



POLICY:	CHILD PROTECTION and RISK MANAGEMENT
2B.03	

1. Policy Objective:

To create and promote a child-safe environment that ensures the well-being of children and young people and protects them from harm within our environment.

2. Explanation:

QLECS Services are committed to protecting children and young people from harm and promoting the safety, dignity and wellbeing of all children within their care. The Working with Children (Risk Management and Screening) Act 2000 and the Working with Children (Risk Management and Screening) Regulation 2011 requires those carrying on regulated businesses or employing someone in related employment to develop and implement an annual risk management strategy. All staff and volunteers will follow the guidelines and hold a Working With Children Check.

3. Definitions:

Child Abuse: Can be a single incident or can be a number of different incidents that take place over time. Under the Child protection act 1999 it does not matter how much a child is harmed but whether a child;

- has suffered harm, is suffering harm, or at risk of suffering harm
- Does not have a parent or adult able and willing to protect them from harm

Harm is defined as any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing. For harm to be significant the detrimental effect on a child's wellbeing must be substantial or serious, more than transitory and must be demonstrable in the child's presentation, functioning or behaviour.

Physical abuse: Injuries caused intentionally through beating, shaking, burning, biting, grabbing, throwing, strangulation and poisoning. It also includes abusive administration of drugs or alcohol to a child.

Emotional abuse: Harm caused from rejection, hostility, belittling, criticising, teasing/bullying, yelling, threatening, exposure of a child to domestic and family violence, that causes harm to the child's emotional and social well-being.

Neglect: Ongoing failure to provide a child with the basic necessities of life – food, clothing, shelter, hygienic living conditions, emotional security, medical care and adequate supervision needed for a child's growth and development. (It is not neglect if a parent is unable to provide adequately for the child due to poverty)

Sexual abuse: occurs when an adult, stronger child or adolescent uses their power or authority to involve a child in sexual activity. Sexual abuse can be physical, verbal or emotional and includes (but is not limited to), sexual jokes, innuendo, explicit or pornographic media, inappropriate touching or exposing a sexual body part to a child, sexual activity.

Risk Management: Identifying and assessing all potential sources of harm and taking steps to decrease the likelihood that harm will occur, preventing things from going wrong, limiting the amount of harm possible and reducing the organisation's liability if harm does eventuate.

4. Implementation:

Queensland:

There are state government agencies with child protection oversight and responsibilities. Staff and volunteers must follow the requirements of:

- Office of the Public Guardian;
- Department of Communities, Child Safety and Disability Services
- Office for Early Childhood Education and Care (Department of Education and Training),
- Qld Police Child Protection and Investigation Unit.

Victoria:

There are state government agencies with child protection oversight and responsibilities. Staff and volunteers must follow the requirements of:

- Department of Education and Training (Quality Assessment and Regulation Division)
- The Commission for Children and Young People (CCYP)
- Department of Health & Human Services – Child Protection
- Victoria Police - Sexual Offences and Child Abuse Investigation Teams (SOCITs)

New South Wales:

There are state government agencies with child protection oversight and responsibilities. Staff and volunteers must follow the requirements of:

- Family and Community Services
- Office of the Children's Guardian

4.1. To ensure compliance for Child Protection and Risk Management, the following *Risk Management Strategy* will be followed:

- 4.1.1. All stakeholders and contractors must be made aware of QLECS' Statement of Commitment (Child Protection).
- 4.1.2. Staff/educators and volunteer recruitment practices will be followed (see Policy 4.14);
- 4.1.3. Staff/educators, volunteer and contractor orientation will include a component on provision of a child-safe environment, expected behaviours and responsibilities within the workplace (see Policies 4.14 and 7.12);
- 4.1.4. Staff/educators, volunteers, families and contractors should be clear about the expected standards of language and the types of language not permitted to be used within QLECS and its Services, e.g. swearing, derogatory terms, sexual jokes and innuendo.
- 4.1.5. All staff/educators and volunteers must follow the policies and procedures of the organisation;
- 4.1.6. All staff/educators/volunteers must abide by the Lutheran Education Australia (LEA) Code of Ethics, QLECS Code of Conduct and the Early Childhood Australia Code of Ethics;
- 4.1.7. Staff/educator training, annual performance reviews and any performance management issues will be documented (see Policies 4.19, 4.20 & 4.26);
- 4.1.8. Staff/educators who suspect that a child has been harmed are responsible as mandatory reporters to ensure that the matter is dealt with and reported as per the *QLECS Child at Risk Flowchart (WHS.049)* and Statutory requirements;
- 4.1.9. All children will be fully supervised at all times (see Policy 2B.19);
- 4.1.10. Risk assessments and Excursion Permission forms will be completed prior to any excursion being undertaken by the service (see Policy 2B.06);
- 4.1.11. The rights of children, families and staff will be respected at all times;
- 4.1.12. Children will be educated about appropriate behaviour and empowered to speak up when perceived injustices occur;

4.1.13. Behaviour management techniques will not include physical, verbal or emotional punishment or punishment that humiliates, frightens or threatens a child (see Policy 5.03);

4.1.14. Communication and support strategies will be implemented, such as:

- information sheet for contractors;
- information for staff in the Staff Handbook
- Information for families in the Parent Handbook;
- Code of Conduct for staff;
- training materials, brochures and communication strategies which help staff, volunteers and parents, identify risks of harm

4.2. Risk Management processes will be documented. These include:

- Register of Blue Cards for staff, volunteers (including Management Committee) contractors and students to be kept at the service on the staff *Schedule and Blue Card Register (ADM.003)*;
- Risk assessments and plans for high risk activities and special events *Hazard and Risk Assessment (WHS.012)*;
- Complaint registers, including investigation and actions (see Policies 4.05 and 6.02);
- Records of incidents/accidents and any follow up action (Policy 2B.10);
- Breaches managed and recorded;
- Disclosures of harm documentation (*WHS.042, WHS.054, WHS.055 and WHS.056*)

4.3. Reporting guidelines and directions for handling disclosures or suspicions of harm are:

4.3.1. Staff/educators will make note of the date, time and any witnesses and document these observations (*WHS.042 Incident Non-Injury*) in a confidential way and in an objective manner. Photos may be used (taking care to ensure the dignity of the child);

4.3.2. Staff/educators will use the *WHS.049 Child at Risk Flowchart*

4.3.3. The Service Leader and QLECS must be notified as soon as possible;

4.3.4. In relation to any child abuse incidents and/or disclosures, report any suspected incidents of physical or sexual abuse to child safety

- Treat allegations seriously and ensure the child's safety
- Listen to and support adults or children who may voice concerns about the safety of a child
- Observe and document (must be confidential and objective), as per *WHS.049 Child at Risk Flowchart*

4.3.5. Suspected harm or abuse which involves a staff/educator within a service must be reported (National Law); the staff/educator will be suspended on full pay while an investigation takes place;

Evaluation:

This policy will be reviewed and updated (if needed), at least every two years, by the Early Childhood Team, following input from all stakeholders.

Associated Documents:

All associated documents can be found in the Administration and Work Health and Safety sections of the QLECS Forms and Documents

Related Policies:

- 2B.06: Excursions and Visitors
- 2B.10: Incident, Injury, Trauma and Death
- 2B.19: Supervision of Children
- 4.05: Grievance, Complaints and Conflict Resolution
- 4.14: Recruitment, Selection, Orientation, Probation and Mentoring
- 4.19: Staff Performance Evaluation and Development Plans
- 4.20: Staff Performance Management
- 4.26: Training and Development
- 5.03: Behaviour Guidance
- 6.02: Comments, Complaints and Suggestions
- 7.12: Visitors to the Service

References:**Legislation:**

Education and Care Services National Law 2011: Sections 166-167,
Education and Care Services National Regulations 2017: Regulation 84, and 168 (2) (h)
The Working with Children (Risk Management and Screening) Act 2000
Working with Children (Risk Management and Screening) Regulation 2011

Websites:

Australian Children's Education and Care Quality Authority www.acecqa.gov.au
Office for Early Childhood Education & Care www.education.qld.gov.au/earlychildhood
Queensland Family and Child Commission www.qfcc.qld.gov.au
Department of Communities, Child Safety and Disability Services www.communities.qld.gov.au
www.communities.qld.gov.au/childsafety/protecting-children/what-is-child-abuse
United Nations; Rights of the Child http://www.unicef.org/crc/files/Rights_overview.pdf
Early Childhood Australia Code of Ethics www.earlychildhoodaustralia.org.au
NSW Commission for Children and Young People www.acyp.nsw.gov.au
Child Story Reporter <https://reporter.childstory.nsw.gov.au/s/>
Child Safety New South Wales www.health.nsw.gov.au/childsafety
The Commission for Children and Young People Victoria www.ccyp.vic.gov.au
Child Safety Victorian Government www.vic.gov.au/health-community/children/child-safety
Office of the Children's Guardian www.kidsguardian.nsw.gov.au