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<b>Written By</b> Nominated Supervisor	<b>Reviewed By</b> Parent Management committee	<b>Approved By</b> Parent Management committee	<b>Supersedes</b> 1.1	<b>Effective Date</b> 1/6/2020

# Eastwood Heights Public School OOSH

## Child Protection Policy

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## Child Protection Reporting Overview

NOTIFICATIONS OF ABUSE



WHEN CHILDREN ARE IN IMMEDIATE DANGER OF ABUSE  
CALL **POLICE ON 000**



OTHERWISE CONTACT  
THE **CHILD PROTECTION HELPLINE ON**  
**132 111** (24 HOURS, 7 DAYS)

OR MAKE AN E-REPORT IF **NOTIFICATION IS NOT URGENT**  
[HTTPS://REPORTER.CHILDSTORY.NSW.GOV.AU/S/MRG](https://reporter.childstory.nsw.gov.au/s/mrg)

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## 1. POLICY STATEMENT

To ensure all employees take their responsibility to protect children from any type of harm very seriously, understand their reporting obligations and are aware of our risk management strategy which includes practices designed to ensure the safety and wellbeing of children is paramount.

## 2. IMPLEMENTATION

The Approved Provider of an Education and Care Service must ensure that the Nominated Supervisor of the Service and Responsible Persons of the Service have successfully completed a course in child protection approved by the relevant regulatory authority.

Under the *Children and Young Persons (Care and Protection) Act 1998* mandated reporters at Eastwood Heights Out of School Hours care are all its employees and the Parent Management Committee. Mandated reporters must make reports if they suspect on reasonable grounds that a child is at risk of significant harm because:

- the child's basic physical or psychological needs are not being met or are at risk of not being met
- the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child to receive necessary medical care
- the parents or other caregivers have not arranged and are unable or unwilling to arrange for a school age child to receive an education
- the child has been, or is at risk of being physically or sexually abused or ill-treated
- the child is living in a household where there have been incidents of domestic violence and they are at risk of serious physical or psychological harm
- the parent's or other caregiver's behaviour means the child has suffered or is at risk of suffering serious psychological harm

Significant harm is where the circumstances that are causing concern are present to a significant state and warrant a response by a statutory authority, such as the NSW Police Force or Community Services, regardless of a family's consent. Significant is not minor or trivial and may reasonably be expected to produce substantial and adverse impacts on the child's safety, welfare or wellbeing. The significance can be a result of a single act or omission or an accumulation of acts and omissions.

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

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

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## 2.1 Mandatory Reporter Guide (MRG) tool

An MRG tool has been developed to help frontline mandatory reporters to determine whether the risk to a child or young person meets the statutory threshold of 'risk of significant harm'. The MRG tool is an interactive tool that is available online at [www.reporter.childstory.nsw.gov.au/s/](http://www.reporter.childstory.nsw.gov.au/s/). It will guide the reporter on what action should be taken in situations of uncertainty. If still in doubt, the Community Services Helpline will provide feedback as to whether or not the circumstances meet the threshold for intervention.

If directed by the MRG to report to the NSW Department of Family and Community Services (FACS), the relevant staff or committee member must immediately report their concerns to the Child Protection Helpline (mandatory reporters: 13 36 27). When reporting to the Helpline it is important to have ready as much relevant information as possible. This might include, for example, the personal information relating to the child or family, reporter details and outcome of the MRG tool. The reporter is legally required to report the matter to FACS if directed to do so by the MRG. Once a report is made to the Helpline no further report needs to be made unless new information comes to hand.

Where concerns do not meet the significant harm threshold, the MRG tool may guide the user to 'Document and continue the relationship'. This requires the Service to continue to support, provide services, and coordinate assistance and referral for the child and their family. The report page generated by the MRG tool should be printed and filed for future reference regardless of whether or not further action is recommended. If new information concerning the child comes to light the reporter should run the MRG tool again.

## 2.2 Information exchange

In order to provide effective support and referral it may be necessary to exchange information with other prescribed bodies, including government agencies or non-government organisations and services.

Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998* (NSW) requires prescribed bodies to take reasonable steps to coordinate decision making and the delivery of services regarding children and young people. Pursuant to Chapter 16A, educators and staff may exchange information that relates to a child's safety, welfare or well-being, whether or not the child is known to FACS and whether or not the child consents to the information exchange.

The information requested or provided *must* relate to the safety, welfare or well-being of the child. Such information may pertain to:

- the child's history or circumstances
- a parent (or other family member), or other significant or relevant relationship
- the agency's work (now and in the past).

Where information is provided in good faith and according to legal provisions, reporters cannot be regarded as breaching professional etiquette, ethics or standards, or become liable to legal prosecution, pursuant to section 29 and 245G of the Act.

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### 3. RISK MANAGEMENT STRATEGY

The Approved Provider, Nominated Supervisor, employees and volunteers will implement a Child Protection Risk Management Strategy to ensure the health, wellbeing and safety of all children at the service, protect children from harm and protect the integrity of employees and volunteers. The Strategy includes the following components:

1. Policy Statement
2. Recruitment, Selection and Training Procedures for employees and volunteers which include child protection principles
3. Procedures for handling disclosures and suspicions of harm Reporting and Documenting Abuse or Neglect
4. Risk Management for High Risk Activities and Special Events
5. Strategies for Communication and Support

#### 3.1 Recruitment, Selection and Training Procedures

The Service will implement recruitment, professional development and training procedures for employees and where relevant volunteers to ensure no-one at the service poses a risk to children and everyone understands how to manage disclosures or suspicions of harm (Recruitment procedures at Appendix A and training procedures in Educator and Management Policy). Requirements include:

- job advertisements which include qualifications and skills required, and culture of child safety and protection
- job descriptions which outline level of professional skills and responsibilities
- processes (including job advertisements) which ensure employees and volunteers have clear Working With Children Checks or they are exempt (see Office of Children's Guardian <https://www.kidsguardian.nsw.gov.au/>)
- interview questions and referee checks which reference person's approach to child safety and protection
- documented induction/ orientation checklists which reference child safety and protection, supervision, compliance with National Law and Regulations, National Quality Standards, Code of Conduct, policies and procedures
- regular training and development to ensure individuals are clear about their roles and responsibilities to protect children from harm, are aware of their reporting obligations, can confidently recognise the indicators of harm and understand documenting and reporting procedures.
- regular inclusion of child protection and risk management strategy in staff meetings
- providing access to relevant legislation and other resources to help employees and volunteers meet their obligations

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### 3.2 Managing and recording a disclosure of harm

If the Approved Provider, Nominated Supervisor, employees and volunteers have concerns about the safety of a child they will:

- find a quiet place to talk in view of other educators/children
- remain calm and listen in an attentive, active and non-judgmental 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'll need to tell someone who can help keep them safe
- not try to investigate or mediate the matter themselves
- record their own observations as well as accurate details of any conversation with a parent (who may for example explain a noticeable mark on a child)
- document in the Child Protection Concern Report (Appendix B) as soon as possible so the details are accurately captured including:
  - time, date, location and who was present
  - full details of the (suspected) abuse
  - exactly what the person said using "I said", "they said," statements
  - the questions educators asked
  - any comments educators made
  - educators' actions following the disclosure
- ensure the managements and storage of records complies with the EHOOSH Privacy Confidentiality Policy.

### 3.3 Managing and recording a suspicion of harm

The Approved Provider, Nominated Supervisor, employees and volunteers will:

- remain alert to any warning signs or indicators
- pay close attention to changes in the child's behaviour, ideas, feelings and the words they use
- make written notes of observations in a non-judgemental and accurate manner, and manage in line with the EHOOSH Privacy and Confidentiality Policy
- assure a child that they can come to talk when they need to, and listen to them and believe them when they do
- follow our reporting procedures

See template at Appendix B

### 3.4 Allegations against Service Personnel

The reporting procedure above will also be followed where there are allegations of harm against the Approved Provider, Nominated Supervisor, employees or volunteers. The Approved Provider or Nominated Supervisor will:

- complete an Incident Report, and notify the Regulatory Authority within 24 hours of making the report and report to the NSW Ombudsman's within 30 days

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- provide appropriate support for any employee/volunteer who has an allegation made against them
- protect the identity of employees/volunteers in relation to unsubstantiated complaints
- review the person's duties, and if they continue to interact with children, ensure they are appropriately supervised at all times
- seek legal advice about restricting that person's work activities if relevant

### **Confidentiality**

It is important that individuals keep all information confidential while the matter is investigated. Employees or volunteers will not discuss the Incident Report with people who are not involved, or inform the person they have made the complaint about, to ensure the matter can be investigated without prior knowledge and contamination of evidence.

### **Support after disclosure**

The Approved Provider or Nominated Supervisor will provide assistance to access appropriate support and counselling services for all parties affected by a disclosure of harm.

### **3.5 High Risk Activities and Special Events**

The Nominated Supervisor and educators will analyse the risk of 'harm' to children for all relevant events including high risk activities where there is an increased risk of harm to children for example:

- water based activities
- special events like service concerts and family information days where there will be a large number of visitors or people present
- events or activities where visitors will be present
- excursions
- playground renovations
- activities using dangerous equipment

The Nominated Supervisor and educators will:

1. Identify all the elements of an activity (eg objectives, location, participants, transportation, toileting/change room procedures, appropriate supervision and adult to child ratios, photography policy, managing medications, managing illness and injury, procedure applying to visitors, physical environment)
2. Identify the risks
3. Analyse the likelihood and consequences of the risks
4. Evaluate the level of risk (eg: low, moderate, high, extreme)
5. Implement strategies to eliminate or minimise the risk
6. Review the activity to determine how it could be improved

See Appendix C for a Risk Management template.



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### 3.6 Strategies for Communication and Support

The Nominated Supervisor will implement the following to ensure families, employees, volunteers and children are aware of our Child Risk Management Strategy:

- regularly advise families and prospective families about the reasons for and components of our risk management strategy, where they can access our Child Protection Policy and Risk Management Strategy, and that we welcome feedback about the Policy/Strategy.
- provide written information about our risk management strategy during enrolment and orientation and include in Parent Handbook
- make available to employees and families relevant resources from the office of the children's Guardian website at <https://www.kidsguardian.nsw.gov.au/>

### 4 Statutory authority

- Education and Care Services National Law Act 2010 (Regulation 84, 273)
- National Quality Standard (Standard 2.3.4)
- Children and Young Person's (Care and Protection) Act 1998 (NSW)
- Commission for Children and Young People Act 1998
- Child Protection (Prohibited Employment) Act 1998
- Ombudsman Act 1974
- NSW Department of Community Services Mandatory Reporting Guidelines
- NSW Child Protection Interagency Guidelines (2006)
- Children Legislation Amendment (Wood Inquiry Recommendations) Act 2009 No 13

#### 4.1 Service policies

- Confidentiality and Privacy Policy
- Removal and Assumption of Care Policy

#### 4.4 National frameworks

- Framework for School Age Care in Australia, "My Time, Our Place"  
[http://files.acecqa.gov.au/files/National-Quality-Framework-Resources-Kit/my\\_time\\_our\\_place\\_framework\\_for\\_school\\_age\\_care\\_in\\_australia.pdf](http://files.acecqa.gov.au/files/National-Quality-Framework-Resources-Kit/my_time_our_place_framework_for_school_age_care_in_australia.pdf)

#### 4.5 Further references

- ChildStory Reporter website NSW Government (includes Mandatory Reporting Guide)
- The Commission for Children and Young People Act 1998
- The Children's Guardian ([www.kidsguardian.nsw.gov.au](http://www.kidsguardian.nsw.gov.au))
- Human Services Network ([www.hsnet.nsw.gov.au](http://www.hsnet.nsw.gov.au))
- Ombudsman ([www.nswombudsman.nsw.gov.au](http://www.nswombudsman.nsw.gov.au))
- Community Services ([www.community.nsw.gov.au](http://www.community.nsw.gov.au))
- NSW Commission for Children and Young People ([www.kids.nsw.gov.au](http://www.kids.nsw.gov.au))
- Child Protection Helpline: 13 36 27 (for non-mandatory reporters: 13 21 11)

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## Appendix A

### Indicators of Abuse

There are many indicators of harm to children. 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 the context of 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.

#### General indicators of abuse and neglect

- marked delay between injury and seeking medical assistance
- history of injury
- the child gives some indication that the injury did not occur as stated
- the child tells you someone has hurt him/her
- the child tells you about someone he/she knows who has been hurt
- someone (relative, friend, acquaintance, sibling) tells you that the child may have been abused.

#### Neglect

Child neglect is the continued failure by a parent or caregiver to provide a child with the basic things needed for his or her proper growth and development, such as food, clothing, shelter, medical and dental care and adequate supervision. Some examples are:

- inability to respond emotionally to the child
- child abandonment
- depriving or withholding physical contact
- failure to provide psychological nurturing
- treating one child differently to the others

#### Indicators of Neglect in children

- poor standard of hygiene leading to social isolation
- scavenging or stealing food
- extreme longing for adult affection
- lacking a sense of genuine interaction with others
- acute separation anxiety
- self comforting behaviours, e.g. rocking, sucking
- delay in development milestones
- untreated physical problems

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### **Physical Abuse**

Physical abuse is a non-accidental injury or patter of injuries to a child caused by a parent, caregiver or other person. Educators will be particularly aware of looking for possible physical abuse if parents or caregivers:

- make direct admissions from parents about fear of hurting their children
- have a family history of violence
- have a history of their own maltreatment as a child
- make repeated visits for medical assistance

### **Indicators of Physical Abuse in children**

- facial, head and neck bruising
- lacerations and welts
- explanations are not consistent with injury
- bruising or marks that may show the shape of an object
- bite marks or scratches
- multiple injuries or bruises
- ingestion of poisonous substances, alcohol or drugs
- sprains, twists, dislocations
- bone fractures
- burns and scalds

### **Indicators of Emotional Abuse in children**

Emotional abuse occurs when an adult harms a child's development by repeatedly treating and speaking to a child in ways that damage the child's ability to feel and express their feelings. Some examples are:

- constant criticism, belittling, teasing of a child or ignoring or withholding praise and affection
- excessive or unreasonable demands
- persistent hostility, severe verbal abuse, rejection and scape-goating
- belief that a particular child is bad or "evil"
- using inappropriate physical or social isolation as punishment
- exposure to domestic violence

### **Indicators of emotional abuse in children**

- feeling of worthlessness about them
- inability to value others
- lack of trust in people and expectations
- extreme attention seeking behaviours
- other behavioural disorders (disruptiveness, aggressiveness, bullying)

### **Sexual Abuse**

Sexual abuse is when someone involves a child in a sexual activity by using their power over them or taking advantage of their trust. Often children are bribed or threatened physically and psychologically to make them participate in the activity. Educators will be particularly aware of looking for possible sexual abuse if parents or caregivers are suspected of or charged with child sexual abuse or display inappropriate jealousy regarding age appropriate development of independence from the family. Sexual abuse includes:

- exposing the child to sexual behaviours of others

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- coercing the child to engage in sexual behaviour with other children
- verbal threats of sexual abuse
- exposing the child to pornography

#### **Indicators of Sexual Abuse in children**

- they describe sexual acts
- direct or indirect disclosures
- age inappropriate behaviour and/or persistent sexual behaviour
- self destructive behaviour
- regression in development achievements
- child being in contact with a suspected or know perpetrator of sexual assault
- bleeding from the vagina or anus
- injuries such as tears to the genitalia

#### **Psychological Abuse**

Psychological harm occurs where the behaviour of the parent or caregiver damages the confidence and self esteem of the child, resulting in serious emotional deprivation or trauma. In general it is the frequency and duration of this behaviour that causes harm. Some examples are:

- excessive criticism
- withholding affection
- exposure to domestic violence
- intimidation or threatening behaviour.

Indicators of psychological abuse in children include:

- constant feelings of worthlessness
- unable to value others
- lack of trust in people
- lack of people skills necessary for daily functioning
- extreme attention seeking behaviour
- extremely eager to please or obey adults
- takes extreme risks, is markedly disruptive, bullying or aggressive
- suicide threats
- running away from home

#### **Indicators of Domestic Violence in children**

- show aggressive behaviour
- develop phobias & insomnia
- experience anxiety
- show symptoms of depression
- have diminished self esteem
- demonstrate poor academic performance and problem solving skills
- have reduced social competence skills including low levels of empathy
- show emotional distress
- have physical complaints

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### **Disclosure of harm**

A disclosure of harm occurs when someone, including a child, tells you about harm that has happened, is happening, or is likely to happen to a child. Disclosures of harm may start with:

- I think I saw...
- Somebody told me that...
- Just think you should know...
- I'm not sure what I want you to do, but...

### **Suspicion of harm**

A suspicion of harm is when someone has a reasonable suspicion that a child has suffered, is suffering, or is at an unacceptable risk of suffering significant harm.

Note there may be circumstances where there is concern for a child's welfare but it does not reach the threshold to be considered a disclosure or suspicion of harm. In this case educators will connect families with referral agencies with the family's consent. Contact details are available in the resources section of the ChildStory Reporter website.

The Approved Provider, Nominated Supervisor, employees and volunteers may suspect harm if:

- a child says they have been harmed
- someone else, for example another child, a parent, or an employee, says harm has occurred or is likely to occur
- a child tells them they know someone who has been harmed (it is possible that they may be referring to themselves)
- they are concerned at significant changes in the behaviour of a child, or the presence of new unexplained and suspicious injuries
- they see the harm happening.

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## Appendix B

### CHILD PROTECTION CONCERN REPORT

- It is important to ensure that you write down all the details of what you saw or heard as ALL information is important.
- Remember that there is no detail too small or insignificant.
- If more than one educator is making a report on the same incident, please make one separately as you may have interpreted the events differently.
- Please ensure that you speak to the Nominated Supervisor or your RPIC immediately after writing this report.
- Ensure that this report is filed away immediately and NEVER left in public view. It is important that you do not discuss what you have written with anyone but the director or responsible person in charge.

Date:

Day of the week:

Time:

Name of child:

Name of educator writing report:

Name of educators who may have witnessed the incident:

Was the incident individual or with someone else? If with someone else, please tick who?

Parent

Student

Animal

Teacher

Educator

School support staff (e.g. cleaner)

Individual

Unknown

If you have ticked any of the above boxes, please provide detail.

What did you witness or hear? Please use detail.

Where did the incident take place?

How would you describe the child's mood at the time of incident? If unable, please leave blank.

Have you had concerns for this child before? If so, did you make a report and what were the outcomes if any?

Anything else you would like to include?

Do you feel you need support from witnessing or hearing this incident?

Yes

No

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Name of reporter:

Signature: \_\_\_\_\_

**OFFICE USE ONLY**

Date report received?     /     /

Has an MRG been completed for this report?

Yes

No

If yes, please attach the MRG results to this report.

Has a conversation taken place with the educator/s to ensure they feel supported?

What has been done to follow up this report?

Name of person who received report:

Signature: \_\_\_\_\_

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## Appendix C

### Child Protection Risk Management Strategy – Template for High Risk Activity

STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
<b>Describe the activity</b> <i>Identify all elements of the event from beginning to end eg activity, objectives, location, participants</i>	<b>Identify Risks</b> <i>Something that could happen that results in harm – also consider physical, emotional, sexual and cultural risks from children, adults, visitors, employees, volunteers</i>	<b>Analyse the Risk</b> <i>How likely is the risk, what would happen if the risk did occur?</i>	<b>Evaluate the Risk</b> <i>Likelihood/Consequences</i>	<b>Manage the Risk</b> <i>Assess the options to reduce the risk</i>	<b>Review</b> <i>Nominate who will review after the event/activity</i>

Determine **likelihood** of the risk by using the left hand column of the **Risk Analysis Matrix** (below). Use the impact information to determine the **consequences** level. Combine the Consequence and Likelihood ratings to arrive at the **Risk Level** (i.e. *Low, Medium, High or Critical*). **CONSEQUENCES**

LIKELIHOOD	Insignificant	Minor	Moderate	Major	Extreme
<b>Very likely</b> <i>Expected to occur in most circumstances</i>	Medium	Medium	High	Critical	Critical
<b>Likely</b> <i>Will probably occur in most circumstances</i>	Low	Medium	High	High	Critical
<b>Possible</b> <i>Might occur at some time</i>	Low	Medium	Medium	High	High
<b>Unlikely</b> <i>Not expected to occur</i>	Low	Low	Medium	Medium	High
<b>Rare</b> <i>Occurs in exceptional circumstances only</i>	Low	Low	Low	Medium	Medium



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## Appendix D

### Child Protection Agencies

The following agencies have responsibilities regarding child protection. Our service will liaise with these services and agencies should child protection become an issue at our service.

#### Child Protection Helpline: Department of Family and Community Services

- Receive, assess and where appropriate Investigate reports of children who are at risk of significant harm.
- May plan, conduct and manage Reports in conjunction with other agencies including NSW with Police, the NSW Health.
- Exchange relevant information with a range of agencies including NSW Police, NSW Health and the Department of Education and Communities.
- Provide, arrange and request care and/or support for children and families.
- Inform reporting agencies of the progress and outcomes of assessments and investigations as permitted by law

### Child Wellbeing Unit

Child Wellbeing Units have been established in the four government agencies with the largest number of child protection reports. These include the Department of Education and Communities and the Department of Family and Community Services. They can be contacted through the Department's switchboard or contact details are available in the resources section of the ChildStory Reporter website, <https://reporter.childstory.nsw.gov.au/s/mrg>

### NSW Ombudsman's Office

- Monitors the investigation of and in some cases investigates reportable allegations made against employees in government and non-government agencies, such as children's services.
- The Ombudsman must be notified of all allegations of abuse or neglect of a child by a children's services employee.
- A volunteer is also counted as an employee in this situation.

Children's Services Employers must report to the NSW Ombudsman any reportable allegations and convictions made against an employee and ensure they are investigated by the Approved Provider/owner of the Child Care Service with appropriate actions being taken when the investigation is complete. The Approved Provider/owner of the Child Care Service must notify the Ombudsman within 30 days of becoming aware of any reportable allegations or conviction made against an employee in children's services.

Reportable allegations include any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including a child pornography offence), any assault, ill treatment or neglect of a child, any behaviour that causes psychological harm to a child.

Employees include:

		<b>EHPS OOSH POLICY</b>	
<b>POLICY NUMBER</b> QA2/2	<b>REVISION</b> 1.2	<b>CHILD PROTECTION POLICY</b>	<b>PAGE</b> 18 of 18

- any employee of the agency, whether or not employed in connection with any work or activities of the agency that relates to children, and
- any individual engaged by the agency to provide services to children (including in the capacity as a volunteer) and
- work experience participants, students on placements, e.g. TAFE, secondary or tertiary students

The Ombudsman needs to be informed of any allegation regardless of the outcome. These matters are only reported to the Child Protection Helpline if they meet the threshold of significant harm.

Visit [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au) for fact sheets and any forms required.

### **The Office of the Children’s Guardian**

The Office of the Children’s Guardian is an independent government agency that works to protect children by promoting and regulating quality, child safe organisations and services. One of its roles is administering the Working With Children Check.

Children’s services employers must report findings of sexual misconduct and serious physical assault involving children by a child related worker to the Office of the Children’s Guardian. See the Fact Sheet ‘Information for reporting bodies’ at [www.kidsguardian.nsw.gov.au](http://www.kidsguardian.nsw.gov.au)