

CHILD SAFE STANDARDS POLICY

Quality Areas: NQS 2 – Children’s Health and Safety, NQS 5 - Relationships with Children, NQS 7 – Governance and Leadership

Policy Owner: Safety and Compliance

Why this is
important

1.0 Introduction and Purpose:

We are committed to child safety. We do this by supporting and respecting our teams, volunteers, families and children to ensure they are safe, happy and empowered. We have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously.

This policy is intended to empower children. We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

2.0 Who does this policy apply to:

Team Members, Families, Children, Board Members, and Contractors

3.0 What is our policy:

3.1 Training and Supervision

Child safety is everyone’s responsibility and is aligned with our safety strategies.

Team members, families and children should feel confident and comfortable in raising and discussing any allegations of child abuse or child safety concerns.

We educate our team members to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

We support our team members and volunteers to develop their skills to protect children from abuse and promote the cultural safety of Aboriginal and Torres Strait Islander children, children from linguistically and/or diverse backgrounds, and children with a disability.

Our team understand that their conduct and behaviour towards children must keep children safe and that interactions are appropriate (as per our Code of Conduct and the Child Harm Classification Table. Inappropriate behaviour will be reported via the appropriate channels.

3.2 Recruitment

All employees, including volunteers, are required to hold a Working with Children Check (WWCC) or equivalent and are required to provide evidence of this check on commencement and on the document renewal. These checks are stored on Human Force so that team members WWCC currency can be tracked.

We carry out reference checks and police record checks during the recruitment process and ensure that we ask child protective related questions during interviews.

Those persons identified as Persons with Management and Control will be identified and complete requirements in accordance with the *Governance and Management Policy* and *Persons with Management and Control Procedure*.

We ensure that students and volunteers and any person under the age of 18 years of age are supervised at all times and are informed about our child safe practices. As part of general daily operations, a Working Towards Certificate 111 team member must be within sight or sound of a qualified Certificate 3 Team Member or above.

We actively encourage applications from Aboriginal and Torres Strait Islander people, people from culturally and/or linguistically diverse backgrounds, people with a disability and all minority groups.

3.3 Fair Procedures for Team Members and Volunteers

The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, fair, transparent, and based on evidence.

We record all incidents, allegations of abuse and safety issues on our online safety reporting system, BeSafe. Our management of child harm allegations are documented on the *Child Harm Classification Table*. This also outlines the immediate actions taken and outcomes to be delivered based on a substantiated allegation.

All records are securely stored and confidential. If an allegation of abuse or a safety concern is raised, where appropriate, we provide organisational updates to families and other relevant parties on progress and actions. These matters are managed in accordance with our Privacy Policy and Records Retention and Management Policy.

All personal information considered or recorded will respect the privacy of the individuals involved unless there is a risk to someone's safety.

Everyone is entitled to know how this information is recorded, what will be done with it and who will have access to it. This is intended to protect reporters and to ensure that all members are comfortable to disclose any allegations or concerns in relation to child safety without repercussions.

For further information refer to the *Privacy Policy*, *Records Retention and Management Policy* and *Whistle-blower Policy*.

3.4 Legislative Responsibilities

We take our legal responsibilities seriously, including:

- **Failure to disclose:** All adults who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to Police.
- **Mandatory reporting:** All team members are mandatory reporters, so where a team member has a reasonable suspicion that a child is subject to, or at risk of, physical or sexual abuse both inside and outside of the centre, these concerns must be reported to the relevant agencies which may include Child Protection, Police, Reportable Conduct Schemes.
- **Failure to protect:** People of authority at Guardian (including Teachers, Centre Managers, and Portfolio Managers) will be seen to have committed an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.
- **Reportable conduct:** The head of our organisation (Chief Executive Officer) is made aware of any allegations of physical and sexual abuse, sexual misconduct, significant emotional or psychological harm or significant neglect by an employee or volunteer towards a child. We report these incidents in accordance with the state-based reporting requirements and meet all timeframes. Reportable Conduct Schemes are in place in ACT, New South Wales and Victoria.

We ensure that child harm allegations that meet the threshold will be reported. This applies to observed allegations that apply to team members, students, volunteers and contractors whom we have control of and are working in an engagement capacity with us.

Duty of care: We understand our duty of care obligations to all children and team members. We must ensure that we take all steps necessary to protect the children in our care.



For further information review the *Child Protection and Mandatory Reporting Policy*.

3.5 Risk Management

We are required to protect children when a risk is identified. In addition to general workplace health and safety risks, we proactively manage risks of abuse to our children by having in place policies, systems, and support tools to ensure our team members have the right information to report any concerns.

We have risk management strategies in place to identify, assess, and take steps to minimise child abuse risks which include risks posed by physical environments and online environments.

For specific information about managing risks in the environment review the *Safe Environments Policy*.

3.6 Complaints and Complaint Management Processes

All concerns, grievances, and complaints are taken seriously. When any person raises an issue, these will be managed in a sensitive, timely manner.

We also listen and respond to children in the same manner and ensure that any issues raised by them are considered and where possible actioned. We believe that even the youngest children can raise concerns verbally and non-verbally. A child crying, smiling or refusing are seen as the first forms of children expressing their displeasure or preferences. These cues or non-verbal communications are a child's first opportunity to express their needs and have their concerns responded to.

Children's views and ideas will be listened to and taken into account and used to inform program decisions.

For further details please review the *Family, Visitors and Child Grievance and Complaints Policy* and the *Whistle-blower Policy*.

3.7 Technology and Online Environments

We recognise that technology and communicating and documenting online is an essential component of the way in which we work and more broadly across society.

All documents containing personal information are collected and stored in accordance with the *Privacy Policy*. Where data breaches have become apparent, these will be reported and managed by our Privacy Officer within our legal department and all reporting notifications will be met. We will gain media permission from families as part of the enrolment form to ensure that families understand how and when photos, video or other online mediums involving children are used. We respect a family's right to refuse the use of their photos. Where this media permission is not granted, processes to manage this risk will be documented in the centre risk assessment.

Where we use digital devices for photographs of children, we will ensure that these are not accessed by unauthorised person(s), and we maintain confidentiality and privacy requirements. Photos and videos should not be taken or stored on personal devices.

The use of online environments as part of the educational program will be monitored and team members will ensure that the content is appropriate. We will share information about on-line and digital safety with children and families in an age-appropriate way and where appropriate.

Online and digital safety will be detailed on centre Risk Assessments. (Where applicable).

3.8 Cultural Safety, Inclusion and Equality

We recognise that children come from different cultural backgrounds and bring with them different skills, abilities, strengths and languages. We will ensure that all children feel safe to share and celebrate their cultural background and that practices ensure that they feel included in an environment where equality is embedded.

We acknowledge our Aboriginal and Torres Strait Islander heritage and celebrate their cultural influence. We embed and reflect their culture, customs, and values within the program to support recognition and understanding.

In accordance with our *Code of Conduct* we do not tolerate any form of racism, discrimination or bullying and harassment.

4.0 Responsibilities:

4.1 Approved Provider will:

1. Develop systems and processes to meet Child Safe Standards and that these are communicated to all team members.
2. Ensure that the Head of Organisation (CEO) is appointed and notified of any relevant conduct that meets relevant state-based Reportable Conduct Schemes, prior to the reporting being undertaken.
3. Ensure that all child harm incidents that meet the threshold for reporting to third party regulators are met including Child Protection, Reportable Conduct and Police.
4. Ensure that child harm reporting information is included in the Board and Management packs and reported to the Executive Leadership Team. Insights for consideration are provided, where appropriate. Insights and changes to enhance current practices will also be reported as part of this process.
5. Ensure that policies and procedures embed Child Safe Standards and are reviewed regularly. These policies and procedures, as well as supporting tools and resources, will be available on the Guardian Way.
6. Ensure all team members hold a current Working with Children Check or equivalent and all persons with financial delegations also meet any police check requirements as outlined in and in accordance with applicable legislation. Where these checks identify offences related to work requirements these will be escalated to the Chief People and Culture Officer for review and action.
7. Ensure training and development opportunities are made available to team members to enhance skills and knowledge. From time-to-time Guardian may specify specific training for team members. Where this is a requirement, this will be communicated to team members.
8. Ensure incident management processes are developed and implemented to support effective and timely management. A review of incidents both internal and external is undertaken to ensure learnings are applied.
9. Incident management processes are implemented that include documenting hazards, near misses and incidents online (BeSafe). Processes and workflows document incident management processes and who is notified as part of incident management.
10. Systems are in place to ensure that risks are identified and managed so that safe environments are provided.
11. That records and documents processes are in place so that privacy requirements are met.

4.2 Centre Manager/Nominated Supervisors will:

1. Ensure that all team members rostered have a current Working with Children Check or equivalent. Where a team member has an expired check, they will not be rostered to work and only reinstated when their check has been processed.
2. Ensure that all team members undertake their induction and understand their responsibilities related to keeping children safe.
3. Review child protection reporting requirements with team members as outlined in the *Child Protection and Mandatory Reporting Policy* at least annually or more often as required.
4. Ensure that all team members maintain knowledge and understanding of child protection and Child Safe Standards through training and discussion.
5. Ensure that where team members hold a reasonable suspicion that a child is at risk of harm that these concerns are reported to their state-based Child Protection authority and that the incidents are recorded on BeSafe and that the Child Protection and Mandatory Reporting Policy is followed.
6. Ensure that where they become aware that a team member is under investigation for a criminal or child-related offence that they escalate this information to their Portfolio Manager for advice immediately. This will be documented on BeSafe and marked confidential.
7. Ensure that the *Educator Record Cover Sheet* is reviewed and kept up to date. This will be used to ensure that team members hold a current Working with Children Check, meet any child protection training requirements and to verify their qualifications.
8. Ensure risk assessments are developed and implemented for all identified risks and that there are control measures in place to ensure that team members understand these risks and implement control measures. This also includes the use of technology and online environments (where applicable).
9. Ensure that child harm incidents are reported on Be Safe and where required a fact-find is required that this is undertaken. Where a child harm incident reaches the threshold to report to reportable conduct, the Compliance and Safety Team will report the incident and notify the centre.

4.3 Support Office will:

1. Ensure they hold current WWCC or equivalent and that this check is uploaded to Human Force.
2. Ensure documents which contain children's personal information or images will be managed in accordance with the Privacy Policy and stored in accordance with the Records Retention and Management Policy.

4.4 Team members will:

1. Ensure they understand their reporting requirements including those related to child harm and safety and that these are implemented consistently.
2. Undertake child protection training relevant to their state and provide the certificate of completion to their Centre Manager where this training has been undertaken by an external training provider.
3. Complete other mandatory safety training as directed.
4. Complete the opening, closing and playground checklists as well as other safety checklists, and any maintenance and safety issues are documented and escalated to the Responsible Person immediately.
5. Ensure that where a child discloses an allegation of abuse or observe an account which may constitute abuse that this is discussed with their direct line manager as soon as practicable, and the incident is documented on BeSafe.

6. Ensure that any risk assessments in place are understood and that all control measures are met. Where a new risk is identified this is raised with the Responsible Person on duty so that the risk can be managed or removed, if the item is easily and safely moved.
7. Notify the Responsible Person or Centre Manager as soon as practical where you feel that supervision / safety may be compromised such as inadequate educators or challenges with children's behaviours.
8. Ensure that educator logs are completed when working directly with children, (both signing and signing out) and ensure that they alert other team members when entering or leaving the space. Team members will also sign in and out daily on Human Force.
9. Ensure that all incidents are recorded on BeSafe, and the Centre Manager or Responsible Person is alerted to incidents that occur at the centre.
10. Ensure that individual and specific requirements for children are implemented which could include persons who can pick up and collect the child.
11. Ensure that family, team and child complaints are listened to and responded to appropriately. This should include that their concerns are noted and either resolved in consultation with them or escalated.
12. Involve children in decision-making opportunities that affect them and that there is a process to listen to their feedback and implement any changes.
13. Implement and abide by all policies and procedures.

4.5 Families and community members will:

1. Ensure that their current details and information about their child is provided to the centre as part of ongoing enrolment.
2. Where a court-related order is in place that families alert the centre and provide a copy of the document so that requirements can be met.
3. They notify the centre and provide details when a different person will be dropping off and/ or collecting their child.

5.0 State Specific Requirements

New South Wales Working with Children Check. Working with Children Check must be verified upon issue and renewal. Evidence of this check must be kept in their personnel file. New South Wales has reporting requirements to the Office of Children's Guardian in relation reportable conduct.

ACT ACT has reporting obligations to the ACT Ombudsman for incidents in relation to reportable conduct.

Victoria Child Safe Standards Victoria has legislated eleven Child Safe Standards. Victoria also has reporting responsibilities to Commission of Children and Young Persons.

Working with Children Checks Working with Children Checks must be verified online upon being issued and on an ongoing basis and checked annually for full-time team members, six monthly for part-time team members on three or less days and quarterly for regular casuals. Agency and single use casuals must be checked before commencing their shift. The verification must be printed out, signed by the Nominated Supervisor or Responsible Person on duty and dated.

6.0 Definitions

BeSafe the incident system to record all incidents, injuries, illnesses, complaints, centre incidents, allegations of harm and so on.

Working with Children Check Is an Australian background check requirement, assessing the criminal record of those working or volunteering in child-related work. Also known as the WWCC.

7.0 References

National	Australian Capital Territory	New South Wales
<i>Education and Care Act (2010)</i> <i>Education and Care Regulations (2011)</i> Australian Human Rights Commission Children's rights work Children's rights video Guidelines for the inclusion of transgender and gender diverse people in sport National Office for Child Safety National Principles for Child Safe Organisations advisory group member websites Royal Commission into Institutional Responses to Child Sexual Abuse Australian Institute of Family Studies	ACT Children and Young People Commissioner ACT Working with Vulnerable People Checks ACT Reportable Conduct Scheme	NSW Office of the Children's Guardian NSW Office of the Advocate for Children and Young People NSW Reportable Conduct Scheme
Queensland	South Australia	Victoria
Queensland Family and Child Commission Office of the Public Guardian Queensland Working with Children Check	South Australia Office of the Guardian for Children and Young People South Australia Working with Children Check	Victoria Commission for Children and Young People Victoria Reportable Conduct Scheme Victoria Working with Children Check

8.0 Tools and Resources

The most important documents I need are: Child Safe Organisation Poster (All states except VIC) Child Safe Organisation Victoria Child Protection and Mandatory Reporting Policy Risk Assessment Knowledge Hub pages Child Safe Standards Child Protection Grievance and Complaints	Other supporting documents will include: Family, Visitor and Child Grievance and Complaints Policy Commitment to Child Safety Poster Zero Tolerance Poster Privacy Policy Code of Conduct Policy Governance and Leadership Policy Guardian Curriculum Records Retention and Management Policy Whistle-blower Policy
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9.0 Links to the National Law and Regulations

168 Education and care service must have policies and procedures.

84 Awareness of child protection law

Policy owner	Chief Quality and Curriculum Officer		Content author	National Safety and Compliance Manager	
Date published	01/04/2024	Document version	V1.0	Revision due date	01/04/2025
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