

CHILD PROTECTION POLICY

Our Service is committed to providing a child safe environment where children’s safety and wellbeing is supported and children feel respected, valued and encouraged to reach their full potential. Our Service embeds the National Principles for Child Protection relevant to the state we are situated in [Australian Child Safe Standards – A State By State Guide 2025 - Safe Space Legal](#) and promotes a culture of safety and wellbeing to minimise the risk of child abuse or harm to children whilst promoting children’s sense of security and belonging. We will ensure all employees and volunteers understand the meaning, importance and benefits of providing a child safe environment and critically, understand their obligations and requirements as mandatory reporters.

At all times, management, staff and volunteers will treat children with the utmost respect and understanding. Our Service believes that:

- Children are capable of the same range of emotions as adults
- Children’s emotions are real and need to be accepted by adults
- A reaction given to a child from an adult in a child’s early stages of emotional development can be positive or detrimental depending on the adult’s behaviour
- Children who enhance their understanding of their body’s response to a situation are more able to predict the outcome and ask for help or evade a negative situation.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2	Safety	Each child is respected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
2.2.3	Child Protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.

EDUCATION AND CARE SERVICES NATIONAL LAW AND REGULATIONS	
S. 162A	Persons in day-to-day charge and nominated supervisors to have child protection training
S.165	Offence to inadequately supervise children
S. 165A	Offence relating to children leaving the education and care service premises unauthorised
S. 166	Offence to use inappropriate discipline
S.167	Offence relating to protection of children from harm and hazard
S. 174	Offence to fail to notify certain information to Regulatory Authority
S. 175	Offence relating to requirement to keep enrolment and other documents
84	Awareness of child protection law
86	Notification to parents of incident, injury, trauma and illness
87	Incident, injury, trauma and illness record
145	Staff records
149	Volunteers and students
155	Interactions with children
168	Education and care service must have policies and procedures
170	Policies and procedures to be followed
175	Prescribed information to be notified to Regulatory Authority
176	Time to notify certain information to Regulatory Authority

LEGISLATION

<u>Children and Community Services Act 2004</u>	<i>Working with Children (Criminal Record Checking) Amendment Act 2022</i>
<u>Parliamentary Commissioner Amendment (Reportable Conduct) Act 2022</u>	



RELATED POLICIES

Child Safe Environment Policy Code of Conduct Policy Dealing with Complaints Policy Family Communication Policy Health and Safety Policy Interactions with Children, Family and Staff Policy Privacy and Confidentiality Policy	Recruitment Policy Respect for Children Policy Responsible Person Policy Staffing Arrangements Policy Student, Volunteer and Visitors Policy Supervision Policy Work Health and Safety Policy
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PURPOSE

All educators, staff, visitors and volunteers are committed to identifying possible risk and significant risk of harm to children and young people at the Service. We comprehend our duty of care responsibilities to protect children from all types of abuse and neglect and will adhere to our moral and legislative obligations at all times.

We aim to implement effective strategies to assist in ensuring the safety and wellbeing of all children. Our Service will act in the best interest of each child, assisting them to develop to their full potential in a secure and child safe environment.

SCOPE

This policy applies to children, families, staff, educators, management, approved provider, nominated supervisor, students, volunteers and visitors of the Service.

DEFINITIONS

Mandatory reporting is the legislative requirement for selected classes of people to report suspected child abuse and neglect to government authorities.

Mandatory reporters

New South Wales

In NSW, mandatory reporting is regulated by the [Children and Young Persons \(Care and Protection\) Act 1998-external sitelaunch](#) (the Care Act)

Mandatory reporters are people who deliver the following services, wholly or partly, to children as part of their professional work or other paid employment, and those in management positions in these services:

- Health care — registered medical practitioners, specialists, enrolled and registered nurses, registered midwives, occupational therapists, speech pathologists, psychologists, dentists and other allied health professionals working in sole practice or in public or private health practices.
- Welfare — registered psychologists, social workers, caseworkers and youth workers.
- Education — teachers, counsellors, principals,
- Children’s services — child care workers, family day carers and home-based carers.
- Residential services — refuge workers, community housing providers.
- Law enforcement — police.
- Disability services – disability support workers and personal care workers.

On 1 March 2020, mandatory reporter groups in NSW expanded to also include:

- A person in religious ministry or a person providing religion based activities to children (e.g. minister of religion, priest, deacon, pastor, rabbi, Salvation Army officer, church elder, religious brother or sister)
- Registered psychologists providing a professional service as a psychologist to adults.

Queensland

In Queensland (QLD), mandatory reporting is regulated by the *Children Protection Act 1999*. *Mandatory reporters are:*

- teachers
- doctors
- registered nurses
- police officers with child protection responsibilities
- a person performing a child advocate function under the *Public Guardian Act 2014*
- early childhood education and care professionals.

South Australia

In South Australia (SA), mandatory reporting is regulated by the *Children and Young People (Safety) Act 2017*.

Mandatory reporters are:

- prescribed health practitioners (medical practitioners, pharmacists, registered or enrolled nurses, dentists and psychologists)
- police officers
- community corrections officers under the [Correctional Services Act 1982\(external site\)](#)
- social workers
- ministers of religion
- employees of, or volunteers in, an organisation formed for religious or spiritual purposes
- teachers employed as such in a school (within the meaning of the [Education and Early Childhood Services \(Registration and Standards\) Act 2011\(external site\)](#)) or a pre-school or kindergarten
- employees of, or volunteers in, an organisation that provides health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children or young people, being a person who:
 - provides such services directly to children or young people, or
 - holds a management position in the organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children or young people
- officer or employee of a prescribed organisation (as per section 114 of the [Children and Young People \(Safety\) Act 2017\(external site\)](#)) who holds a management position in the organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of services to children and young people

Child Safe Environments Program (SA) program helps organisations to create and keep environments that are safe and welcoming for children and young people.

Tasmania

In Tasmania, the mandatory reporting of child safety and wellbeing concerns is governed by the *Children, Young People and Their Families Act 1997*, and the *Criminal Code Act 1924*. *Mandatory reporters are:*

- All adults in our community have a responsibility to look out for children (including unborn) and young people and keep them safe.
- All workers have a legal duty to report concerns about the safety and wellbeing of a child (including unborn) or young person. This includes employees, contractors, students and volunteers.

Victoria

In Victoria, under the Children, Youth and Families Act 2005, mandatory reporters must make a report to child protection. Mandatory reporters are:

- registered medical practitioners
- nurses
- midwives
- registered teachers and early childhood teachers
- school principals
- school counsellors
- police officers
- out of home care workers (excluding voluntary foster and kinship carers)
- early childhood workers
- youth justice workers
- registered psychologists
- people in religious ministry.

Western Australia

Western Australia (WA), mandatory reporting is regulated by the *Children and Community Services Act 2004*

In Western Australia it is mandatory for certain professionals to report a belief of child sexual abuse.

Mandatory reporters are:

- assessors appointed under section 125A of the Act
- boarding supervisors
- departmental officers of the Department of Communities
- doctors
- early childhood workers
- ministers of religion
- nurses and midwives
- out-of-home care workers
- police officers
- psychologists
- school counsellors
- teachers (including TAFE lecturers)
- youth justice workers.

[Reportable Conduct Scheme \(WA\)](#) compels heads of organisations that exercise care, supervision or authority over children to notify allegations of, or convictions for, child abuse by their employees to the Ombudsman and then investigate these allegations. (effective 1 January 2023).

WHAT IS CHILD ABUSE?

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

There are different forms of child abuse: physical abuse, sexual abuse, emotional abuse, psychological abuse and child neglect.

INDICATORS OF ABUSE

There are common physical and behavioural signs that may indicate abuse or neglect. The presence of one of these signs does not necessarily mean abuse or neglect. Behavioural or physical signs which assist in recognising harm to children are known as indicators. The following is a guide only. One indicator on its own may not imply abuse or neglect. However, a single indicator can be as important as the presence of several indicators. Each indicator needs to be deliberated in the perspective 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 may include:](#)

- 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, and sibling) tells you that the child may have been abused.

PHYSICAL ABUSE

Physical abuse occurs when a child is severely and/or persistently hurt or injured by an adult or a child's caregiver. It may also be the result of putting a child at risk of being injured. Some examples are:

- hitting, shaking, punching
- burning and scolding

- excessive physical punishment or discipline
- attempted suffocation
- shaking a baby.

Possible signs of physical abuse are:

- broken bones or unexplained bruises, burns, welts
- the child is unable to explain an injury, or the explanation is vague
- dehydration or poisoning
- the child is unusually frightened of a parent or caregiver
- arms and legs are covered by clothing in warm weather
- when parents delay getting medical assistance for their child's injury
- brain damage through shaking or hitting.

SEXUAL ABUSE

Sexual abuse occurs when a child is exposed to, or involved in, sexual activity that is inappropriate to the child's age and developmental level. It includes circumstances where the child has less power than another person involved, is exploited or where the child has been bribed, threatened, or coerced. It also includes situations where there is a significant difference between the developmental or maturity level of the child and another person involved.

Some examples are:

- letting a child watch or read pornography
- allowing a child to watch sexual acts
- fondling the child's genitals
- having oral sex with a child
- vaginal or anal penetration
- using the internet to find a child for sexual exploitation.

Possible signs of sexual abuse include when a child:

- acts in a sexualised way that is inappropriate to his/her age
- creates stories, poems or artwork about abuse
- has pain, bleeding or swelling in his/her genital area
- starts doing things they have grown out of such as crying a lot, bed wetting or soiling, clinging to caregiver
- has nightmares or sudden unexplained fears.

EMOTIONAL ABUSE

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:

- constantly putting a child down
- humiliating or shaming a child
- not showing love, support or guidance
- continually ignoring or rejecting the child
- exposing the child to family and domestic violence
- threatening abuse or bullying a child
- threats to harm loved ones, property or pets.

Possible signs of emotional abuse include when a child:

- is very shy, fearful or afraid of doing something wrong
- displays extremes of behaviour for example from being very aggressive to very passive
- is not able to feel joy or happiness
- is often anxious or distressed
- feels worthless about life and themselves
- has delayed emotional development.

PSYCHOLOGICAL ABUSE

Psychological abuse is repeatedly treating and speaking to a child in ways that damage the child's perceptions, memory, self-esteem, moral development and intelligence. Some examples are:

- constantly belittling, shaming and humiliating a child
- calling the child names to minimise their self-worth
- threatening a child
- keeping a child isolated from other people or friends
- constantly ignoring a child
- encouraging a child to act inappropriately.

Possible signs of psychological abuse include when a child:

- feels worthless, unloved, unwanted
- feels dumb
- has difficulties remembering or recognising information
- has difficulties paying attention
- has difficulty knowing what actions are right or wrong
- is highly anxious.

NEGLECT

Neglect is when children do not receive adequate food or shelter, medical treatment, supervision, care or nurturance to such an extent that their development is damaged, or they are injured. Neglect may be acute, episodic or chronic. Some examples are:

- leaving a child alone without appropriate supervision
- not ensuring the child attends school, or not enrolling the child at school
- infection because of poor hygiene or lack of medication
- not giving a child affection or emotional support
- not getting medical help when required.

Possible signs of neglect in children include:

- untreated sores, severe nappy rash
- bad body odour, matted hair, dirty skin
- being involved in serious accidents
- being hungry and stealing food
- often being tired, late for school or not attending school
- feeling bad about themselves
- when a baby does not meet physical and development milestones without there being underlying medical reasons.

WORKING WITH CHILDREN (WWC) CHECK

A Working with Children Check (WWCC) assesses your suitability to work or volunteer with minors in Australia. It involves a national criminal history and professional conduct screening. The application name, fee, and validity depend on your state or territory.

State and Territory Screening Equivalents

While commonly known as a WWCC, the check goes by different names across Australia:

- **NSW:** Working with children check - <https://ocg.nsw.gov.au/working-children-check>
- **QLD:** Blue Card – <https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card-services>
- **VIC:** Working with children check - <https://service.vic.gov.au/services/working-with-children>
- **SA:** Working with children check/Screening check - <https://www.sa.gov.au/topics/rights-and-law/rights-and-responsibilities/screening-checks/apply-for-a-screening-check>
- **TAS:** Registration to Work with Vulnerable People- <https://www.justice.tas.gov.au/rwvp>

- **WA:** Working with children check - <https://www.wa.gov.au/organisation/department-of-communities/working-children-check>

The Working with Children (WWC) Screening Unit provides checks of workers and volunteers to organisations, contributing to creating safe environments for children and other vulnerable people. Under the reform to this act, the approved provider must have procedures in place to ensure that any person they are using as a parent or child volunteer is eligible for a child volunteer exemption (CVE) or the parent volunteer exemption (PVE) if the person does not have a WCC Card. A record must be maintained to reflect this. Additionally, WCC cardholders must notify the Working with Children Screening Unit of a change in personal details, contact details. (Effective 1 July 2023).

A WWC Check is an assessment of whether a person poses an unacceptable risk to children. As part of the process, the WWC Screening Unit will look at criminal history, child protection information and other information.

WWC Checks are valid for three years. Cleared applicants are subject to ongoing monitoring and relevant new records may lead to the clearance being revoked. If new information about a person means they pose a risk to children's safety, that person's check will be re-assessed and, if necessary, they will be prohibited from working with children. The WWC Screening Unit will inform both the person affected and any organisations they're linked to about the change in status.

Our Service will register with the WWC Screening Unit to validate employees WWC Checks. Organisations are to advise the WWC Screening Unit through the Register Card Holders online forms per state when a new employee, volunteer or student who already have a WWC Card from a previous employer begin working for the service. WWC Checks must be validated BEFORE the employee begins working with children.

IMPLEMENTATION

Our Service strongly opposes any type of abuse against a child and endorses high quality practices in relation to protecting children. Educators have an important role to support children and young people and to identify concerns that may jeopardise their safety, welfare, or wellbeing. To ensure best practice, all educators will attend approved Child Protection training certified by a registered training organisation. Educators will continue to maintain current knowledge of child protection and Mandatory Reporter requirements by completing Child Protection Awareness Training **annually**.

THE APPROVED PROVIDER/ NOMINATED SUPERVISOR WILL ENSURE:

- educators, staff, students and volunteers have knowledge of and adhere to this policy
- families are aware of this *Child Protection Policy*
- any responsible person in day-to-day charge of the Service has successfully completed a course in child protection approved by the Regulatory Authority
- all educators', staff, volunteers' and students' Working with Children Checks are validated unless the person meets the criteria for exemption from a WWC Check (records should include WWC Check number and expiry date) BEFORE the employee begins working with children
- a record is kept and updated of the number of each WWC Check and expiry date
- WWC Check for visitors who come into direct contact with children are validated and recorded (records should include WWCC number and expiry date (best practice))
- all employees, volunteers and students hold a validated WWC Check before coming into contact directly with children
- all employees, volunteers and students are:
 - provided with a copy of the current *Child Protection Policy*
 - required to participate in a comprehensive induction and orientation program, including an understanding of child protection law
 - supported to create and maintain a Child Safe Culture within the Service by complying with National Principles for Child Safe Organisations (Child Safe Standards)
 - provided with support to adhere to a zero-tolerance stance against child abuse
 - aware of their mandatory reporting obligations and responsibilities to report all concerns about a child suffering abuse or neglect to the Department of Communities
 - aware of indicators showing a child may be at risk of harm or significant risk of harm
 - aware of mandatory reporting obligations in relation each state specific, including reporting to the approved provider or Ombudsman any allegations of reportable conduct or convictions
 - aware that neglecting to report child protection concerns may be deemed a criminal offence
 - required to participate in a comprehensive induction and orientation program, includes an understanding of child protection law
- educators, staff, students and volunteers are provided with child protection training (**annually- best practice**) and ongoing supervision to ensure they understand that child safety is everyone's responsibility, and they adhere to the Child Safe Standards
- educators are provided with a reporting procedure and professional standards to safeguard children and protect the integrity of educators, staff and volunteers

- access is provided to all staff regarding relevant legislations, regulations, standards and other resources to help educators, staff, and volunteers meet their obligations
- records of abuse or suspected abuse are kept in line with our *Privacy and Confidentiality Policy*
- records relating to child sexual abuse that has or is alleged to have occurred are kept for at least 45 years (**recommendation not mandatory**)
- to notify the regulatory authority through the NQA-ITS (within 7 days) of any incident where it is reasonably believed that physical and/or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the Service
- to notify the regulatory authority through the NQA-ITS (within 7 days) of any allegation that sexual or physical abuse of a child has occurred or is occurring while the child is being educated and cared for by the Service
- to notify the regulatory authority through the NQA-ITS (within 24 hours) of any complaints alleging that a serious incident has occurred or is occurring at the Service
- to notify the regulatory authority through the NQA-ITS (within 24 hours) of a serious incident, which may include physical or sexual abuse where emergency services attended the Service
- to notify the Ombudsman of reportable conduct or conviction following an allegation against an employee, student or volunteer
- notification to the Teacher Registration Board (TRBWA) or (TRBSA) is provided within 7 days where the approved provider has reasonable grounds to suspect a register teacher may have engaged in serious misconduct or may have taught with serious incompetence in circumstances where the teacher is dismissed or suspended from teaching or has resigned or has ceased teaching at the Service.
- educators, staff, volunteers and students are well informed about the different ways children may express concerns, distress and disclose harm as well as the process for responding to disclosures from children- including a complaint that alleges a child is exhibiting sexual behaviours that may be harmful to the child or another child. (ACECQA 2023)
- ensure our complaint handling processes are child-focused providing support and guidance for children to know who to talk to if they are feeling unsafe (*See Dealing with Complaints Policy*).

EDUCATORS WILL:

- contact the police on 000 if there is an immediate danger to a child and intervene if it is safe to do so
- participate in a comprehensive induction and orientation program, including an understanding of child protection law
- provide valid Working with Children (WWC) Check details during their employment at the service

- advise the approved provider of any circumstances that may affect their WWC Check or fit and proper status
- be able to recognise indicators of abuse to children and young people through participation in annual child protection training (**best practice**)
- respect what a child discloses, taking it seriously and follow up on their concerns through the appropriate channels
- comprehend their obligations as mandatory reporters and their requirement to report all reasonable beliefs that a child has been sexually abused, or is the subject of sexual abuse to the relevant departments.
- lodge a written report must using the Department's secure reporting online system relevant to each state.
- refer families to appropriate agencies where there are concerns about the parents' ability to care for the child safely, including the protecting them from harm. These services may be located through the services provided by the not-for-profit community sector and funded by different department of Communities. Family consent will be sought before making referrals
- promote the welfare, safety, and wellbeing of children at the Service by creating and maintaining child safe environment
- allow children to be part of decision-making processes where appropriate
- foster a culture of openness and respect where children and young people feel safe to disclose risk of harm to children
- prepare accurate records recording exactly what happened, conversations that took place and what was observed to pass on to the relevant authorities to assist with any investigation
- understand that allegations of abuse or suspected abuse against them are treated in the same way as allegations of abuse against other people
- NOT investigate suspicion of abuse or neglect but collect only enough information to substantiate concerns and pass on to the Child Protection Helpline or appropriate authority
- report any allegations of reportable conduct to the approved provider or Ombudsman
- identify and notify any concerns around staff, educator or volunteer behaviour or conduct to management of the Service.

STUDENTS/ VOLUNTEERS/ VISITORS WILL:

- contact the police on 000 if there is an immediate danger to a child and intervene if it is safe to do so
- participate in a comprehensive induction and orientation program, including an understanding of child protection law

- provide valid Working with Children (WWC) Check details during their engagement at the Service
- advise the approved provider of any circumstances that may affect their WWC Check or fit and proper status
- promote the welfare, safety, and wellbeing of children at the Service, fostering a child safe culture
- participate in Child Protection training as required
- provide a child safe environment for all children
- allow children to be part of decision-making processes where appropriate
- prepare accurate records recording exactly what happened, conversations that took place and what was observed to pass on to the relevant authorities to assist with any investigation
- understand that allegations of abuse or suspected abuse against them are treated in the same way as allegations of abuse against other people
- NOT investigate suspicion of abuse or neglect but collect only enough information to substantiate concerns and pass on to the relevant parties for each state.
- report any allegations of reportable conduct to the approved provider or Ombudsman
- identify and notify any concerns around staff, educator or volunteer behaviour or conduct to management of the Service.

DOCUMENTING A DISCLOSURE

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

WHEN RECEIVING A DISCLOSURE OF HARM, THE EDUCATOR WILL:

- give the child or young person their full attention
- remain calm and find a private place to talk
- not make promises that can't be kept. For example, never promise that you will not tell anyone else
- honestly tell the child or young person what you plan to do next
- tell the child/person they have done the right thing in revealing the information but that they'll need to tell someone who can help keep the child safe
- only ask enough questions to confirm the need to report the matter because probing questions could cause distress, confusion and interfere with any later enquiries

- let the child or young person take his or her time
- let the child or young person use his or her own words
- not attempt to conduct their own investigation or mediate an outcome between the parties involved
- not confront the perpetrator
- document as soon as possible so the details are accurately captured including:
 - time, date and place of the disclosure
 - 'word for word' what happened and what was said, including anything they (the staff member/educator) said and any actions that have been taken
 - date of report and signature.

MAKING A REPORT

If a child is at immediate risk and Police or medical assistance is required, dial **000**.

Once a mandatory reporter forms a belief, on reasonable grounds, that child sexual abuse has occurred or is occurring; they must make a report to the relevant state specific departments - Mandatory Reporting Service.

When making a report to the Department, have the following information available:

- details about the child/young person and family
- the reasons you are concerned
- the immediate risk to the child
- whether or not the child or family has support
- what may need to happen to make the child safe
- your contact details, so that the officer can call you to obtain further information if required or to provide feedback.

Failure to make a report can result in a fine of up to \$6,000. A person can be prosecuted within three (3) years after failing to make a report. After that, any action will be at the Attorney General's discretion.

Our Service is committed to providing support to children, families, educators or staff who have made a report regarding child protection, with a focus on upholding strict confidentiality throughout the process. Our primary concern is the well-being and safety of the child, and we will work closely with relevant authorities, professionals, and support networks to ensure that the child's best interests are met throughout the process. Our dedicated support system will assist educators and staff in navigating this challenging process while safeguarding their privacy and professional well-being.

CONFIDENTIALITY

It is important that any notification remains confidential, as it is vitally important to remember that no confirmation of any allegation can be made until the matter is investigated. The individual who makes the notification should not inform the suspected perpetrator (if known). This ensures the matter can be investigated without contamination of evidence or pre-rehearsed statements. It also minimises the risk of retaliation on the child for disclosing.

PROTECTION FOR REPORTERS

All reporters are protected against retribution for making or proposing to make a report under amendments to the *Children and Community Services Act 2004* effective 26 August 2020. The identity of the reporter is protected by law from being disclosed, except in certain exceptional circumstances. Provided the report is made in good faith:

- the report will not breach standards of professional conduct
- the report cannot lead to defamation and civil and criminal liability
- the report is not admissible in any proceedings as evidence against the person who made the report
- a person cannot be compelled by a court to provide the report or disclose its contents
- the identity of the person making the report is protected.

A report is also an exempt document under the *Freedom of Information Act 1992*

SHARING OF INFORMATION

Agencies and services working with children and families there will be times when it is necessary to share information to protect their safety and wellbeing. It enables information sharing between agencies to protect the wellbeing of children. The Department for Child Protection and Family Support provides a guide on information sharing for government and non-government agencies. There may be situations where educators are required to share information about a child without consent. The circumstances when this may apply include:

- a child may be placed at further risk or harm
- the child poses a risk to themselves or is a risk to others
- reasonable efforts to obtain consent have failed
- you are unable to contact the parent/s
- there may or would be a risk to your safety if consent was sought
- it is clear from previous contact that consent would not be given.

As a guide, you may wish to share information that relates to:

- any known events or history of the child suffering harm

- the impact of a parent’s mental illness, substance misuse, disability or history of family and domestic violence on his/her ability to care for their child
- protecting a child and/or adult exposed to FDV
- a person in the household who may pose a risk to the child
- any periods in which the child has been cared for by other people
- any significant issues relating to the child’s siblings
- the child’s physical health, including any treatment needs
- any psychological and emotional difficulties the child may have
- the child’s education, including any special educational needs
- any positive feedback about a child or family you are working with
- any disabilities the child may have, including any care requirements
- any known allergies and dietary requirements of the child
- any information that assists an assessment of the safety of a person subjected to FDV, which may include information about a perpetrator and their participation in counselling and treatment programs.

BREACH OF CHILD PROTECTION POLICY

All educators, students, volunteers and staff working with children have a duty of care to support and protect children. A breach of our *Child Protection Policy* may include if a person:

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

A breach is any action or inaction by any individual within the Service, including children and young people, that fails to comply with any part of the policy. Educators and staff must ensure they take all reasonable steps to ensure children are protected from harm and hazard at all times education and care is provided at the service. Educators, staff and families are encouraged to discuss with management any concerns regarding situations that may compromise or breach professional boundaries that may place children at risk of harm.

MANAGING A BREACH IN CHILD PROTECTION POLICY

Management will investigate any breaches to this policy in a fair, unbiased and supportive manner by:

- liaising with relevant state specific departments for appropriate processes to ensure chain of evidence is not destroyed or compromised
- not undertaking and investigating the allegation whilst the relevant state specific departments or the Police are conducting an investigation

- removal of the educator or staff member from a role with contact with children or young people until authorities conclude their investigation

Management may undertake an investigation if the relevant state specific departments or the Police are not conducting their own investigation or if their action has concluded. Management will:

- give the educator, staff member, student or volunteer the opportunity to provide their version of events
- document the details of the breach, including the versions of all parties
- record the outcome clearly and without bias
- ensure the matters in relation to the breach are kept confidential
- reach a decision based on discussion and consideration of all evidence.

OUTCOME OF A BREACH IN CHILD PROTECTION POLICY

Staff members or educators who fail to adhere to this policy may be in breach of their terms of employment.

Visitors or volunteers who fail to comply to this policy may face termination of their engagement. Depending on the nature of the breach outcomes may include:

- emphasising the relevant element of the child protection policy and procedure
- providing closer supervision
- further education and training
- providing mediation between those involved in the incident (where appropriate)
- disciplinary procedures, including dismissal of employment, if required
- reviewing current policies and procedures and developing new policies and procedures if necessary

ALLEGATIONS AGAINST EMPLOYEES, VOLUNTEERS or STUDENTS (or contractors)

Report to ooo if you have immediate concerns for a child's safety.

The approved provider has the legislative obligation to notify the Ombudsman of reportable allegations and convictions against their employees (including volunteers and contractors), investigate the allegation with procedural fairness and advise the Ombudsman of the outcome of the investigation. The approved provider will notify the Ombudsman within 7 days of becoming aware of a reportable allegation or conviction via the Online Notification Form. The approved provider will notify relevant authorities if required.

A reportable allegation refers to information where an employee, student or volunteer has engaged in reportable conduct. A reportable conviction refers to a conviction for an offence of a sexual nature committed against, with, or in the presence of a child or other prescribed offences. Types of reportable conduct include sexual offences; sexual misconduct; physical assault; and other prescribed offences;



significant neglect of a child and any behaviour that causes significant emotional or psychological harm to a child.

Our Service will ensure all staff, employees, families and visitors are aware of the relevant state specific reporting processes and understand types of reportable conduct and procedures for reporting reportable conduct allegations or reportable convictions to the approved provider or Ombudsman. Employees are aware mandatory reporting procedures including notification to the relevant state specific departments operate alongside, and does not replace, the Report to relevant state specific departments

EDUCATING CHILDREN ABOUT PROTECTIVE BEHAVIOUR

Our program will educate children:

- about acceptable and unacceptable behaviour, and what is appropriate and inappropriate contact at an age-appropriate level and understanding
- about their right to feel safe at all times
- to say 'no' to anything that makes them feel unsafe or uncomfortable
- about how to use their own knowledge and understanding to feel safe
- to identify feelings that they do not feel safe
- the difference between 'good' and 'bad' secrets
- that there is no secret or story that cannot be shared with someone they trust
- that educators are available for them if they have any concerns
- to tell educators of any suspicious activities or people
- to recognise and express their feelings verbally and non-verbally
- that they can choose to change the way they are feeling.

RESOURCES FOR INDICATORS OF ABUSE OR NEGLECT

Child safe organisations- <https://childsafe.humanrights.gov.au>

Government of Western Australia. Department of Communities. Child Protection. [Concerns for the safety or wellbeing of a child or young person](#)

Government of Western Australia. [Department of Communities. Mandatory Reporting Guide: Western Australia. \(2024\).](#)

NAPCAN- <https://www.napcan.org.au/napcan-brochures/>

Ombudsman Western Australia. [Reportable Conduct Scheme.](#)

Ombudsman South Australia. <https://www.ombudsman.sa.gov.au/>

[Western Australia Commissioner for Children and Young People \(CCYP\)- Child Safe Standards](#)

CONTINUOUS IMPROVEMENT/REFLECTION

Our *Child Protection Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

CHILDCARE CENTRE DESKTOP- RELATED RESOURCES

Child Protection Notification Procedure Child Protection Notification Record	Child Protection Report Form Reportable Conduct Scheme Procedure
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SOURCES

Australian Children’s Education & Care Quality Authority. (2014).
[ACECQA. \(2023\). Embedding the National Child Safe Principles](#)
 Australian Government Department of Education. [Belonging, Being and Becoming: The Early Years Learning Framework for Australia](#).V2.0, 2022
 Australian Government Australian Institute of Family Studies. (2018). [Australian child protection legislation](#)
 Australian Government: Australian Institute of Family Studies. (2023). [Mandatory reporting of child abuse and neglect Children and Community Services Act 2004](#)
 Early Childhood Australia Code of Ethics. (2016).
 Education and Care Services National Law Act 2010. (Amended 2023).
[Education and Care Services National Regulations](#). (Amended 2023).
Freedom of Information Act 1992
 Government of Western Australia. Department of Communities, Child Protection and Family Support. (2024). [About mandatory reporting legislation](#)
 Government of Western Australia. [Working with Children Check](#)
 Guide to the National Quality Framework. (Amended 2023).
 Ombudsman Western Australia. Reportable Conduct Scheme (the Scheme) 2022.
 Ombudsman Western Australia. Early Childhood Education and Care Sector Reporting Obligations 2023
 Revised National Quality Standard. (2018).
[Western Australian Education and Care Services National Regulations](#)
Working with Children (Criminal Record Checking)– Amendment Act 2022 (Amendment Act)

REVIEW

POLICY REVIEWED BY	J.Morris	L&D Manager	20/5/2025
POLICY REVIEWED	JUNE 2024	NEXT REVIEW DATE	AUGUST 2025
VERSION NUMBER	V6.06.24		
MODIFICATIONS	<ul style="list-style-type: none"> policy reviewed to include mandatory reporters commencement day for early childcare workers -1 November 2024 additions due to changes between National Principles for Child Safe Organisations and the National Quality Framework (NQF) effective 1 December 2023 additional section for volunteers and students added (Reg. 84) 		

	<ul style="list-style-type: none"> records for Working with Children details or students and volunteers added (Reg. 149) additional information added to policy regarding Reportable Conduct Scheme and link to new resource (<i>Reportable Conduct Scheme Procedure</i>) 	
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE
AUGUST 2023	<ul style="list-style-type: none"> policy maintenance added legislation and information added: Reportable Conduct Scheme (effective 1 Jan 2023) update to amendment to Working with Children (Criminal Record Check) Act 2022 continuous improvement section added CCD related resources added 	AUGUST 2024
AUGUST 2022	<ul style="list-style-type: none"> policy maintenance - no major changes to policy link to Western Australian Education and Care Services National Regulations added in 'Sources' hyperlinks checked and repaired as required 	AUGUST 2023
AUGUST 2021	New policy drafted for ECEC services located in Western Australia	AUGUST 2022
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