

Child Safe Environment Policy

Our Service is committed to the safety, wellbeing and support of all children and young people. Management, staff and volunteers will treat all children with the utmost respect and understanding. Child abuse can occur within all communities. Staff members who work with children are responsible for providing a safe environment for the children in their care. At our Service staff members are in a position to monitor behavioural and emotional changes, physical injuries, and the general wellbeing of a child. The supportive environment of a child care setting and the relationships that staff develop with children may lead to a child making a disclosure about child abuse.

Our Service believes that:

- Children are capable of the same range of emotions as adults.
- Children's emotions are real and need to be accepted by adults.
- An adult's reaction to a child in the early stages of emotional development can be positive or detrimental depending on the adult's behaviour.

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.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
84	Awareness of child protection law
273	Course in child protection

OTHER RELEVANT LAWS

CHILDREN, YOUTH AND FAMILIES ACT 2005 (AS AMENDED 2014) (VIC)
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

RELATED POLICIES: *THIS POLICY IS TO BE READ IN CONJUNCTION WITH:*

Interactions with children Physical Environment Human Resources	Code of Conduct Governance Policy
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Our Commitment to child safety

Our Learning Steps Childcare and Kindergarten is committed to child safety.

We want the children to be safe, happy and empowered. We support and respect all children, as well as our staff and volunteers.

We are committed to the safety, participation and empowerment of all children, especially those in our immediate care.

We have a zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.

We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.

Our organisation is committed to preventing child abuse and identifying risks early, and removing and reducing these risks.

Our organisation is committed to regular training and educating our staff and volunteers on child abuse risks.

We support and respect all children, as well as our staff and volunteers. We are committed to the cultural safety of Aboriginal children, the cultural safety of children from a culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability.

We seek to create a safe and supportive environment for the children who attend the Service and for their families. To this end, we ensure that processes are in place to identify harm or suspected harm to a child and that our response is lawful, professional and immediate. This policy is informed by joint protocol established by the Department of Education and Training and Department of Human Services.

Our staff will treat all children with dignity and respect, taking care to value all children's rights under the provisions of the United Nations Convention on the Rights of the child, and Part 2 of the Child Wellbeing and Safety Act (Victoria) 2005.

We have specific policies, procedures and training in place that support our leadership team, staff and volunteers to achieve these commitments.

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

SCOPE

This policy applies to children, families, staff, management and visitors of the Service.

WHAT IS ABUSE?

Child abuse is any action towards a child or young person that harms or puts at risk their physical, psychological or emotional health or development. Child abuse can be a single incident or can be a number of different incidents that take place over time.

In Victoria abuse is classified into seven types:

1. Physical abuse
2. Sexual abuse

3. Grooming
4. Emotional or psychological harm
5. Neglect
6. Family violence
7. Children exhibiting inappropriate sexual behaviour.

DEFINITIONS

Maltreatment refers to non-accidental behaviour towards another person, which is outside the norms of conduct and entails a substantial risk of causing physical or emotional harm. Behaviours may be intentional or unintentional and include acts of omission and commission. Specifically *abuse* refers to acts of commission while *neglect* refers to acts of omission. Note that in practice the terms child abuse and child neglect are used more frequently than the term child maltreatment.

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.

What is significant is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child's or young person's safety, welfare, or wellbeing.

In the case of an unborn child, what is significant is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child.

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:

- First hand 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.
- 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.

Mandatory Reporting is the legislative requirement for selected classes of people to report suspected child abuse and neglect to government authorities. In Victoria, mandatory reporting is regulated by the *Children, Youth and Families Act 2005* (Vic) ss. 162, 182, 184 (CYFA).

Our Children

This policy is intended to empower children who are vital and active participants in our organisation. We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say. We will talk to them about what to do if they feel unsafe at any time.

We promote diversity and tolerance in our service, and people from all walks of life and cultural backgrounds are welcome.

In particular, we:

- Promote the cultural safety, participation and empowerment of Aboriginal children
- Promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds
- Ensure that children with a disability are safe and can participate equally

We will endeavour to provide a safe and supportive environment for children and young people by acknowledging that children have the right to:

- Feel safe
- Be listened to
- Be involved in decisions that affect them
- Have their cultural values respected
- Not be unjustly discriminated against on the basis of their status, activities or expressed opinions, or the beliefs of their parents
- Have their best interests considered

Our staff, students and volunteers

This policy guides our staff, students and volunteers on how to behave with children in our organisation. All of our staff, students and volunteers must agree to abide by our code of conduct which specifies the standards of conduct required when working with children. All staff, students and volunteers, as well as children and their families, are given the opportunity to contribute to the development of the code of conduct. (The code of conduct is attached to this policy)

This policy is explained to all staff, educators, students and volunteers before they commence at the Service. At that time, they are given the opportunity to ask any questions needed to clarify their understanding. They are then asked to sign the Child Protection Staff Acknowledgement Form.

The Nominated Supervisor at the Service has met all of the Regulatory Authority of Victoria's requirements of that Authority's determination of fit and proper.

Educators under 18 years old, students and volunteers are never left alone with children. Refer to the Service's Students, Volunteers and Visitors policy.

Educators, students and volunteers under 18 years employed by the service cannot be issued with a Working with Children Check and must always be under the immediate supervision of an educator who is 18 years or older and who holds (or is actively working towards) an approved diploma level education and care qualification.

Training and supervision

Training and Education is important to ensure that everyone in our organisation understands that child safety is everyone's responsibility.

Our organisational culture aims for all staff, students and volunteers (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. We train our staff and volunteers to identify, assess and minimise risks of child abuse and to detect potential signs of child abuse.

All staff and volunteers complete the following online training:

- The [Protecting Children - Mandatory Reporting and other Obligations for the Early Childhood Sector](#) module

This training is updated annually. A record of the date of training and a copy of their certificate of completion is kept in the staff member or volunteers staff record.

The Service provides staff with ongoing professional development in child protection, and the topic is regularly discussed in team meetings. Each year, Child Safety Officers from the Department of Human Services and/or Police Officers are invited to speak at team meetings on issues relating to child

protection. Information provided includes Abuse – Types and Indicators. Training needs are documented in a Training Record, and are monitored.

Staff, students and Volunteers will receive training in the following:

- Identifying, assessing and reducing or removing child abuse risks
- The Service's policies and procedures (including the code of conduct and this policy - child safety)
- Legislative requirements, such as obligations to report child abuse, reduce and remove known risks of child abuse, and to hold Working with Children Checks
- How to handle a disclosure or suspicion of abuse, including the Service's reporting guidelines
- Cultural awareness

Both formal and informal training will be offered to staff and volunteers.

During staff member's formal performance and development review, performance will be measured against the Service's standards of conduct and care to ensure expected outcomes are met.

We also support our staff and volunteers through ongoing supervision to: develop their skills to protect children from abuse; and promote the cultural safety of Aboriginal children, the cultural safety of children from linguistically and/or diverse backgrounds, and the safety of children with a disability.

New employees, students and volunteers will be supervised regularly to ensure they understand our organisation's commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking their behaviour towards children is safe and appropriate. Any inappropriate behaviour will be reported through appropriate channels, including the Department of Health and Human Services and Victoria Police, depending on the severity and urgency of the matter.

Recruitment

We take reasonable steps to employ skilled people to work with children. We have developed a selection criteria which clearly demonstrates our commitment to child safety and an awareness of our social and legislative responsibilities. We understand that when recruiting staff and volunteers we have ethical as well as legislative obligations.

We actively encourage applications from Aboriginal people, people from culturally and/or linguistically diverse backgrounds and people with a disability.

No one commences at the service who are actively engaged in child-related work, including volunteers without holding and providing a current Working with Children Check. Before being offered a position at the service, the Nominated Supervisor or Approved Provider will check the status of the Working with Children Check on the following website www.workingwithchildren.vic.gov.au. Once the person has passed this check, they will then be offered a position at the service.

For Teachers and Early Childhood staff who are registered with the Victorian Institute of Teaching they are not required to have a working with children check, they are required to hold and provide a current VIT registration card. Before being offered a position at the service, the Nominated Supervisor or Approved Provider will check that they are listed on the register and the status of their VIT registration on the following website www.vit.vic.edu.au. Once the person has passed this check, they will then be offered a position at the service.

Staff are informed that it is an offence not to notify the Service of any change in the criminal history or police information they have previously provided to the Department of Justice in obtaining their Working with Children Check.

The Nominated Supervisor maintains a staff summary sheet which clearly records the identifying number and the expiry date of the Working with Children Check or the VIT registration. The Nominated Supervisor will also check regularly the status of the staff members and volunteers Working with Children Check and VIT registration and record the outcomes of this.

We carry out reference checks to ensure that we are recruiting the right people.

If during the recruitment process a person's records indicate a criminal history then the person will be given the opportunity to provide further information and context.

Procedure for the recruitment of staff or volunteers

- Advertise vacancies on seek – www.seek.com.au
- Applications are looked at. Resumes and cover letters are short listed by the Approved Provider and/or Nominated Supervisor

- Potential employees are invited to be interviewed by the Approved Provider and/or Nominated Supervisor (This will be a face-to-face interview). A list of prepared questions will be asked during the interview
- The interviewee provides a valid Working with Children Check or VIT registration. The status of the Working with Children Check or VIT registrations are checked online
- The interviewee provides evidence of their qualifications or working towards qualifications
- References provided are checked, and a reference check is conducted on the interviewee's immediate past employer (the person needs to be in a senior position). Reference check will be documented
- A trial may be offered
- The successful candidate completes an application form and signs a contract of employment
- New employees will be on a 6-month probation
- New employees will do an induction/orientation before commencing or working with the children

Fair procedures for personnel

The safety and wellbeing of children is our primary concern. We are also fair and just to personnel. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

We record all allegations of abuse and safety concerns using our 'incident reporting form', including investigation updates. All records are securely stored.

If an allegation of abuse or safety concern is raised, we provide updates to children and families on the progress and any actions the service takes.

Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, parents or children, 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 of our organisation are comfortable to disclose any allegations or concerns in relation to child safety without repercussions.

Legislative responsibilities

Our Learning Steps Childcare and Kindergarten takes our responsibilities seriously, including:

- **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police. (A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed).

All adults should report other forms of child abuse to relevant authorities.

- **Failure to protect:** People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce the risk, but negligently fail to do so.
- **Mandatory Reporting:** Teachers and Early Childhood staff are mandatory reporters and must comply with their duties and report to Child Protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.
- **Reportable Conduct:** The head of our organisation must be made aware of any allegations of physical and sexual abuse, sexual misconduct, significant emotional or physiological harm or significant neglect by an employee or volunteer towards a child. We are also legally required to notify the Commission for Children and Young People of the allegation.
- **Duty of Care:** If a child is abused by an individual associated with our organisation, our organisation is presumed to have breached its duty of care unless it can prove that it took reasonable precautions to prevent the abuse in question. For more information please refer to the [new organisational duty of care to prevent child abuse page](https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/betrayal-of-trust-fact-sheet-the-new) <<https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/betrayal-of-trust-fact-sheet-the-new>> on the Department of Justice and Regulation's website.

Further information on failure to disclose or failure to protect offense is available on the Department of Justice and Regulation website www.justice.vic.gov.au.

Risk management

In Victoria, organisations are required to protect children when a risk is identified (see information about failure to protect above). In addition to general occupational health and safety risks, we proactively manage risks of abuse to our children.

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 (for example, any doors that can lock), and online environments (for example, no staff or volunteer is to have contact with a child in organisations on social media).

The Service shall attempt to involve staff, educators and parents when compiling the Risk Management Plan for High Risk Activities or Special Events.

(Please refer to the Service's Risk Management Plan for more information)

Allegations, concerns and complaints

Our organisation takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our staff and volunteers are trained to deal appropriately with allegations.

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

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

If an adult has a reasonable belief that an incident has occurred, then they must report the incident.

Factors contributing to reasonable belief may be:

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

Any suspicion of harm to a child occurring at the Service is to be immediately reported to the Nominated Supervisor. If the Nominated Supervisor is the subject of the complaint, the report may be made to the

Approved Provider or directly to the Regulatory Authority. The Nominated Supervisor/Approved Provider will report the incident to the Regulatory Authority. Reasonable grounds for suspecting harm include:

- You witness the harm
- A child tells you they have been harmed by someone at the Service
- Someone else (e.g. another child, staff member, parent, outside person) tells you that a child has been harmed by a person at the service

Our reporting process is attached to this policy.

‘PROTECT’ CHILD SAFE STANDARDS

From 1st January 2016 all early childhood services are required to comply with the Child Safe Standards. These standards aim to drive continuous improvement, by raising awareness and assisting organisations to create and maintain child safe environments.

The Standards

To create and maintain a child safe organisation, each early childhood service must have in place:

Standard 1: Strategies to embed an organisational culture of child safety, including through effective leadership arrangements.

Standard 2: A child safe policy or statement of commitment to child safety.

Standard 3: A code of conduct that establishes clear expectations for appropriate behaviour with children.

Standard 4: Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel.

Standard 5: Processes for responding to and reporting suspected child abuse.

Standard 6: Strategies to identify and reduce or remove risks of child abuse.

Standard 7: Strategies to promote the participation and empowerment of children.

The Principles

Three overarching principles are embedded into each standard to ensure that organisations are aware of and consider that some groups of children and young people may be particularly vulnerable, and may face extra challenges in reporting abuse. These principles are:

- Promoting the cultural safety of Aboriginal children,
- Backgrounds,

- Promoting the safety of children with a disability.

For more information, refer to:

- Cultural safety of Aboriginal children: <https://ccyp.vic.gov.au/assets/resources/tipsheet-cultural-safety-aboriginal-children.pdf>
- Cultural safety of children from culturally and/or linguistically diverse backgrounds: <https://ccyp.vic.gov.au/assets/resources/tipsheet-safety-children-cult-ling-diverse.pdf>
- Safety of children with a disability: <https://ccyp.vic.gov.au/assets/resources/tipsheet-safety-children-disability.pdf>

The Child Safety Standards are embedded into the policies and procedures of the Service.

INDICATORS OF ABUSE

There are common physical and behavioural signs that may indicate abuse or neglect. The presence of one of these signs does not necessarily mean abuse or neglect. Behavioural or physical signs which assist in recognising harm to children are known as **indicators**. The following is a guide only. One indicator on its own may not imply abuse or neglect. However, a single indicator can be as important as the presence of several indicators. Each indicator needs to be considered in relation to other indicators and the child's circumstances. A child's behaviour is likely to be affected if he/she is under stress. There can be many causes of stress and it is important to find out specifically what is causing the stress. Abuse and neglect can be single incidents or ongoing, and may be intentional or unintentional.

PHYSICAL CHILD ABUSE

Physical child abuse is the non-accidental infliction of physical injury or harm on a child.

Examples of physical abuse may include beating, shaking, burning, assault with implements, and female genital mutilation.

INDICATORS OF PHYSICAL CHILD ABUSE

Physical indicators of physical child abuse include (but are not limited to):

- Evidence of physical injury that would not likely be the result of an accident.
- Bruises or welts on facial areas and other areas of the body, e.g. back, bottom, legs, arms and inner thighs.

- Burns from boiling water, oil or flames or burns that show the shape of the object used to make them, e.g. iron, grill, cigarette.
- Fractures of the skull, jaw, nose and limbs, especially those not consistent with the explanation offered, or the type of injury possible at the child's age of development.
- Cuts and grazes to the mouth, lips, gums, eye area, ears and external genitalia.
- Bald patches where hair has been pulled out.
- Multiple injuries, old and/or new.
- Effects of poisoning.
- Internal injuries.

Behavioural indicators of physical child abuse include (but are not limited to):

In an infant or toddler:

- Self-stimulatory behaviours, for example, rocking, head banging.
- Crying excessively or not at all.
- Listless and immobile and/or emaciated and pale.
- Exhibits significant delays in gross motor development and coordination.
- Their parent/carer is unresponsive or impatient to child's cues and unreceptive to support.

In all children, infants and toddlers:

- Disclosure of physical abuse, e.g. by child, friend, family member.
- Inconsistent or unlikely explanation for cause of injury.
- Wearing clothes unsuitable for weather conditions to hide injuries.
- Wariness or fear of a parent, carer or guardian and reluctance to go home.
- Unusual fear of physical contact with adults.
- Fear of home, specific places or particular adults.
- Unusually nervous, hyperactive, aggressive, disruptive and destructive to self and/or others.
- Overly compliant, shy, withdrawn, passive and uncommunicative.
- Change in sleeping patterns, fear of the dark or nightmares and regressive behaviour, e.g. bed-wetting.
- No reaction or little emotion displayed when being hurt or threatened.
- Habitual absences from the Service without reasonable explanation, where regular attendance is expected.
- Complaining of headaches, stomach pains, or nausea without physiological basis.
- Poor self-care or personal hygiene.

CHILD SEXUAL ABUSE

Child sexual abuse is when a person uses power or authority over a child to involve them in sexual activity.

This can include a wide range of physical and non-contact sexual activity

- Physical sexual contact:
 - Kissing or fondling a child in a sexual way.
 - Masturbation.
 - Fondling the child's genitals.
 - Oral sex.
 - Vaginal or anal penetration by a penis, finger or other object.
 - Exposure of the child to pornography.

- Non-contact offences:
 - Talking to a child in a sexually explicit way.
 - Sending sexual messages or emails to a child.
 - Exposing a sexual body part to a child.
 - Forcing a child to watch a sexual act including showing pornography to a child.
 - Having a child pose or perform in a sexual manner (including child sexual exploitation).
 - Grooming or manipulation.

Child sexual abuse does not always involve force. In some circumstances a child may be manipulated into believing that they have brought the abuse on themselves, or that the abuse is an expression of love through a process of grooming.

Any child can be victim of sexual abuse, however children who are vulnerable, isolated and/or have a disability are disproportionately abused and are much more likely to become victim.

INDICATORS OF CHILD SEXUAL ABUSE

Physical indicators of child sexual abuse include (but are not limited to):

- Injury to the genital or rectal area, e.g. bruising, bleeding, discharge, inflammation or infection.
- Injury to areas of the body such as breasts, buttocks or upper thighs.

- Discomfort in urinating or defecating.
- Presence of foreign bodies in the vagina and/or rectum.
- Sexually-transmitted infections.
- Frequent urinary tract infections.

Behavioural indicators of child sexual abuse include (but are not limited to):

In an infant or toddler:

- Self-stimulatory behaviours, for example, rocking, head banging.
- Crying excessively or not at all.
- Listless and immobile and/or emacipated and pale.
- Exhibits significant delays in gross motor development and coordination.

In all children, infants and toddlers:

- Disclosure of sexual abuse, e.g. by child, friend, family member.
- Drawings or descriptions of stories that are sexually explicit and not age-appropriate.
- Persistent and age-inappropriate sexual activity, e.g. excessive masturbation or rubbing genitals against adults.
- Wariness or fear of a parent, carer or guardian and reluctance to go home.
- Unusual fear of physical contact with adults.
- Change in sleeping patterns, fear of the dark or nightmares and regressive behaviour, e.g. bed-wetting.
- Wearing clothes unsuitable for weather conditions to hide injuries.
- Unusually nervous, hyperactive, aggressive, disruptive and destructive to self and/or others.
- Exhibits significant delays in gross and fine motor development and coordination.
- Overly compliant, shy, withdrawn, passive and uncommunicative.
- Fear of home, specific places or particular adults.
- Poor self-care or personal hygiene.
- Complaining of headaches, stomach pains or nausea without physiological basis.

CHILD SEXUAL EXPLOITATION

Child sexual exploitation is also a form of sexual abuse where offenders use their power, (physical, financial or emotional) over a child to sexually or emotionally abuse them.

It often involves situations and relationships where young people receive something (food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money, etc.) in return for participating in

sexual activities.

Child sexual exploitation can occur in person or online, and sometimes the child may not even realise they are a victim. For more information on child sexual exploitation and advice on specific strategies for identifying and preventing exploitation please see Prevention of Child Sexual Exploitation and Grooming at <http://www.education.vic.gov.au/about/programs/health/protect/Pages/exploitationgrooming.aspx>

GROOMING

Grooming is when a person engages in predatory conduct to prepare a child for sexual activity at a later time. Grooming can include communicating and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer.

Sometimes it is hard to see when someone is being groomed until after they have been sexually abused, because some grooming behaviour can look like "normal" caring behaviour.

Examples of grooming behaviours may include:

- Giving gifts or special attention to a child or their parent or carer (this can make a child or their parent feel special or indebted).
- Controlling a child (or that child's parents) through threats, force or use of authority (this can make a child or their parent fearful to report unwanted behaviour).
- Making close physical contact or sexual contact, such as inappropriate tickling and wrestling.
- Openly or pretending to accidentally expose the victim to nudity, sexual material and sexual acts (this in itself is classified as child sexual abuse but can also be a precursor to physical sexual assault).

INDICATORS OF GROOMING

Behavioural indicators that a child may be subject to grooming include (but are not limited to):

- Developing an unusually close connection with an older person.
- Displaying mood changes (hyperactive, secretive, hostile, aggressive, impatient, resentful, anxious, withdrawn, depressed).
- Using street/different language; copying the way the new 'friend' may speak; talking about the new 'friend' who does not belong to his/her normal social circle.
- Possessing gifts, money and expensive items given by the 'friend'.

- Being excessively secretive about their use of communications technologies, including social media.
- Being dishonest about where they've been and whom they've been with.

EMOTIONAL ABUSE

Emotional child abuse occurs when a child is repeatedly rejected, isolated, or frightened by threats, or by witnessing family violence.

It also includes hostility, derogatory name-calling and put-downs, and persistent coldness from a person, to the extent that the child suffers, or is likely to suffer, emotional or psychological harm to their physical or developmental health. Emotional abuse may occur with or without other forms of abuse.

INDICATORS OF EMOTIONAL ABUSE

Physical indicators of emotional abuse include (but are not limited to):

- Language delay, stuttering or selectively being mute (only speaking with certain people or in certain situations).
- Delays in emotional, mental or physical development.

Behavioural indicators of emotional abuse include (but are not limited to):

In an infant or toddler:

- Self-stimulatory behaviours, for example, rocking, head banging.
- Crying excessively or not at all.
- Listless and immobile and/or emancipated and pale.
- Exhibits significant delays in gross motor development and coordination.
- Their parent/carer is unresponsive or impatient to child's cues and unreceptive to support.

In all children, infants and toddlers:

- Overly compliant, passive and undemanding behaviour.
- Extremely demanding, aggressive and attention-seeking behaviour or anti-social and destructive behaviour.
- Low tolerance or frustration.
- Poor self-image and low self-esteem.
- Unexplained mood swings, depression, self-harm.
- Behaviours that are not age-appropriate, e.g. overly adult, or overly infantile.
- Exhibits significant delays in gross and fine motor development and coordination.

- Poor social and interpersonal skills.
- Violent drawings or writing.
- Lack of positive social contact with other children.

NEGLECT

Neglect includes a failure to provide the child with one or more of the following to the extent that the health or physical development of the child is significantly impaired or placed at serious risk:

- An adequate standard of nutrition.
- Medical care.
- Clothing.
- Shelter.
- Supervision.

In some circumstances the neglect of a child:

- Can place the child's immediate safety and development at serious risk.
- May not immediately compromise the safety of the child but is likely to result in longer term cumulative harm.

This includes low-to-moderate concerns for the wellbeing of a child, such as:

- Concerns due to conflict within a family.
- Parenting difficulties.
- Isolation of a family or a lack of apparent support.

Both forms of neglect must be responded to via the Four Critical Actions for Early Childhood Services.

INDICATORS OF NEGLECT

Physical indicators of neglect include (but are not limited to):

- Appearing consistently dirty and unwashed.
- Being consistently inappropriately dressed for weather conditions.
- Being at risk of injury or harm due to consistent lack of adequate supervision from parents.
- Being consistently hungry, tired and listless.
- Having unattended health problems and lack of routine medical care.
- Having inadequate shelter and unsafe or unsanitary conditions.

Behaviour indicators of neglect include (but are not limited to):

In an infant or toddler:

- Self-stimulatory behaviours, for example, rocking, head banging.
- Crying excessively or not at all.
- Listless and immobile and/or emancipated and pale.
- Exhibits significant delays in gross motor development and coordination.
- Inadequate attention to the safety of the home (e.g. dangerous medicines left where children may have access to them).
- Being left unsupervised, either at home, on the street or in a car.
- Their parent/carer is unresponsive or impatient to child's cues and unreceptive to receive support.
- Developmental delay due to lack of stimulation.

In all children, infants and toddlers:

- Being left with older children or persons who could not reasonably be expected to provide adequate care and protection.
- Gorging when food is available or inability to eat when extremely hungry.
- Begging for, or stealing food.
- Appearing withdrawn, listless, pale and weak.
- Aggressive behaviour, irritability.
- Little positive interaction with parent, carer or guardian.
- Indiscriminate acts of affection and excessive friendliness towards strangers.
- Exhibits significant delays in gross and fine motor development and coordination.
- Poor, irregular or non-attendance at the Service (where regular attendance is expected).
- Refusal or reluctance to go home.
- Self-destructive behaviour.
- Taking on an adult role of caring for parent.

FAMILY VIOLENCE

Family violence is behaviour towards a family member that may include:

- Physical violence or threats of violence.
- Verbal abuse, including threats.
- Emotional or psychological abuse.
- Sexual abuse.

- Financial and social abuse.

A child's exposure to family violence constitutes child abuse. This exposure can be very harmful and may result in physical harm and long-term physical, psychological and emotional trauma. Action must be taken to protect the child, and to mitigate or limit their trauma.

Research shows that during pregnancy and when families have very young babies:

- There is an increased risk of family violence.
- Pre-existing family violence may increase in severity.
- There is an opportunity for intervention as families are more likely to have contact with services.

The longer that a child experiences or is exposed to family violence, the more harmful it is.

FAMILY VIOLENCE IN ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITIES

In identifying family violence in Aboriginal and Torres Strait Islander communities it is important to recognise that:

- Aboriginal and Torres Strait Islander family violence may relate to relationships that aren't captured by the Western nuclear family model (e.g. grandparents, uncles and aunts, cousins and other community and culturally defined relationships).
- Aboriginal and Torres Strait Islander family violence can also include cultural and spiritual abuse.
- Perpetrators of Aboriginal and Torres Strait Islander family violence may not be Aboriginal and Torres Strait Islander people.

Aboriginal and Torres Strait Islander family violence occurs in a historical context of colonisation, dispossession, and the loss of culture. This has resulted in the breakdown of kinship systems and of traditional law, racism, and previous government policies of forced removal of children from families. However, this should never detract from the legitimacy of the survivor's experience of violence, or your obligation to report and respond to any suspected family violence.

INDICATORS OF FAMILY VIOLENCE

Physical indicators of family violence may include (but are not limited to):

- Speech disorders.
- Delays in physical development.
- Failure to thrive (without an organic cause).

- Bruises, cuts or welts on facial areas, and other parts of the body including back, bottom, legs, arms and inner thighs.
- Any bruises or welts (old or new) in unusual configurations, or those that look like the object used to make the injury (such as fingerprints, handprints, buckles, iron or teeth).
- Internal injuries.

Behavioural indicators of family violence may include (but are not limited to):

In an infant or toddler:

- Self-stimulatory behaviours, for example, rocking, head banging.
- Crying excessively or not at all.
- Listless and immobile and/or emancipated and pale.
- Exhibits significant delays in gross motor development and coordination.

In all children, infants and toddlers:

- Violent/aggressive behaviour and language.
- Depression and anxiety.
- Appearing nervous and withdrawn, including wariness of adults.
- Difficulty adjusting to change.
- Developmentally inappropriate bedwetting and sleeping disorders.
- Extremely demanding, attention-seeking behaviour.
- Participating in dangerous risk-taking behaviours to impress peers.
- Overly compliant, shy, withdrawn, passive and uncommunicative behaviour.
- 'Acting out', such as cruelty to animals.
- Demonstrated fear of parents, carers or guardians, and of going home.
- Complaining of headaches, stomach pains or nausea without physiological basis.

INAPPROPRIATE SEXUAL BEHAVIOUR

Inappropriate sexual behaviour includes:

Problem sexual behaviour

Problem sexual behaviour is the term used by the Victorian government and funded service providers to describe concerning sexual behaviour exhibited by children under the age of 10 years. Children under 10 years are deemed unable to consent to any form of sexual activity and cannot be held criminally responsible for their behaviour.

Sexually abusive behaviour

Sexually abusive behaviour is the term used by the Victorian Government and funded service providers to describe concerning sexual behaviour by children aged 10 years or older and under 15 years of age. A child is considered to exhibit sexually abusive behaviour when they have used power, authority, or status to engage another party in sexual activity that is unwanted or the other party is unable to give consent. A child who engages in sexually abusive behaviour may be in need of therapeutic treatment. It may also be an indicator that the child has been or is being sexually abused by others.

Sexually abusive behaviour may amount to a sexual offence. A sexual offence includes rape, sexual assault, indecent acts and other unwanted sexualised touching, all of which are offences under the Crimes Act 1958.

It may be difficult to determine the nature of children's sexual behaviour, including whether the behaviour:

- Constitutes a sexual offence.
- Is indicative of any underlying abuse.

Under Victorian Law:

- Children aged between 12-15 can only consent to sexual activity with a peer no more than two years their senior (*therefore sexual contact led by a child with another child outside of these age parameters may amount to a sexual offence*).
- In order for a person to consent to sexual activity they have to have the capacity to understand the context and possible consequences of the act (*therefore sexual contact led by a child involving a person with a cognitive impairment or affected by alcohol and other drugs may also amount to a sexual offence*).

Most critically the 'Four Critical Actions for Early Childhood Services: Responding to Incidents, Disclosures or Suspicions of Child Abuse' will be followed if:

- You witness an incident, receive a disclosure or form a reasonable suspicion that a child has engaged in inappropriate sexual behaviour, even if you're not sure (these actions will support you to report to Victoria Police).
- A child's inappropriate sexual behaviour leads you to form a reasonable belief that the child may be subject to abuse.

NOTE: All definitions and indicators of child abuse sourced from: State of Victoria (Department of Education and Training). (2017). Early childhood guidance: Identifying signs of child abuse. Retrieved from www.education.vic.gov.au

IMPLEMENTATION

Our Service strongly opposes any type of abuse against a child and endorses high quality practices in relation to protecting children. To ensure best practice, all educators will attend approved Child Protection training certified by a registered training organisation. Educators will continue to keep up to date, by completing Child Protection Awareness Training annually, ensuring they keep up to date with their current responsibilities as Mandatory Reporters.

NOTE: The reporter is not required to prove that abuse has occurred.

Management/Nominated Supervisor will ensure:

- The Nominated Supervisor of the Service and any certified supervisor in day-to-day charge of the Service have successfully completed a course in child protection approved by the Regulatory Authority.
- All employees and volunteers are:
 - Clear about their roles and responsibilities regarding child protection.
 - Aware of their requirements to immediately report cases where they believe a child is at risk of significant harm to the appropriate authority.
 - Aware of the indicators showing a child may be at risk of harm or significant risk of harm.
- To provide training and development for all educators, staff and volunteers in child protection
- To provide educators with a reporting procedure and professional standards to safeguard children and protect the integrity of educators, staff and volunteers.
- To validate a Working with Children Check for all educators, staff and volunteers unless the person meets the criteria for exemption from a WWCC. See exemption information at <http://www.workingwithchildren.vic.gov.au/home/about+the+check/who+needs+a+check/exemptions/>
- To provide access to relevant acts, regulations, standards and other resources to help educators, staff and volunteers meet their obligations.
- Records of abuse or suspected abuse are kept in line with our Privacy and Confidentiality Policy.

- To notify the Child Protection Services within 30 days of becoming aware of any allegations and convictions for abuse or neglect of a child made against an employee or volunteer and ensure they are investigated, and appropriate action taken.
- To notify Child Protection Services of details of employees against whom relevant disciplinary proceedings have been completed or people whose employment has been rejected because of a risk identified in employment screening processes.
- To notify the regulatory authority as soon as practicable of any incident where you reasonably believe that physical and/or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the Service
- To notify the regulatory authority as soon as practicable of any allegation that sexual or physical abuse of a child has occurred or is occurring while the child is being educated and cared for by the Service.

ACCUSATIONS AGAINST EDUCATORS

Accusations of abuse or suspected abuse against educators, staff members, and volunteers, the Nominated Supervisor or Approved Provider are treated in the same way as allegations against other people. Reports will be made to the Child Protection Helpline where a child is at risk of significant abuse by a person at the Service. If the Supervisor is involved in the abuse, then the Approved Provider or most senior educator will assist in notifying the Child Protection Helpline. Where the offence requires immediate police action, the police will be called on 000.

Educators will:

- Be able to recognise indicators of abuse.
- Respect what a child discloses, taking it seriously and follow up their concerns.
- Allow children to be part of decision-making processes where appropriate.
- Comprehend they are mandatory reporters under the legislation and report any situation where they believe on reasonable grounds a child is at risk of significant harm to the Police on 000, Child Protection Crisis Line on **132 278**, and/or local Child Protection office (see end of policy for contact details) as appropriate.
- Be able to contact Child FIRST, which also help mandatory reporters identify the level of risk to a child and whether to report the risk to the Child Protection Service.
- Contact the police on 000 if there is an immediate danger to a child and intervene instantly if it is safe to do so.

- Associate families with referral agencies where concerns of harm do not meet the threshold of significant harm. These services may be located through Child FIRST. Family consent will be sought before making referrals.
- Promote the welfare, safety and wellbeing of children at the Service.
- Prepare precise records recording exactly what happened, conversations that took place and what you observed to contribute to the investigations of abuse or suspected abuse by the Child Protection Crisis Line, local Child Protection office, or dealings with referral agencies.
- Understand that allegations of abuse or suspected abuse against them are treated in the same way as allegations of abuse against other people

DOCUMENTING A SUSPICION OF HARM

If educators have concerns about the safety of a child, they will:

- Record their concerns in a non-judgmental and accurate manner as soon as possible.
- Record his or her own observations as well as precise details of any discussion with a parent (who may for example explain a noticeable mark on a child).
 - Not endeavour to conduct their investigation.
- Document as soon as possible so the details are accurately apprehended including:
- Time, date and place of the suspicion,
- Full details of the suspected abuse, and
- Date of report and signature.

DOCUMENTING A DISCLOSURE

A disclosure of harm emerges when someone, including a child, tells you about harm that has happened or is likely to happen. When a child discloses that he or she has been abused, it is an opportunity for an adult to provide immediate support and comfort and to assist in protecting the child from the abuse. It is also a chance to help the child connect to professional services that can keep them safe, provide support and facilitate their recovery from trauma. Disclosure is about seeking support and your response can have a great impact on the child or young person's ability to seek further help and recover from the trauma.

When receiving a disclosure of harm, the Service will:

- Remain calm and find a private place to talk.
- Reassure the child or young person it is right to tell.

- Let the child or young person take his or her time.
- Let the child or young person use his or her own words.
- Accept the child or young person will disclose only what is comfortable and recognise the bravery/strength of the child for talking about something that is difficult.
- Not promise to keep a secret.
- Tell the child/person they have done the right thing in revealing the information but that they'll need to tell someone who can help keep the child safe.
- Only ask enough questions to confirm the need to report the matter because probing questions could cause distress, confusion and interfere with any later enquiries.
- Not attempt to conduct their own investigation or mediate an outcome between the parties.
- Document as soon as possible so the details are accurately captured including:
 - Time, date and place of the disclosure,
 - 'Word for word' what happened and what was said, including anything they said and any actions that have been taken,
 - Date of report, and
 - Signature.
- Do not confront the perpetrator.

CONFIDENTIALITY

It is important that any notification remains confidential, as it is vitally important to remember that no confirmation of any allegation can be made until the matter is investigated. The individual who makes the complaint should not inform the person they have made the complaint about. This ensures the matter can be investigated without prior knowledge and contamination of evidence.

Protection for reporters

Reports made to Child Protection Services are kept confidential. However, a law enforcement agency may access the identity of the reporter if this is needed in connection with the investigation of an alleged serious offence against a child. Under the *Children Youth and Families Act 2005* (s. 189), if the report is made in good faith:

- It does not constitute unprofessional conduct or a breach of professional ethics.
- The reporter cannot be held legally liable.
- It does not constitute a breach of s. 141 of the *Health Services Act 1988*, or s. 346 of the *Mental Health Act 2014*.
- The reporter is not liable for the eventual outcome of any investigation.

A report is also an exempt document under the *Freedom of Information Act 1989*.

Confidentiality for reporters

Under ss. 190 and 191 of the CYFA confidentiality is provided for reporters, and prevents the name or any information likely to lead to the identification of the reporter to be disclosed unless in very specific circumstances.

The identity of the reporter must remain confidential unless;

- The reporter chooses to inform the child or family of the report.
- The reporter consents in writing to their identity as the reporter being disclosed.
- A court or tribunal decides it need this information in order to ensure the safety and wellbeing of the child.
- A court or tribunal decides that in the interests of justice the evidence needs to be given.

BREACH OF CHILD PROTECTION POLICY

All educators and staff working with children have a duty of care to support and protect children. A duty of care is breached if a person:

- Does something that a reasonable person in that person's position would not do in a particular situation.
- Fails to do something that a reasonable person in that person's position would do in the circumstances.
- Acts or fails to act in a way that causes harm to someone the person owes a duty of care.

MANAGING A BREACH IN CHILD PROECTION POLICY

Management will investigate the breaches in a fair, unbiased and supportive manner by:

- Discussing the breach with all people concerned will be advised of the process.
- Giving the educator the opportunity to provide their version of events.
- Documenting the details of the breach, including the versions of all parties and the outcome will be recorded.
- Ensuring the matters in relation to the breach are kept confidential.
- Approaching an appropriate outcome which will be decided based on evidence and discussion.

OUTCOME OF A BREACH IN CHILD PROTECTION POLICY

Depending on the nature of the breach outcomes may include:

- Emphasising the relevant element of the child protection policy and procedure.

- Providing closer supervision.
- Further education and training.
- Facilitating between those involved in the incident (where appropriate).
- Disciplinary procedures if required.
- Reviewing current policies and procedures and developing new policies and procedures if necessary.

EDUCATING CHILDREN ABOUT PROTECTIVE BEHAVIOUR

Our program will educate children

- About acceptable and unacceptable behaviour, and what is appropriate and inappropriate contact at an age appropriate level and understanding.
- About their right to feel safe at all times.
- To say ‘no’ to anything that makes them feel unsafe or uncomfortable.
- About how to use their own knowledge and understanding to feel safe.
- To identify signs that they do not feel safe and need to be attentive and think clearly.
- That there is no secret or story that is too horrific, that they cannot share with someone they trust.
- That educators are available for them if they have any concerns.
- To tell educators of any suspicious activities or people.
- To recognise and express their feelings verbally and non-verbally.
- That they can choose to change the way they are feeling.

REPORTING AUTHORITY	CONTACT DETAILS
Department of Human Services	Child Protection Crisis Line (urgent concerns) Ph. 13 12 78 Ph. 1800 212 936 National Child Abuse Helpline: Ph. 1800 99 10 99 (9am-5pm AEST)

JURISDICTIONAL CONTACTS	CONTACT DETAILS
North Division Banyule, Buloke, Darebin, Campaspe, Central Goldfield, Gannawarra, Greater Bendigo, Hume, Loddon, Macedon Ranges, Mildura, Moreland, Mount Alexander, Nillumbik, Swan Hill, Whittlesea, Yarra.	1300 664 977

South Division Bass Coast, Baw Baw, Bayside, Cardinia, Casey, East Gippsland, Frankston, Glen Eira, Greater Dandenong, Kingston, Latrobe, Mornington Peninsula, Port Phillip, South Gippsland, Stonnington, Wellington.	1300 655 795
East Division Alpine, Benalla, Boroondara, Greater Shepparton, Indigo, Knox, Manningham, Mansfield, Maroondah, Mitchell, Moira, Monash, Murrindindi, Strathbogie, Towong, Wangaratta, Whitehorse, Wodonga, Yarra Ranges.	1300 360 391
West Division - Rural and regional only Ararat, Ballarat, Colac-Otway, Corangamite, Glenelg, Golden Plains, Greater Geelong, Hepburn, Hindmarsh, Horsham, Moorabool, Moyne, Northern Grampians, Pyrenees, Queenscliffe, Southern Grampians, Surf Coast, Warrnambool West Wimmera, Yarriambiack.	1800 075 599
West Division – Metropolitan only Brimbank, Hobsons Bay, Maribyrnong, Melbourne, Melton, Moonee Valley, Wyndham.	1300 664 977

Additional Information

Child protection and child safety information is made available to parents, staff and other interested parties.

Educators intentionally teach children Protective Behaviours, after informing parents in an age appropriate manner.

Any breach of this policy and the Risk Management Policy – action or inaction – will be investigated according to the Breach Management Plan.

Responsibility of the parents

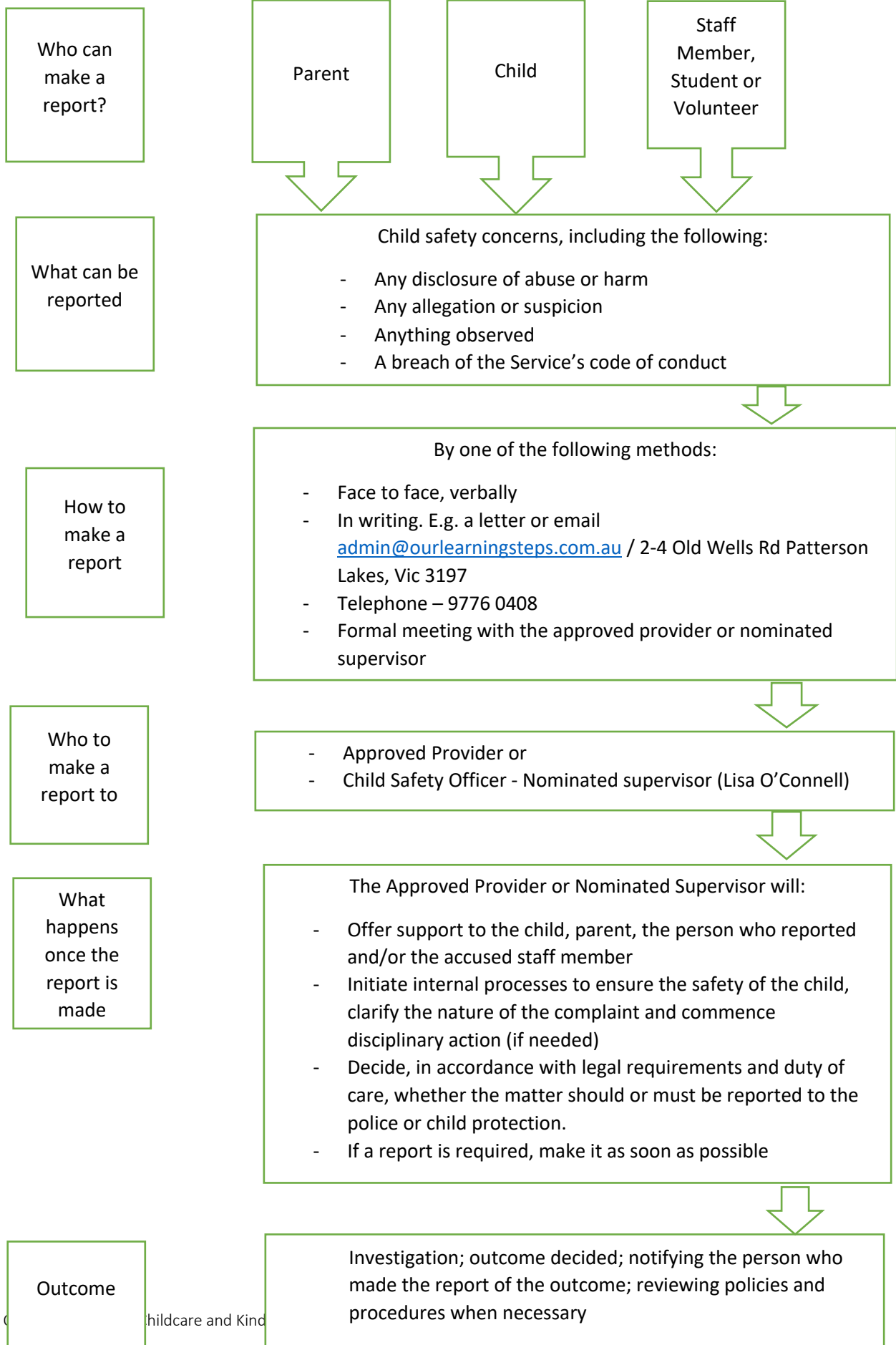
To report any suspicion of harm to a child occurring at the Service to the Child Safety Officer - Nominated Supervisor immediately.

Regular Review

This policy will be reviewed yearly and following significant incidents if they occur. We will ensure that families and children have the opportunity to contribute. Where possible we do our best to work with local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability.

In addition, the Service will accommodate any new legislative changes as they occur and any issues identified as part of the Service's commitment to quality improvement. The Service consults with relevant recognised authorities as part of the annual review to ensure the policy contents are consistent with current research and contemporary views on best practice.

Child Safety Reporting Process



Source

An Overview to the Victorian child safe standards, has information to help organisations understand the requirements of each of the child safe standards, including examples of measures organisations can put in place, a self-audit tool and a glossary of key terms: <http://providers.dhhs.vic.gov.au/child-safe-standards>
Australian Children's Education & Care Quality Authority. (2014).

Belonging, Being and Becoming: The Early Years Learning Framework for Australia. (2009).

Child Protection (Working with Children) Act 2012

Child safe standards page of the Department of Health and Human Services' Service Providers:
<http://providers.dhhs.vic.gov.au/child-safe-standards>
Child Wellbeing and Safety Act 2005 (Vic)

Children and Young Persons (Care and Protection) Act 1998

Children, Youth and Families Act 2005 (as amended 2014) (Vic)

Community and Disability Services Ministers' Conference. (2005). Creating safe environments for children: Organisations, employees and volunteers: National framework.

Creating child safe organisations page of the Department of Health and Human Services' Service Providers:
<http://providers.dhhs.vic.gov.au/creating-child-safe-organisations>
Early Childhood Australia Code of Ethics. (2016).

Education and Care Services National Regulations. (2011).

Failure to Disclose 2014

Failure to Protect 2015

Family Law Act 1975 (Cth)

Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017).

Guide to the National Quality Standard. (2017).

Mandatory Reporting: <https://aifs.gov.au/publications/families-policy-and-law/14-mandatory-reporting-laws>

National Comparison of Child Protection Systems: <https://aifs.gov.au/cfca/publications/national-comparison-child-protection-systems>

Reporting abuse and neglect: <https://aifs.gov.au/cfca/publications/reporting-abuse-and-neglect>

Revised National Quality Standard. (2018).

State of Victoria (Department of Education and Training). (2017). Early childhood guidance: Identifying signs of child abuse:
www.education.vic.gov.au

The Charter of Human Rights and Responsibilities Act 2006 (Vic)

The Commission for Children and Young People Act 1998

The Commission for Children and Young People Act 2012

Working with Children Act 2005 (Vic)

REVIEW

POLICY REVIEWED	May 2019	NEXT REVIEW DATE	May 2020
MODIFICATIONS	<ul style="list-style-type: none"> • Additional information added to points. • Sources/references corrected, updated, and alphabetised. • Points added • Sources checked for currency. • New sources added. 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
September 2018	<ul style="list-style-type: none"> • New policy draft 	May 2019	