

Child Safety and Protection Policy



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DCC Network/All Organisation Information/DCC Policies/Quality Area 2 – Children’s Health and Safety			

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1. Policy Statement

All children have a right to experience quality education and care in an environment that is physically, emotionally, and socially safe and healthy. River Region Early Education has a commitment to being a child safe organisation as defined by the NSW Office of the Childrens' Guardian Child Safe Standards, which includes creating a culture, adopting strategies, and acting to prevent harm to children, including sexual abuse. We achieve this by:

- Creating conditions to reduce the likelihood of children being harmed,
- Creating conditions that increase the likelihood of identifying and reporting harm, and
- Responding appropriately to disclosures, allegations, and suspicions of harm.

2. Rationale

Education and Care Services National Regulations require approved providers to ensure their services have policies and procedures in place for providing a child safe environment to minimise risk of harm and hazard to children attending education and care services. This policy provides guidance for employees and volunteers as to our implementation of the Child Safe Standards, how we protect children from harm and hazard, and how we prevent, identify and respond to allegations of harm.

This policy forms part of a series of policies that contribute to Education and Care Services National Regulation 168 h) requirement for policies regarding providing a child safe environment.

These policies include:

- NQS2.24 Child Safe Supervision Policy
- NQS3.2 Physical Environment Policy
- NQS4.34 Staff Training Policy
- NQS4.35 Recruitment and Selection Policy
- NQS4.36 Tobacco, Drug and Alcohol Policy
- NQS4.38 Staffing Arrangements Policy
- NQS7.45 Code of Conduct Policy

3. Scope

This policy applies to all employees, including part-time, full-time, and casual employees, students, trainees, volunteers, and Board members.

4. Responsibilities

It is the responsibility of the Board as approved provider to:

- Promote a culture of child safety and wellbeing that underpins all aspects of the company's operations and reduces the risk to children, including the risk of abuse,
- Ensure that policies and procedures related to providing a child safe environment are implemented,
- Ensure all educators and relevant employees, volunteers and students have current Working with Children Checks and have undertaken current child protection training, including on mandatory reporting requirements.

It is the responsibility of the General Manager to:

- Carry out and delegate the responsibilities of the Board as listed above,

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- Ensure the company makes a public commitment to child safety that is visible to children, families, community members, job and volunteer applicants, employees, and volunteers,
- Ensure that appropriate risk assessments are conducted, and risk minimisation plans implemented to prevent and reduce risks to children of harm and hazard,
- Support nominated supervisors and responsible persons to understand their obligations in reporting, sharing, and keeping records related to protecting children from harm and hazard,
- Ensure an annual Child Safe Standards self-assessment is completed, and an action plan developed and implemented,
- Ensure policies and procedures related to providing a child safe environment are clear, rigorously applied, and employees and volunteers are supported to understand and comply with them,
- Notify the Board as soon as possible and within 24 hours where there has been a report of a suspicion or disclosure of harm, abuse, or neglect of a child being educated and cared for by our services or a reportable allegation against an employee, volunteer, or eligible contractor,
- Ensure that the Child Protection agency for the state the child is resident in is notified of any suspicions on reasonable grounds that a child or young person is at risk of significant harm,
- Notify the Regulatory Authority within the required timeframe for an eligible incident, complaint, or allegation,
- Support or oversee any investigations into suspicions or disclosures of harm, abuse, or neglect as guided by the Police or Child Protection agency,
- Ensure that any volunteer or contractor who is the subject of a reportable allegation is removed from working within the organisation and any employee is supervised or restricted from working directly with children or accessing sensitive information in line with employment law until investigations are complete,
- Notify the Office of the Children's Guardian within required timeframes of any reportable allegations or convictions against an employee, volunteer, or eligible contractor and of any reportable findings after investigation,
- Ensure employees and volunteers are supported where there have been suspicions, disclosures or allegations of harm, abuse, or neglect of a child, and
- Ensure that records identified as relevant to child safety and wellbeing, including mandatory reporting and incident reporting related to child abuse, are kept for 45 years and in a manner that is secure, logical and indexed.

It is the responsibility of the Business Services Manager to:

- Regularly monitor Working with Children Check currency and child protection training schedules and ensure all employees, volunteers and students are up to date.

It is the responsibility of nominated supervisors to:

- Support educators to understand their responsibilities in promoting a child safe environment and protecting children from harm and hazard,
- Support educators to understand, access and contribute to the review of this policy and procedures,
- Conduct risk assessments to identify risks of harm and hazard for children and implement risk minimisation plans,

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- When required, work collaboratively with appropriate services and/or professionals to support children's access, inclusion and participation,
- Support educators to understand the indicators of abuse and neglect in children and parents and encourage them to identify and report any suspicions or disclosures,
- Ensure all educators are aware of current child protection legislation, including their mandatory reporting requirement and obligations,
- Notify the General Manager as soon as possible and within 24 hours of being made aware of any suspicion on reasonable grounds or disclosure that a child being educated and cared for by a service is at risk of significant harm or any suspicion or disclosure of alleged reportable conduct against an employee, volunteer, or eligible contractor,
- Oversee any investigations into suspicions or disclosures of harm, abuse, or neglect as guided by the Police or Child Protection agency,
- Ensure the family of a child involved in a suspicion or disclosure of harm, abuse, or neglect is supported and informed where appropriate and/or recommended by Child Protection agencies, and
- Support employees and volunteers where there have been suspicions, disclosures or allegations of harm, abuse, or neglect of a child.

It is the responsibility of employees, volunteers, and students to:

- Promote and implement a culture of child safety and well-being and the protection of children from harm and hazard, including child abuse,
- Be aware of current child protection legislation, including the mandatory reporting requirements and obligations and indicators of abuse and harm in children and adults,
- Maintain current accredited child protection training where required and a current Working with Children Check,
- Recognise and respond effectively to children and young people, taking into account diverse needs,
- Ensure children and young people participate in decision making in matters affecting them, including in relation to safety issues and risk identification,
- Regularly include child protection issues in learning programs and experiences,
- Report to Child Protection any suspicion on reasonable grounds or disclosure that a child is at risk of significant harm, and
- Notify a nominated supervisor, the General Manager, or a Board member of any suspicion or disclosure of alleged reportable conduct against an employee, volunteer, or eligible contractor.

5. Definitions

Child abuse - Maltreatment that endangers a child's safety, wellbeing and development and includes physical or sexual abuse, or emotional abuse which causes significant harm to their wellbeing or development including abuse as a result of domestic violence.

Working directly with children – Paid or unpaid work providing services for children and young people aged under 18 years where the work normally involves being face to face with children and where contact with children is more than incidental to the work.

Grooming - Generally refers to behaviour that makes it easier for a perpetrator to procure a child for sexual activity. Grooming is a subtle and gradual process used by perpetrators, who could be

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adults or children themselves. Grooming is a criminal offence in most states and territories, including NSW.

Mandatory reporting – A term used to describe the legislative requirement for selected groups of people to report suspected cases of child abuse and neglect to government authorities.

Reasonable grounds - Suspicion that a child may be at risk of significant harm based on your observations of the child or family; what has been reported to you about a child or family; or what can reasonably be inferred based on observation, professional training and/or experience.

Risk of Significant Harm (ROSH) - The law says a child or young person is at risk of significant harm (ROSH) if there are current concerns for their safety, welfare, or wellbeing because of one or more of the following:

- if their basic needs are not met,
- parents or caregivers aren't arranging necessary medical care,
- a child or young person being physically abused or ill-treated,
- a child or young person being sexually abused,
- risk of serious physical or psychological harm resulting from domestic violence, or
- risk of the child or young person suffering serious psychological harm.

Reportable Conduct Scheme – A scheme administered by the NSW Office of the Children's Guardian that requires relevant entities, including education and care services, to prevent, identify and report allegations of reportable conduct by employees or volunteers.

Reportable conduct – A sexual offence against, with or in the presence of a child, sexual misconduct with, towards or in the presence of a child, ill-treatment of a child, neglect of a child, an assault against a child, an offence of failure to protect or failure to report under the Crimes Act 1900, or behaviour that causes significant emotional or psychological harm to a child.

Reportable conviction - A conviction (including a finding of guilt without the court proceeding to a conviction), in NSW or elsewhere, of an offence involving reportable conduct.

Reportable allegation - An allegation that an employee has engaged in conduct that may be reportable conduct.

Serious incident - An incident identified by the Education and Care National Regulations (12) as a serious incident, that includes:

- the death of a child (while that child is being educated and cared for by an education and care service; or following an incident occurring while that child was being educated and cared for by an education and care service),
- any incident involving serious injury or trauma to a child occurring while that child is being educated and cared for by an education and care service which a reasonable person would consider required urgent medical attention from a registered medical practitioner; or for which the child attended, or ought reasonably to have attended, a hospital,
- any incident involving serious illness of a child occurring while that child is being educated and cared for by an education and care service for which the child attended, or ought reasonably to have attended, a hospital,
- any emergency for which emergency services attended,
- any circumstance where a child being educated and cared for by an education and care service appears to be missing or cannot be accounted for; or appears to have been taken or removed from the education and care service premises in a manner that contravenes

these Regulations; or is mistakenly locked in or locked out of the education and care service premises or any part of the premises.

6. Providing a child safe environment

a) Our statement of commitment to child safety

The Deniliquin Childrens' Centre is committed to an organisational culture of child safety to protect children from harm and hazard and to enable them to be happy, safe, participating and empowered.

- We prioritise and share the responsibility for child safety across the organisation.
- We ensure children are safe and feel safe in indoor, outdoor, and online environments.
- We value children and ensure their voices are heard about decisions that affect their lives.
- We have zero tolerance for child abuse and support employees and volunteers to be able to identify, reduce and remove risks of harm, abuse and neglect.
- We ensure child safe recruitment, orientation, and performance review practices so that people working with children are suitable and supported.
- We support employees and volunteers to have the knowledge, skills, and awareness to keep children safe through continual education and training.
- We respect diversity and uphold equity to ensure the safety of children with diverse needs, abilities and backgrounds who may be particularly vulnerable.
- We facilitate open, two-way communication with families and communities to promote the rights of children.
- Our complaint processes are child-focused, transparent, and complaints are addressed promptly, thoroughly, and fairly.
- Any allegations, disclosures, or suspicions of child abuse or other safety concerns are treated seriously and consistently and in line with our legal and moral obligations to report to relevant authorities.
- We have specific policies and procedures in place that support all people within our organisation to achieve these commitments.

b) Child safe leadership

A child safe organisation is one where child safety is prioritised and demonstrated in leadership, management, and day-to-day activities. Our approach to child safe leadership aligns with three Child Safe Standards:

- Standard 1 – Child safety is embedded in organisational leadership, governance, and culture.
- Standard 9 – Implementation of the Child Safe Standards is continuously reviewed and improved.
- Standard 10 – Policies and procedures document how the organisation is child safe.

At River Region Early Education, child safe leadership includes the following:

- A Statement of Commitment to Child Safety is visible on the Deniliquin Childrens' Centre website and in services, included in recruitment and orientation of employees, and included in information shared with families before and after enrolment.
- The organisation makes a public commitment to child safety, and leaders champion a child safe culture both inside and outside the organisation.

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- Our framework for risk management includes child safety to identify, prevent, and lower risk of harm and hazard for children, including abuse.
- *NQS7.45 Code of Conduct Policy* includes clear behavioural standards for interactions with children and employees and volunteers are supported to understand and comply with it.
- Child safety is a standing agenda item at meetings and included in mandatory training as defined in *NQS4.34 Staff Training Policy* and the continuous improvement cycle as defined in *NQS7.66 Continuous Improvement Policy*.
- Employees and volunteers understand their obligations in reporting, sharing, and keeping records related to protecting children from harm and hazard.
- An annual Child Safe Standards assessment is completed, and an action plan developed and implemented.
- Policy template includes a section on Child Safe Standards.
- Policies and procedures related to providing a child safe environment are clear, rigorously applied, and employees and volunteers are supported to understand and comply with them.
- Records identified as relevant to child safety and wellbeing, including child abuse, are kept for 45 years, are clear, objective and thorough, and are maintained in an indexed, logical, and secure manner.

c) Safe physical and online environments

A child safe organisation adapts its physical environments to minimise opportunities for abuse to occur, balances visibility with children's privacy and creative play, and addresses risks in online environments through education and clear requirements for appropriate behaviour. Our approach to child safe physical and online environments aligns with Child Safe Standards: Standard 8 – Physical and online environments minimise the opportunity for abuse or other kinds of harm to occur.

NQS3.2 Physical Environment Policy identifies requirements and guidance related to child safe indoor and outdoor physical environments that includes:

- Indoor and outdoor physical environments facilitate the supervision of children and ensure children are unable to access unsupervised and unsafe areas,
- Equipment and resources comply with safety standards and safe practice, are sufficient and developmentally and culturally appropriate, and are regularly checked and maintained, and
- Our risk framework includes identification of harm and hazard in physical environments, and a risk assessment is completed for new equipment and environments.

NQS2.24 Child Safe Supervision Policy identifies requirements and guidance related to the supervision of children that includes:

- Sufficient suitably qualified educators maintain or exceed regulatory requirements regarding educator to child ratios and ensure that every child is adequately and actively supervised at all times by an educator who is aged 18 years or over,
- Educators are supported to understand the requirements of active supervision and their individual accountability to ensure children are protected from harm and hazard, and
- Our risk framework includes identification of harm and hazard related to supervision and each service completes risk assessments and creates a supervision plan.

Child safety in online environments is supported and promoted:

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- Appropriate behaviours in online environments are identified in *NQS7.45 Code of Conduct Policy* and *NQS7.61 Acceptable Use of Electronic Media Policy* and employees and volunteers are supported to understand and comply with them,
- Employees, volunteers, and families are provided with information and/or training that includes risks associated with online environments, such as grooming, bullying, sharing, and accessing personal and inappropriate content, and interactions with strangers,
- The risk framework and risk register include identification of harm and hazard in online environments and employees are required and supported to complete risk assessments for high-risk activities that include online environments, and
- Children are provided with information appropriate for their age and stage of development about online safety and are regularly encouraged to speak up about negative experiences.

d) Listening to children

Children are safer when organisations teach them about their rights to be heard, listened to, and believed. A child safe organisation actively seeks the opinions of children appropriate to their age, stage of development, maturity, understanding, abilities, and how they communicate. Our approach to interactions with children aligns with Child Safe Standards: Standard 2 – Children participate in decisions affecting them and are taken seriously.

NQS5.37 Interactions with Children Policy identifies requirements and guidance related to appropriate interactions with and between children that includes:

- Respecting children’s agency and encouraging them to express themselves,
- Actively listening to children, believing them, and respecting and acting on their ideas,
- Supporting children to take part in discussions about their safety,
- Encouraging friendships and support from peers, and
- The prohibition of inappropriate discipline and restrictive behaviours.

The attachment to this policy *NQS2.6B Educating Children About Protective Behaviour Guide* provides guidance around including child protection and child safety in program planning and experiences.

e) Diversity, equity and inclusion

A child safe organisation provides a culturally safe and child-friendly service and pays attention to equity by considering children’s diverse circumstances and how they may be more vulnerable to abuse than others. Children may be particularly vulnerable if they:

- Are living with disability or have been exposed to trauma,
- Come from a religious, cultural, or diverse family background,
- Are very young or live remotely, or
- Feel vulnerable because of their gender identity.

Our approach to equity and inclusion pays particular attention to the needs of Aboriginal and Torres Strait Islander children, children with disability and children from culturally and linguistically diverse families and aligns with Child Safe Standards: Standard 4 – Equity is upheld, and diverse needs are taken into account.

NQS5.38 Inclusion Policy identifies requirements and guidance related to diversity and equity that includes:

- Identifying the needs and vulnerabilities of children on enrolment and working collaboratively with families to promote their equitable inclusion in services, and

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- Adapting programs, experiences, and environments to the diverse needs of children so they have equal opportunities to feel welcome and participate.

f) Involving families

A child safe organisation talks to, consults with, and invites the participation of families, caregivers, and the broader community to promote the rights of children. The risk of abuse increases when organisations are closed or are not transparent about their processes, governance, and behavioural expectations. Our approach to involving families and communities aligns with Child Safe Standards: Standard 3 – Families and communities are informed and involved.

Our *NQS6.42 Family Involvement Policy* identifies requirements and guidance around how we engage and welcome families in our services, and how they can access information and have a say in the development of our policies, procedures, and practices.

- River Region Early Education Board of Management includes family members of children receiving education and care from our services and community members.
- All policies and procedures relating to the education and care of children, including health, safety, and wellbeing and Code of Conduct, are available from our website and in printed form near the entrance of each of our services.
- Families are notified of updates to policies and procedures via electronic communication and in printed form near the entrance of each of our services.
- Families are kept informed of child safe practices and information through electronic communication and displays in our services.
- We have an annual calendar of celebration/special days where families are encouraged to attend services for special activities and experiences.
- Details of our leadership team, including managers, supervisors, and Board members, are available on our website.
- An annual Family Satisfaction Survey gives families the opportunity to give anonymous feedback on the quality of our services and any barriers to engagement and/or improvements to child safe practices.
- Our enrolment forms and enrolment update forms collect information about cultural, religious and health needs and preferences.
- Our excursion authorisation form encourages family members to volunteer to participate in excursions and incursions.

g) Child safe recruitment and management

Child safe organisations make sure child safety is prioritised when recruiting, selecting, and managing staff. They understand that Working With Children Checks (WWCC) are an important tool but that other screening practices must also be used. Our approach to child safe recruitment and management aligns with Child Safe Standards: Standard 5 – People working with children are suitable and supported.

Our *NQS4.35 Recruitment and Selection Policy* identifies requirements and guidance around how we ensure child safe recruitment and selection and includes:

- River Region Early Education's commitment to child safety and protection and equal employment opportunity is in recruitment advertising and job listings and applicant packs.
- When outsourcing recruitment, ensuring employment agencies are informed of our commitment to child safety and recruitment and selection requirements.

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- All positions, including for volunteers and students, require a current Working With Children Check.
- All positions required under Family Assistance Law require a National Police Check.
- Selection panels include more than one person and interviews include questions around values and behaviours.
- Before offering a position, two references are checked, and before commencement, one form of photo identification and the person's Working With Children Check are verified and recorded in their staff record.

Our *NQS4.30 Orientation of Employees and Students Policy* identifies requirements and guidance around the child safe induction and probation of employees, volunteers, and students and includes:

- Introduction to and acknowledgement of all child safe policies and procedures, including the Code of Conduct and child protection law and reporting,
- Online training and follow up support on child safe practices, including appropriate supervision, mandatory reporting, and positive interactions with children, and
- A three-month probationary period for all employees that includes mentoring and regular reviews.

Our *NQS4.25 Professional Practice and Performance Policy* identifies requirements and guidance around our child safe management of employees, volunteers and students and includes a 12-month cycle of review that includes critical reflection, behaviours, and organisational values.

h) Staff training and support

A child safe organisation promotes continuous learning and provides regular ongoing education and training. Our approach to the training and professional development of staff aligns with Child Safe Standards: Standard 7 – Staff are equipped with the knowledge, skills, and awareness to keep children safe, through continual education and training.

The *NQS2.6A Indicators of Harm and Neglect Guide* attached to this policy gives guidance for employees and volunteers as to the signs of harm, abuse and neglect in children, parents and caregivers, and older children and teenagers.

Our *NQS4.34 Staff Training and Development Policy* identifies requirements and guidance around mandatory training that includes child protection training.

- All educators complete an approved qualification that includes a unit on identifying and responding to children and young people at risk.
- Services provide an annual refresher on child protection law that includes scenarios and the organisation's child safe and child protection practices.
- Nominated supervisors and responsible persons complete approved child protection training and online training on applying the Child Safe Standards.
- Completion of training is tracked and audited to ensure compliance.

i) Child-focused complaint management

In a child safe organisation, children, families and staff know who to tell if they want to make a complaint about child abuse and there is an immediate response to protect children at risk. Our approach to child-focused complaint management aligns with Child Safe Standards: Standard 6 – Processes to respond to complaints of child abuse (or other concerns) are child-focused.

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Our *NQS7.52 Child Safe Complaint Policy* is written in plain language and identifies requirements and guidance around making a complaint, how complaints are managed and complaints alleging harmful sexual behaviours in adults and children.

- It intersects with policy sections 6d) Listening to children, and 6f) Involving families, as important factors in ensuring children are listened to and believed and families are involved and welcomed.
- It prioritises a prompt response to complaints, procedural fairness in managing complaints and a transparent process.
- It defines clear responsibilities, alternative ways to make a complaint and notifications required by regulation.

7. Identification and reporting of harm

River Region Early Education has obligations under child protection law to identify, respond and report suspicions on reasonable grounds or disclosures that a child is at significant risk of harm, including by abuse or neglect (Mandatory Reporting) and any reportable allegations of the harm of children made against employees, volunteers or, in some cases, contractors (Reportable Conduct).

The attachment to this policy *NQS2.6C Child Protection Agencies Guide* provides information on the different government agencies that have responsibilities around child protection.

a) Responding to suspicions and disclosures of harm, abuse, or neglect

An employee, family member, community member, or child may report a suspicion of harm, abuse, or neglect or disclose harm, abuse, or neglect of a child to an employee or volunteer of River Region Early Education.

Procedures for responding to suspicions or disclosures of harm and in *Section 8a) Responding to a suspicion or disclosure of harm, abuse, or neglect procedure* of this policy.

The principles of response are:

- To prioritise the safety and well-being of the child and act as if the allegations are true until proven otherwise.
- To intervene immediately if there is an urgent danger and to call 000 if necessary.
- To remove any volunteer or contractor and supervise or restrict any employee from working directly with children where a reportable allegation has been made until any investigation is completed.
- To record details using *NQS2.6D Suspicion or Disclosure of Harm Record* and/or *NQS2.6E Reportable Conduct Record* as applicable and report to the General Manager or a Board Member via a Nominated Supervisor or Responsible Person within 24 hours.
- To maintain confidentiality of information and records and only disclose to a third-party where this is required by law or when it is required to ensure the safety and wellbeing of a child.
- Where it is appropriate, to inform the family and provide support for referral to support services as directed or recommended by Child Protection.
- To conduct any investigations with regard to procedural fairness and always in the best interests of the child.
- To complete mandatory reporting and notifications within prescribed timeframes where required to:
 - Police

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- Child Protection Helpline (or VIC Child Protection if the child is resident in Victoria)
- Office of the Children’s Guardian
- Regulatory Authority
- To retain records for 45 years, ensure they are clear, objective and thorough, and are maintained in an indexed, logical, and secure manner.

b) Mandatory Reporting

People who work directly with children or in management positions for River Region Early Education are considered mandatory reporters under the Children and Young Persons (Care and Protection) Act 1998. Mandatory reporters are required by law to report a suspicion on reasonable grounds or disclosure that a child is at risk of significant harm, including by abuse or neglect to government authorities. It is the position of River Region Early Education that all employees and volunteers, including students and trainees are considered mandatory reporters.

Child protection reporting is based on where the child is a resident, which means if a child lives in Victoria but attends our services in NSW, a report must be made to Victorian Child Protection.

Any employee or volunteer can act as a mandatory reporter and can:

- Use the Mandatory Reporter Guide Decision Tree on the www.facs.nsw.gov.au website to determine if a report should be made,
- Contact the Police or NSW Child Protection Helpline (132 111) or VIC Child Protection (North Division Intake 1300 664 977 – Campaspe, Gannawarra or East Division Intake 1300 360 391 - Moira) to make a report, or
- Report suspicions or disclosures to the Nominated Supervisor or Responsible Person (or General Manager or a Board member), who will help you to determine if a report needs to be made and to complete any reporting and/or notifications.

Procedures for reporting are in *Section 8a) Responding to a suspicion or disclosure of harm, abuse, or neglect procedure* of this policy.

Chapter 16A of the NSW Children and Young Person (Care and Protection) Act 1998 provides for the exchange of information and cooperation between prescribed bodies, if the information relates to the safety, welfare or wellbeing of a child or young person.

Records relating to mandatory reporting are retained for 45 years, are clear, objective and thorough, and are maintained in an indexed, logical, and secure manner.

c) Reportable Conduct

As an approved education and care provider, River Region Early Education is a Schedule 1 entity under the Children’s Guardian Act 2019 and has reportable conduct obligations.

These obligations include notifying the Office of the Children’s Guardian about reportable allegations and convictions against employees, volunteers, and contractors required to hold a Working with Children Check for the purpose of their work that arise in the course of their work and/or their alleged conduct outside of work.

The Office of the Children’s Guardian administers the Reportable Conduct Scheme which is an allegation-based scheme, in other words notification is required when an allegation is made and before investigation can be completed.

Procedures for reportable conduct reporting are in *Section 8b) Managing allegations against workers* of this policy.

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Records relating to reportable conduct are retained for 45 years, are clear, objective and thorough, and are maintained in an indexed, logical, and secure manner.

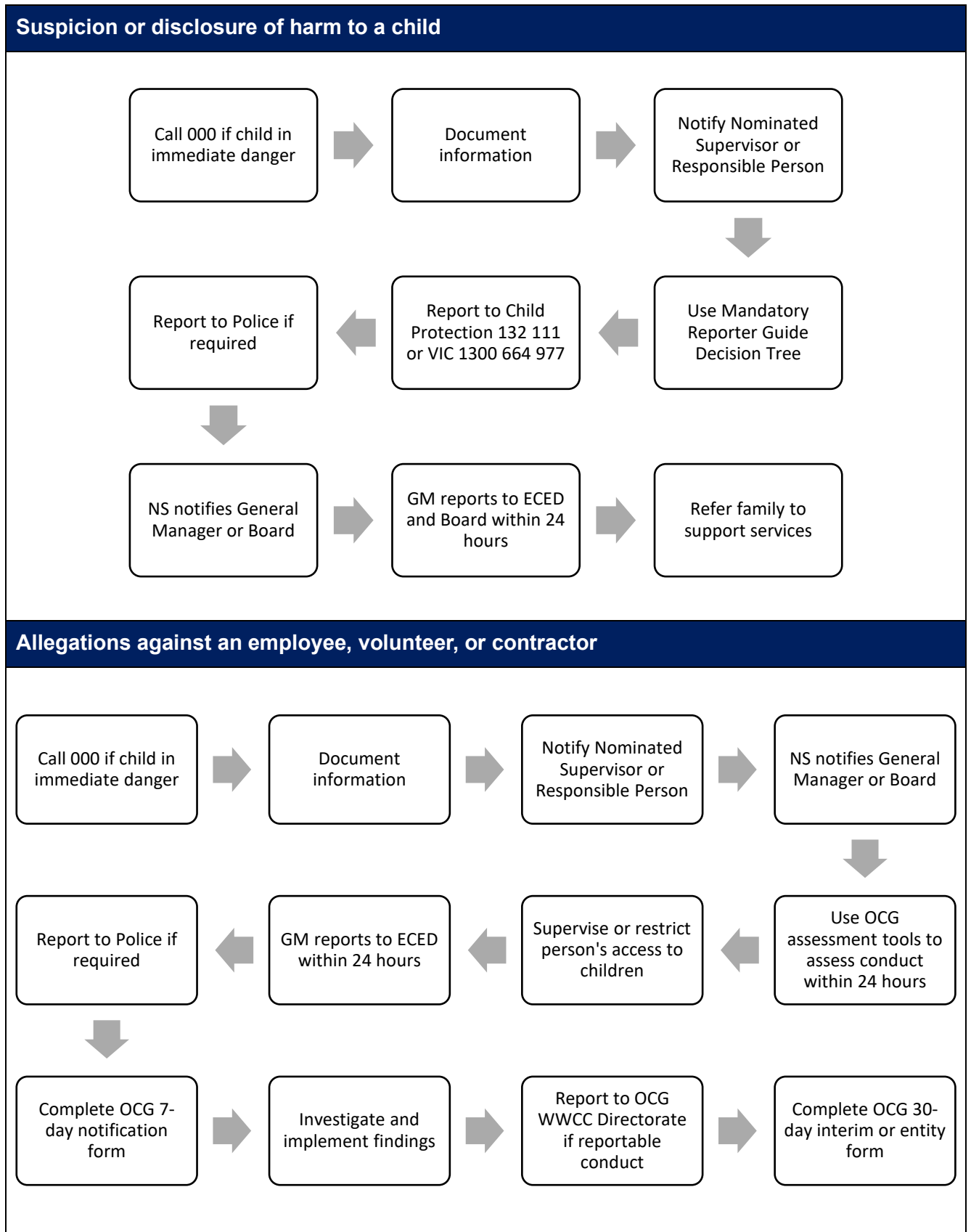
There are protections against retribution related to reportable allegations under the Children's Guardian Act.

d) Notifications to the Regulatory Authority

Under the Education and Care Services National Law and Regulation, the approved provider must notify the Regulatory Authority in writing of the following:

Incident	Timeframe
Any serious incident at the service; and any complaints alleging that a serious incident has occurred or is occurring while a child was/is being cared for by our service	24 hours
Circumstances at the service which pose a risk to the health, safety, or wellbeing of children	7 days
Any incident or allegation that physical or sexual abuse of a child or children has occurred or is occurring while the child or children are being educated and cared for by the service.	7 days
If there has been a change relevant to whether the approved provider is a fit and proper person to be involved in our service.	7 days
Suspension or cancellation of a working with children card or teacher registration of a nominated supervisor, or disciplinary proceedings of a nominated supervisor under an education law.	14 days

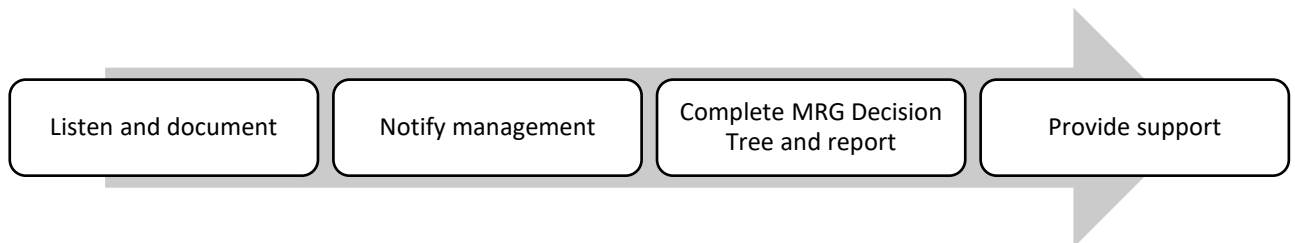
8. Procedure



a) Responding to a suspicion or disclosure of harm, abuse, or neglect

A suspicion of harm, abuse or neglect is when someone has a reasonable suspicion that a child has suffered, is suffering, or is at an unacceptable risk of suffering significant harm, or abuse or neglect. A suspicion can also be about a child harming or abusing another child.

A disclosure of harm, abuse or neglect occurs when someone, including a child, tells you about harm, abuse or neglect that has happened, is happening, or is likely to happen to a child. A disclosure can also be about a child harming or abusing another child.



Listen and document

Any person told of a suspicion of harm, abuse, or neglect or where a disclosure is made should be supportive and provide a safe space for the person, including a child, to talk openly. You might:

- Find a private place to talk.
- Remain calm and listen in an attentive, active, and non-judgemental way.
- Encourage the person (including a child) to talk in their own words.
- Take anything a child says seriously.
- Allow children to be part of decision-making processes where appropriate.
- Ask just enough open-ended questions to act protectively without asking any leading questions which suggest an answer and could compromise later investigations.
- Tell the person they have done the right thing in revealing the information and they or you will need to tell someone who can help keep the suspected victim safe.
- Avoid promising that information won't be shared as protecting the child is the priority.
- Not try to investigate or mediate the matter yourself.

Record any conversation or observations as soon as possible so the details are accurately captured using *NQS2.6D Suspicion or Disclosure of Harm Record* template and include the following:

- Time, date, location and who was present,
- Full details of the (suspected) abuse or neglect,
- Exactly what the person said using "I said", "they said," statements,
- The questions staff/volunteers/students asked,
- Any comments educators made, and
- Staff/volunteers/students' actions following the disclosure.

Notify management

Please note that any staff member can report directly to Child Protection before notifying management.

As soon as possible after suspecting, being told of a suspicion, or having a disclosure of harm, abuse, or neglect made:

- Notify a Nominated Supervisor, Responsible Person, or the General Manager.

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- Notification should be in person or by telephone and should be accompanied by any written documentation.
- The Nominated Supervisor or Responsible Person should notify the General Manager or a Board Member as soon as possible and within 24 hours.

Complete Mandatory Reporter Guide Decision Tree and report

Please note that any staff member can report directly to Child Protection.

The person told of a suspicion of harm, abuse, or neglect or where a disclosure is made with the support of the Nominated Supervisor or Responsible Person where needed:

- If the child is resident in NSW, uses The Mandatory Reporter Guide (MRG) Decision Tree <https://reporter.childstory.nsw.gov.au/s/> to help decide whether a child is suspected to be at Risk of Significant Harm (ROSH) and a report to the Child Protection Helpline should be made,
- If the child is resident in NSW, makes a report to the Child Protection Helpline on 13 21 11 if required,
- If the child is resident in VIC, contacts VIC Child Protection on 1300 664 977 (North Division Intake that includes Campaspe and Gannawarra Shires) or 1300 360 391 (East Division Intake that includes Moira Shire),
- Makes a report to the Police if required,
- Completes an incident report using *NQS2.11 A1 Incident, Injury, Illness and Trauma Record* template, and
- Provides all documentation to the Nominated Supervisor.

The Nominated Supervisor,

- Carefully conducts further interviews or investigation if directed by the Child Protection Helpline or the Police,
- Notifies the relevant agency (such as Family and Community Services or CareSouth) if the child is under the care of the Minister,
- Supports employees to complete incident reports or other documentation as required, and
- Provides all documentation to the General Manager.

The General Manager,

- Makes a report to the Regulatory Authority within 24 hours and/or 7 days if required and records de-identified details in the Serious Incident Register,
- Follows requirements for Reportable Conduct if required, and
- Files any documentation in an envelope marked 'confidential' with the child's name, date of birth, report date and date to be destroyed (45 years from report date) in a secure cabinet the General Manager's office.

Provide support

The Nominated Supervisor:

- Considers if and how the family of the child is informed and seeks guidance from the General Manager, Child Protection or Police if informing the family may put children or employees at risk,

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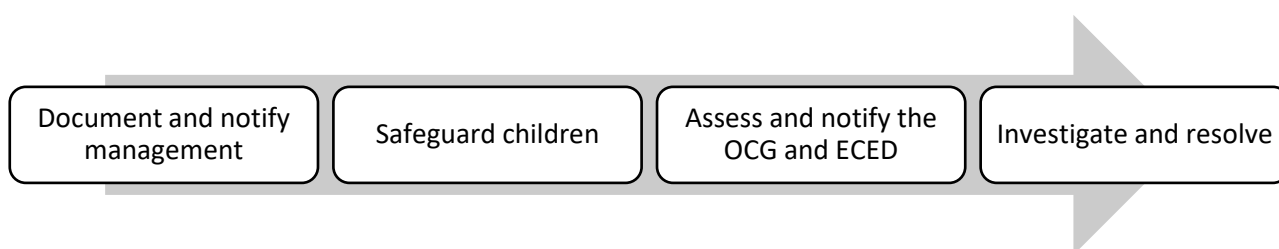
- Where required or deemed appropriate and with the consent of the family, provides referral to support services as recommended by (refer to attachment *NQS2.6C Child Protection Agencies Guide*):
 - NSW Family Connect and Support – Save the Children Murrumbidgee 1300 180 891,
 - VIC The Orange Door – Loddon 1800 512 359 (Echuca), Mallee 1800 290 943 (Koondrook, Kerang, Cohuna, Swan Hill), or Goulburn 1800 634 245 (Cobram, Shepparton),
- Manages risks to children or adults pending the outcome of any investigations and with the support of the General Manager where needed, such as
 - removing or restricting the access to children of employees or volunteers and to any sensitive computer systems, files or facilities, or
 - implementing a Behaviour Support Plan for children exhibiting harmful sexual behaviours,
- Discusses expectations around confidentiality with any employees or volunteers involved, and
- Provides support services to employee or volunteers affected by the incident or incidents.

b) Managing allegations against workers

Reportable conduct – A sexual offence against, with or in the presence of a child, sexual misconduct with, towards or in the presence of a child, ill-treatment of a child, neglect of a child, an assault against a child, an offence of failure to protect or failure to report under the Crimes Act 1900, or behaviour that causes significant emotional or psychological harm to a child.

Reportable conviction - A conviction (including a finding of guilt without the court proceeding to a conviction), in NSW or elsewhere, of an offence involving reportable conduct.

Reportable allegation - An allegation that an employee has engaged in conduct that may be reportable conduct.



Document and notify management

Where there has been a reportable allegation against an employee, volunteer or contractor, the procedure in *Section 8a) Responding to a suspicion or disclosure of harm, abuse, or neglect* should be followed where the allegations relate to a child being educated and cared for by our services.

The employee or volunteer witnessing or receiving information about reportable allegations should:

- Record any conversations or observations about the reportable allegations using *NQS2.6E Reportable Conduct Record* template,
- Notify a Nominated Supervisor, Responsible Person, or the General Manager as soon as possible and give them a copy of the record, and
- Maintain confidentiality about the allegations and any written records.

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The Nominated Supervisor or Responsible Person should notify the General Manager or a Board Member as soon as possible and within 24 hours.

Safeguard children

The highest priority when an allegation has been made is to ensure the safety and wellbeing of children being educated and cared for.

The General Manager or Board Member:

- Pending the outcome of investigations, suspends any volunteer or contractor who is the subject of allegations, and reviews the duties of any employee who is the subject of allegations, including whether it is appropriate to restrict their access to children,
- Ensures an employee subject to allegations is supervised at all times or restricted from working directly with children or accessing sensitive information related to children, in line with employment legislation,
- Provides support for the employee or volunteer, including copies of relevant policies and procedures and access to appropriate support or counselling, and protects their identity during investigations, and
- Provides support to children, their families, and any others involved in reportable incidents, if appropriate.

Assess and notify

The General Manager or Board Member:

- Assesses if a report needs to be made using Office of the Children's Guardian (OCG) assessment tools <https://ocg.nsw.gov.au/organisations/reportable-conduct-scheme/assessment-tools> within 24 hours of being notified,
- Makes a notification within 7 business days of becoming aware of the allegation to the OCG using the 7-day notification form <https://ocg.nsw.gov.au/organisations/reportable-conduct-scheme/reportable-conduct-notification-forms>
- Makes a report to the Police if required,
- Makes a report to the Regulatory Authority within 24 hours and/or 7 or 14 days if required and records de-identified details in the Serious Incident Register,
- Follows requirements for Mandatory Reporting if required,
- Supports employees to complete incident reports as required, and
- Files any documentation in an envelope marked 'confidential' with the worker's name and report date and date to be destroyed (45 years from report date) in the General Manager's office.

Investigate and resolve

The General Manager or Board Member

- conducts an investigation in line with *NQS7.44 Underperformance, Misconduct and Dismissal Policy*,
- Ensures procedural fairness and that the employee has the opportunity to present their case,
- Modifies any investigation if required by Police or other agencies,
- Notifies the OCG Working with Children Check Directorate of any findings of reportable conduct,

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- Notifies the employee of any findings, including reports made to the OCG or other agencies and undertakes any disciplinary or dismissal procedures as required, and
- Completes a 30-day interim or entity (final) report within 30 calendar days to the OCG using the 30-day notification form and/or entity report form
<https://ocg.nsw.gov.au/organisations/reportable-conduct-scheme/reportable-conduct-notification-forms>

9. Relevant Legislation, Regulations and Standards

Legislation	
	Children and Young Persons (Care and Protection) Act 1998
	Child Protection (Working with Children) Act 2012
	Children's Guardian Act 2019
	Children, Youth and Families Act 2005 (VIC)
Education and Care Services National Law	
174	Offence to fail to notify certain information to the Regulatory Authority
Education and Care Services National Regulation	
84	Awareness of child protection law
168	Education and care service must have policies and procedures - h) providing a child safe environment
175	Prescribed information to be notified to the Regulatory Authority
177	Prescribed enrolment and other documents to be kept by approved provider
National Quality Standards	
1.2.3	Each child's agency is promoted, enabling them to make choices and decisions that influence events and their world.
2.2.1	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.3	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.
4.2.2	Professional standards guide practice, interactions and relationships.
5.1.1	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.
5.1.2	The dignity and rights of every child are maintained.
6.1.1	Families are supported from enrolment to be involved in the service and contribute to service decisions
7.1.2	Systems are in place to manage risk and enable the effective management and operation of a quality service.
Child Safe Standards	

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1	Child safety is embedded in organisational leadership, governance and culture
2	Children participate in decisions affecting them and are taken seriously
3	Families and communities are informed and involved
4	Equity is upheld and diverse needs are taken into account
5	People working with children are suitable and supported
6	Processes to respond to complaints or concerns are child-focused
7	Staff are equipped with the knowledge, skills and awareness to keep children safe, through continual education and training
8	Physical and online environments minimise the opportunity for abuse or other kinds of harm to occur
9	Implementation of the Child Safe Standards is continuously reviewed and improved
10	Policies and procedures document how the organisation is child safe
Early Years Learning Framework Learning Outcomes	
3	Children have a strong sense of wellbeing
Early Years Learning Framework Principles	
	Secure, respectful, and reciprocal relationships
	Partnerships
	Equity, inclusion, and high expectations
	Collaborative leadership and teamwork
Early Years Learning Framework Practices	
	Responsiveness to children

10. Related Documents

Doc #	Attachments
NQS2.6A	Indicators of Harm and Neglect Guide
NQS2.6B	Educating Children About Protective Behaviour Guide
NQS2.6C	Child Protection Agencies Guide
NQS2.6D	Suspicion or Disclosure of Harm Record
NQS2.6E	Reportable Conduct Record
NQS2.6EH	Child Safety and Protection Procedures (Educator Handbook)

Doc #	Intersections with other policies and procedures
NQS2.24	Child Safe Supervision Policy
NQS3.2	Physical Environment Policy

Child Safety and Protection Policy

NQS4.34	Staff Training Policy
NQS4.35	Recruitment and Selection Policy
NQS4.36	Tobacco, Drug and Alcohol Policy
NQS4.38	Staffing Arrangements Policy
NQS7.45	Code of Conduct Policy
NQS7.66	Continuous Improvement Policy.
NQS7.61	Acceptable Use of Electronic Media Policy
NQS5.37	Interactions with Children Policy
NQS5.38	Inclusion Policy
NQS6.42	Family Involvement Policy
NQS4.30	Orientation of Employees and Students Policy
NQS4.25	Professional Practice and Performance Policy

11. Document Control

Doc #	Doc Title	Version	Approved	Next Review
	Child Protection Policy	1	February 2012	February 2015
NQS2.6	Child Protection Policy	2	December 2018	December 2021
NQS2.6	Child Protection Policy	3	April 2021	April 2024
NQS2.6	Child Safety and Protection Policy	4	November 2023	November 2026
NQS2.6	Child Safety and Protection Policy (minor change due to name change and addition of Educator Handbook Procedures)	4a	Jan 2024	November 2026