Cheltenham Community Centre Early Learning Childcare

E13. Child Safe and Wellbeing

1. Policy

1.1 Cheltenham Community Centre (CCC) Children's Services is committed to:

- Ensuring the health and safety of all children whilst complying with the Child Safe Standards
- Supporting and respecting all children as well as our staff, students, families and volunteers
- Actively promoting and educating children in relation to their rights.
- Always acting in the best interests of each child
- Safety, participation, and empowerment of all children
- Zero tolerance of child abuse, and continuously improving the way our service prevents child abuse and encourages reporting and improved responses to allegations of abuse.
- Zero tolerance of racism, understanding that education and training is a big way of stomping out racism within our community.

1.2 This policy applies to the Approved Provider, Nominated Supervisor, Early Childhood Educators, staff, students, volunteers and parents/guardians who wish to enroll or have already enrolled at CCC.

1.3 In order to assess whether the values and purposes of this policy have been achieved, we will:

- Welcome feedback from everyone affected by this policy regarding its effectiveness
- Monitor the implementations, compliance, complaints, and incidents in relation to this policy
- Keep the policy up to date with current legislation, research, policy, and best practice
- Revise the policy and procedures as part of the service's policy review cycle, or as required, and
- Notify parents/guardians at least 14 days before making any changes to this policy or its procedures.

2. Procedure

2.1 All Educators will:

- Actively supervise children at all times
- Promote the cultural safety, participation and empowerment of Aboriginal children and their families.
- Encourage Aboriginal children and families to express their culture and enjoy their cultural rights. Let them know they are actively supported by everyone at CCC.
- Ensure the cultural safety of children from culturally and/or linguistically diverse backgrounds.

- Identify and confront racism when it arises and give a clear message that racism is not tolerated within CCC. Consequences of racism in our centre does not mean instant dismissal, consequences can include education and training programs. Though if a person continues to be racist after undertaking training programs and has been formally warned of their action's dismissal can be the next action taken.
- Undertake appropriate training and education on child protection, including recognising the signs and symptoms of child abuse, knowing how to respond, and understanding responsibilities, the results of 'failure to protect' and processes for reporting and managing concerns/incidents
- Educate and empower children to talk about events and situations that make them feel uncomfortable
- Ensure that children at the service are not subjected to any form of corporal punishment, or any discipline that is unreasonable or excessive in the circumstances.
- Notify the Nominated Supervisor or the Approved Provider immediately on becoming aware of any concerns, complaints or allegations regarding the health, safety and welfare of a child at CCC
- Protect the rights of children and families and encourage their participation in decision-making.
- Undertake appropriate training and use relevant resources to implement this policy.
- Keep up to date and comply with any changes in legislation and practices in relation to this policy.
- Implement a child friendly policy, using language that children will understand to explain their rights and actions they can take if they feel unsafe. This will be done using stories and posters about 'body safety' and 'consent'

2.2 Recruitment and induction processes for educators, staff, students, and volunteers are in line with this policy.

2.3 Volunteers/students, parents/guardians and other visitors to the service will not be left with sole supervision of individual children or groups of children.

2.4 If CCC has been notified of a court order prohibiting an adult from contacting an enrolled child, CCC will aim to ensure such contact does not occur while the child is on the service premises.

2.5 CCC will offer support to the child and their family, and to educators and staff in response to concerns or reports relating to the health, safety and wellbeing of a child.

2.6 CCC will develop cooperative relationships with appropriate services and/or professionals (including Child FIRST – The Orange Door) in the best interests of children and their families.

2.7 Constant checking that Educators, staff, students, volunteers are aware and are following our child safe policies. Supplying any resources to ensure that everyone is in line with our policies and is up to date with current requirements.

2.8 There will be regular audits of compliance with child safety policies. This will be completed internally using CCYP's Child Safe Standards self-assessment tool

2.9 Everyone at CCC recognises the importance to share information with other organisations. The Child Information Sharing Scheme, Family Violence Information Sharing Scheme and the Reportable Conduct Scheme allow some authorised organisations to share information with each other to support child wellbeing or safety.

2.10 Records will be kept and updated when there is a reason to believe that a child's safety and wellbeing is being compromised. Dates and events will be recorded to present to the appropriate organisations to investigate further.

2.11 Seek appropriate staff from diverse cultural backgrounds. We actively encourage applications from Aboriginal peoples, people from culturally and/or linguistically diverse backgrounds and people with disabilities.

2.12 Everyone at CCC understands that child safety is everyone's responsibility and understanding the consequences of 'failure to disclose'.

3. Legislation and regulations

3.1 Relevant legislation and standards include but are not limited to:

- *Children, Youth and Families Act 2005 (Vic),* as amended 2011
- *Child Wellbeing and Safety Act 2005 (Vic),* as amended 2012
- *Child Wellbeing and Safety (Information Sharing) Amendment Regulation 2020*
- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*, as amended 2011
- *Child Safe Standards (Vic) – 'The 11 Child Safe Standards' – CCYP 2022*
- *Crimes Amendment (Grooming) Bill 2013*
- *Crimes Amendment (Protection of Children) Act 2014 (Vic)*
- *Education and Care Services National Law Act 2010 (Vic):* Sections 165, 166, 167
- *Education and Care Services National Regulations 2011 (Vic):* Regulations 84, 85, 86, 99, 100, 101, 102, 168(2)(h)
- *Education Training and Reform Act 2006 (Vic)*, as amended 2014
- *Family Law Act 1975 (Cth)*
- *National Quality Framework for Early Childhood Education and Care*
- *National Quality Standard*, Quality Area 2: Children's Health and Safety
- Standard 2.3: Each child is protected
  - Element 2.3.1: Children are adequately supervised at all times
  - Element 2.3.2: Every reasonable precaution is taken to protect children from harm and any hazard likely to cause injury
- *Reportable Conduct Scheme administered by the Commission for Children and Young people (Vic) (CCYP)*
- *Worker Screening Act 2020*
- *Worker Screen Regulation 2021 (Vic)*
- *Working with Children Act 2005 (Vic)*
- *Working with Children Regulations 2006 (Vic)*
- *Wrongs Act 1958 (Vic)*

The most current amendments to listed legislation can be found at:

- Victorian Legislation – Victorian Law Today: http://www.legislation.vic.gov.au/
- Commonwealth Legislation - Federal Register of Legislation: https://www.legislation.gov.au

3.2 Legislation requires early childhood teachers to be registered with the Victorian Institute of Teaching (VIT) (from 30 September 2015). They are obligated to undertake mandatory reporting of any concerns of child abuse. Please refer to the *Child Protection Policy* for guidelines in relation to mandatory reporting of child-related concerns, or child abuse.

4. Definitions

4.1 **Child Abuse:** (in the context of this policy) refers to an act or omission by an adult that endangers or impairs a child's physical and/or emotional health or development. Child abuse can be a single incident but often takes place over time. Abuse, neglect and maltreatment are generic terms used to describe situations in which a child may need protection.

4.2 **Child Information Sharing Scheme (CISS):** enables Information Sharing Entities (ISE) to share confidential information about any person to promote the wellbeing and/or safety of a child or group of children. The CISS works in conjunction with existing information sharing legislative provisions. All Victorian children from birth to 18 years of age are covered. Unborn children are only captured when there has been a report to Child First (Orange Door) or Child Protection. Consent is not required from any person when sharing under CISS. The CISS does not affect reporting obligations created under other legislation, such as mandatory reporting obligations under the Children, Youth and Families Act 2005.

4.3 **Child protection:** The term used to describe the whole-of-community approach to the prevention of harm to children. It includes strategic action for early intervention and protection of those considered most vulnerable, and for responses to all forms of abuse.

4.4 **Child Protection Service (also referred to as Child Protection):** The statutory child protection service provided by the Victorian Department of Health and Human Services, tasked with protecting children and young people at risk of abuse and neglect. This service also works closely with Family Services (including Child FIRST – The Orange Door) to support the assessment and engagement of vulnerable children and families in community-based services. See: http://www.dhs.vic.gov.au/for-service-providers/children,-youth-andfamilies/child-protection.

4.5 **Corporal punishment:** physical punishment.

4.6 **Duty of care**: A common law concept that refers to the responsibilities of organisations and staff to provide people with an adequate level of protection against harm and all reasonably foreseeable risk of injury. In the context of this policy, duty of care refers to the responsibility of education and care services and their staff to provide children with an adequate level of care and protection against foreseeable harm and injury.

4.7 **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.

4.8 **Failure to protect:** People of authority at CCC will commit an offence if they know of a substantial risk of sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

4.9 **Grooming offence:** targets communication, including online communication, with a child under the age of 16 or their parents with the intent of committing child sexual abuse. This offence targets predatory conduct undertaken to prepare a child for sexual abuse at a later time with the groomer (aged 18 years old or over) or another adult.

4.10 **Mandatory Reporters:** All teachers, doctors, nurses, midwives, principals and police are mandatory reporters and therefore **must** report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury and/or sexual abuse.

4.11 **Serious incident:** A children's service is required to notify the Department when a serious incident occurs at the service. A serious incident is defined as:

- the death of a child while being cared for or educated by the service (section 29C(a))
- any incident involving injury or trauma to a child while being cared for or educated by the service requiring the
- attention of a registered medical practitioner; or
- admission to a hospital (section 29C[b]).

- a child being cared for or educated by the service appears to be missing or otherwise unaccounted for or appears to have been taken or removed from the service contrary to the regulations (section 29C(c))
- any incident requiring attendance by emergency services (section 29C(d) and regulation 90[2]).

A children's service must notify the relevant regional office by telephone within 24 hours of the incident, followed by written notification as soon as practicable (regulation 90[1]). Written notification is to be provided by using the *Serious Incident Notification* form available at: www.education.vic.gov.au/childhood/providers/regulation/Pages/vcsforms.aspx

5. Sources and related policies

5.1 Sources

- ACECQA https://www.acecqa.gov.au/nqf/national-law-regulations/national-regulations
- Australian Human Rights Commission: www.humanrights.gov.au
- Charter of Human Rights and Responsibilities Act 2006 (Vic)available at: http://www.legislation.vic.gov.au/
- Child Information Sharing Scheme: https://www.vic.gov.au/child-information-sharing-scheme
- Child Protection and Child Safe Standards (PROTECT) https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/default.aspx
- Commission for Children and Young People (CCYP): https://ccyp.vic.gov.au/resources/child-safe-standards
- Commission for Children and Young People (CCYP): https://ccyp.vic.gov.au
- Commission for Children and Young People (CCYP): https://ccyp.vic.gov.au/resources/child-safe-standards/#CSS_SATool
- Educate2Empower: https://e2epublishing.info/
- Family Violence Information Sharing Scheme: https://www.vic.gov.au/family-violence-information-sharing-scheme
- National Principles for Child Safe Organisations. https://humanrights.gov.au/sites/default/files/National%20Principles%20for%20Child%20Safe%20Organisations.pdf?_ga=2.251996681.1442166629.1602467693-2062018429.1602467693
- Quality Assessment and Regulation Division's online guidance: https://www.vic.gov.au/early-childhood-services-child-safe-standards
- Reportable Conduct Scheme – CCYP: https://ccyp.vic.gov.au/reportable-conduct-scheme/
- Understand your obligations - https://www.education.vic.gov.au/childhood/professionals/health/childprotection/Pages/ecunderstanding.aspx#link0
- Working with Children (WWC) Check: www.workingwithchildren.vic.gov.au

5.2 Services policies

- Interactions with children
- Water safety
- Excursions and outings
- Confidentiality policy and Guidelines
- Dropping and picking up children
- Incident, Injury, Trauma and Illness
- Dealing with infectious diseases
- Parent complaint procedure
- Sun smart
- Workplace health and safety

- Emergency & evacuation
- Behaviour guidance
- Child safe environment

Revision History

Date	Revision	Revised by
10/05/2023	Created	Leanne Lee-Ack
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