includes Recruitment practices that clearly describe the expectations for employees to provide a child safe environment

- **Educator and Management Policy** which, in line with NQS Element 7.2.3 Development of professionals, requires the performance of educators and staff to be regularly evaluated against their position description, and training plans devised and implemented where there is an identified need, including for example in child safe practices. Training may occur through a recognised face to face or on-line training course, mentoring and at staff meetings. The Nominated Supervisor must include training funds in the annual budget.  
The Policy also outlines orientation practices to ensure new or returning staff are aware of current service policies and procedures, including those ensuring they meet their child protection obligations
- **Recruitment Policy/Procedure** which contains screening processes, use of position descriptions and interviews
- **Staffing Arrangements Policy** which contains qualification requirements, including those consistent with the Worker Screening Act 2020, and Supervision procedures with a child safety focus
- **Tobacco, Drug and Alcohol Policy** which clearly states educators and staff must not drink alcohol or take drugs at the Service, and must not attend if adversely affected by alcohol or drugs, including prescription medication.

#### **Standard 7 Processes for complaints and concerns are child-focused**

Our service:

- has an accessible, child-focused complaint handling policy that clearly outlines the roles and responsibilities of leadership, staff and volunteers, approaches to dealing with different types of complaints, breaches of relevant policies or the Code of Conduct and obligations to act and report
- has effective complaint handling processes that are culturally safe, and that children, families, and staff understand
- takes complaints seriously and responds promptly and thoroughly
- has policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether the law requires reporting, and co-operates with law enforcement
- meets reporting, privacy, and employment law obligations.

Complaints are taken very seriously at our Service, and children's safety and wellbeing is always our number one priority. Our child safety practices emphasise a child focus rather than focusing on adult intent.

Service policies which support this Standard include our:

- **Child Protection Policy** which contains a clear step by step procedure for reporting harm or suspected harm, for example to Police, Child Protection, the ECEC Regulatory Authority and

Commission for Children and Young People (under the Reportable Conduct Scheme). It also includes information about referrals to family support services

Where staff are the subject of child safety complaints, the Approved Provider or Nominated Supervisor must review their duties, decide if it's safe for them to continue working with children while the complaint is investigated, and if so ensure they're appropriately supervised at all times

- **Grievance Policy** which contains clear and transparent investigation guidelines including time frames, review processes, privacy and confidentiality requirements and potential outcomes of complaints including disciplinary action. The Policy clearly requires educators and staff support children to access the complaints process for all complaints alleging their safety or wellbeing is or could be harmed, if not already implementing the procedures in the Child Protection Policy. In line with the Policy and guidelines we also maintain a Complaint Register and regularly review the types, content and outcome of complaints to identify any patterns and underlying issues
- **Incident, Injury, Trauma and Illness Policy** which includes requirements under the National Law and Regulations to document and promptly notify the Regulatory Authority any 'Serious Incidents,' complaints alleging a Serious Incident has occurred, complaints that the National Law or Regulations have been breached, any circumstances arising at the Service that pose a risk to the health, safety and wellbeing of a child, and of any incident, complaint or allegation that physical or sexual abuse of a child has occurred.

### **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**

We train and support our staff and volunteers to:

- effectively implement our Child Safe Policy
- recognise indicators of child harm including harm caused by other children and young people
- respond effectively to issues of child safety and wellbeing and support colleagues who disclose harm
- build culturally safe environments for children.

Our Service is committed to a culture of ongoing learning and continuous improvement (as required under NQS element 7.2.1). This includes a commitment to ensuring all educators and staff know how to identify and respond to all forms of child harm, and are aware of current child safe knowledge and practices.

Service managers, for example, ensure they and all educators and staff participate in annual refresher training on their child safe obligations, the importance of taking a child-focused approach, the indicators of harm and patterns of behaviour that indicate a risk to children, record keeping and reporting procedures, and Service child safe practices, policies and resources. Training may be provided in-house, or by external providers where appropriate. Child safety is also regularly

included on staff meeting agendas. Child safe training always includes case studies and examples to support the development of practical skills and 'real-life' child safe responses.

Service policies which support this Standard include, as previously discussed, our:

- **Child Protection Policy** (see all Standards)
- **Child Safe Policy** (see Standard 2)
- **Educator and Management Policy** (see Standard 6)
- **Family Violence Safety Policy** (see Standard 2)

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

We will ensure:

- Staff and volunteers identify and mitigate risks in the online and physical environments without compromising a child's right to privacy, access to information, social connections and learning opportunities
- we use our online environment according to our Code of Conduct , Technology Usage Policy Child Safe Policy and practices
- our risk management plans consider our settings, activities and the physical environment
- if we contract facilities and services from third parties, our procurement policies ensure the safety of children.

We comply with child safety requirements under the National Education and Care Law and Regulations (refer those listed at the front of this policy). For example, Law section 165 'Offence relating to protection of children from harm and hazards' requires all employees and volunteers to take a risk management approach to safety, and Regulation 168(2)(h) requires services to have Policies relating to providing a child safe environment. ACECQA has indicated in its draft Child Safe Policy Guideline this covers supervision, staffing, child protection and the physical environment. Employees and volunteers regularly complete risk assessments prior to implementing activities or events that could potentially expose children to harm from a child protection and environmental perspective. Risk assessments always involve identifying and assessing risks, implementing measures to eliminate risks or to reduce them to acceptable levels, and ongoing monitoring. There are also the notification requirements outlined in our Incident, Injury, Trauma and Illness Policy to promptly notify the Regulatory Authority of child safety issues which we discussed under Standard 7.

Managers, staff and educators understand the physical environment can provide opportunities for harm to occur and implement supervision practices that reduce this risk. Where possible, physical environments are altered to increase natural lines of sight while respecting a child's right to privacy, and their need for risky play which allows them to temporarily 'disappear' (refer Sandseter's categories of risky play.) There is an increased focus on higher-risk locations including bathrooms,

and during events, transitions and excursions. This is reflected in our risk assessments, including those required under the National Regulations prior to conducting excursions or transporting children.

We also consider and protect children's safety in the online environment in an age appropriate way. Educators may discuss with younger children, for example, how there's no way to be sure who they're interacting with online. With older school age children, educators may cover risks like sharing intimate images, cyberbullying, and meeting in person with online contacts. If needed, staff and volunteers are provided with training on online risks to children, and families are provided with relevant information to support their parenting and children's wellbeing in line with NQS Element 6.1.3.

Service policies which support this Standard include our:

- **CCTV Policy** as discussed under Standard 2
- **Educator and Management Policy** which includes our Code of Conduct and the requirements when visitors attend the service. These include ensuring visitors are never left alone with children, and have a clear child protection clearance (unless exempt)
- **Incident, Injury, Trauma and Illness Policy** as discussed under Standard 7
- **Photography Policy** which promotes children's privacy and safety by requiring parents to consent before photos/videos are taken of their child, and before these are posted on any social media platforms, websites or used in service publications
- **Social Media Policy** which also promotes children's privacy and safety by banning educators and staff from using personal cameras or phones to take photos/video at the service, and from posting children's private information, photos or videos to their personal social media accounts.
- **Staffing Arrangements Policy** which discusses issues affecting the adequacy of supervision (these include the visibility and accessibility of areas where children are playing), supervision practices including the need for educators to position themselves to see as much of the play area as possible and to follow any playground supervision plans, particular activities that require focused supervision (including in bathrooms/toilets and higher risk activities). Other practices which support Regulation requirements include ensuring educator to child ratios are always met and educators under 18 are always supervised
- **Technology Usage Policy** which requires devices only be used to support children's learning, only age appropriate websites are accessed, and that educators directly supervise children when they're on-line.

**Standard 10 Implementation of the Child Safe Standards is regularly reviewed and improved**

#### Our Service:

- regularly reviews, evaluates and improves child safe practices
- analyses complaints, concern, and safety incidents to identify causes and systemic failures to inform continuous improvement
- reports on the findings of relevant reviews to staff, volunteers and families, and children where appropriate.

We are committed to a culture of continuous improvement, and we strive to reach or maintain an Exceeding rating under the NQS. We continually review our child safe practices and policies, and review any incidents and complaints to identify systemic causes which we address where possible. Regular training to embed child safety practices, and identify emerging trends and knowledge is a priority (reflected in training plans), and where relevant we seek a specialist external provider to facilitate this.

To support our continuous improvement, all managers, educators and staff also regularly engage in documented critical reflection of Service practices and policies, interactions with children and families, and children's learning and development. This involves considering issues from multiple perspectives including those of children, families, colleagues and theorists, considering social justice and power imbalances, and often implementing changes in practice as a result. As part of our regular reviews, we may review the Child Safe resources available on the [Commission for Children and Young People](#) website.

Under the National Law and Regulations, our Service is required to regularly update our 'Quality Improvement Plan' and submit it to the Regulatory Authority when requested.

Service policies which support this Standard include our:

- **Policy and Procedure Review Policy** which requires all Service policies and procedures to be regularly reviewed and updated in a scheduled, documented process. Regulatory authorities implementing the Education and Care Services National Law and Regulations require all policies be reviewed at least annually
- **Relationships with Children Policy** which contains extensive guidelines and examples to support positive interactions with children and behaviour management guidance. The Policy also clearly states staff must not isolate or intimidate children, or use corporal punishment to guide behaviour.

#### **Standard 11 Policies and procedures document how the organisation is safe for children and young people**

#### Our Service:

- complies with policies and procedures which address all Child Safe Standards, are developed in line with best practice models, and are easy to understand
- consults with staff, families, volunteers and interested community members when developing and reviewing policies and procedures
- has managers and leaders who model compliance with our policies and procedures and take action if practices are inconsistent with these
- ensures staff and volunteers understand and implement policies and procedures.

As discussed above, we have many Policies and Procedures that support our child safe focus. These are accessible to employees and families in hard copy and electronic versions and where possible bilingual staff discuss relevant policies with families in their home language.

Managers implement a robust performance management procedure where non-compliance with the National Law, Regulations or Service policies and procedures is identified, for example through reporting and feedback arrangements between room/group leaders, the Educational Leader and the Nominated Supervisor, or through our complaint handling process.

### Child Information Sharing Scheme

The Child information Sharing Scheme (the Scheme) helps professionals and organisations to promote the wellbeing and safety of children by clarifying and expanding the circumstances when prescribed organisations can share information. This Scheme and the Family Violence Information Sharing Scheme complement each other.

The Approved Provider and Nominated Supervisor are responsible for ensuring compliance with the Scheme. They are protected from liability if they share information in good faith and with reasonable care. If in doubt about their obligations or Scheme requirements, they will refer to the Child Information Sharing Scheme Guidelines. They will never use information obtained under the Scheme to prevent a child enrolling or continuing at the service.

As our Service is an 'Information Sharing Entity (ISE) under the Scheme, the Approved Provider or Nominated Supervisor will voluntarily share any personal information with other ISEs, or respond in a timely way to requests from ISEs to share information, if the information sharing meets the legal requirements of the Scheme. They may also request information from another ISE to promote the safety or wellbeing of a child.

The Approved Provider or Nominated Supervisor will use their professional judgement and work with other ISEs as required to determine whether the *threshold for sharing information* is met ie:



1. information is requested or shared for the purpose of promoting the safety or wellbeing of a child
2. if sharing information they reasonably believe this may help the receiving ISE to manage any risk to a child (eg through an assessment, plan, investigation or service provision to a child)
3. information is not excluded (includes information that might endanger a person's life or result in physical injury, prejudice legal proceedings or police investigation, contravene a court order, or is subject to legal professional privilege.)

If this threshold is met, consent is not required from any person to share information with other ISEs. However, the Approved Provider or Nominated Supervisor will inform the child and/or family members of the information collected, who it will be shared with, how it might be used, how they might access it, and consider their views, *if it's safe, appropriate and reasonable to do so*. They will also advise the information sharing is allowed under the Scheme, and that complaints about the sharing of personal information may be made to the Victorian Information Commissioner. The Approved Provider or Nominated Supervisor may refuse to give a person access to their confidential information if they reasonably believe doing so would increase the risk to a child's safety.

The Approved Provider or Nominated Supervisor will confirm a person or organisation requesting information is an ISE before sharing, for example by asking for an official work email or calling an organisation's switchboard. They will also be aware of local service providers and professionals who can support children and their families.

The Approved Provider or Nominated Supervisor may share information with a child (where appropriate) or with their parent/guardian where this will help manage a risk to the child's safety. They will consider the nature and significance of the risk, whether the information will help manage the risk and whether the information is excluded. (Information will never be shared with a perpetrator or alleged perpetrator of family violence or other offences against a child.) However, where there is not an immediate threat to the child's safety, the Approved Provider or Nominated Supervisor may refer the child/family member to an ISE with expertise in this area, including expertise from a culturally sensitive perspective.

### **Record Keeping**

The Approved Provider or Nominated Supervisor will ensure appropriate records are kept securely and confidentially when information is requested and shared including where relevant:

- if the service received a request for information, who this was from, what was requested and the date of the request
- if the service disclosed information voluntarily, who the information was shared with, what was disclosed and the date disclosed
- if the service requested information, who this was made to and the date, what was requested
- how a disclosure of information met the threshold for sharing

- reasons any information sharing request is declined (these will also be provided to the ISE)
- whether the views of the child and/or family member were sought and obtained in relation to information sharing, what those views were, if they were advised the information would be shared or why their views were not considered
- copies of any family violence risk assessment and/or safety plan
- details of any complaint received including what it's about, date made, action taken to resolve the complaint and prevent similar complaints and time taken to resolve.

Any questions about child safety or this Policy may be directed to a Responsible Person at the service (the Approved Provider, Nominated Supervisor or Person in Day to Day Charge). If employees, volunteers and families have concerns about the Approved Provider or Nominated Supervisor's ability to provide or maintain a child safe environment, they should first discuss their concerns with another Responsible Person who will investigate and if substantiated contact the Child Protection Hotline on 131 278, the Department of Education and Training (Children's Services) on 1300 307 415, the Police on 000 or the Commission for Children and Young People on 1300 78 29 78 for advice. Employees, volunteers and families may contact these organisations directly if they believe the Responsible Person has not taken appropriate action.

## Source

**A Guide for Creating a Child Safe Organisation**

**Child Information Sharing Scheme Ministerial Guidelines (includes Appendix 2 ISEs): VIC Govt Child Wellbeing and Safety Act 2005 (includes Part 6 Child Safe Standards and Part 6A Child Information Sharing Scheme)**

**Child Wellbeing and Safety (Information Sharing) Regulations 2018**

**Early Years Learning Framework**

**Education and Care Services National Law and Regulations**

**National Quality Standard**

**UN Convention on the Rights of the Child**

## Review

The policy will be reviewed annually by:

- Management
- Employees



- Families
- Interested Parties

Last reviewed: 25<sup>th</sup> March 2024

Date for next review: 25<sup>th</sup> March 2025