



**Bangalow Community Children's Centre**  
Raftons Road  
Bangalow NSW 2479  
Email: [kidcare@bigpond.com](mailto:kidcare@bigpond.com)  
Phone: 02 6687 1552

# Child Protection Policy

**Date: September 2011**  
**Review Date: September 2012**

<b>Legislation:</b>	Education and Care Services National Regulations 2011 Education and Care Services National Law 2011 Ombudsman Act 1974 The United Nations Convention on the Rights of a Child 1991 Children and Young Persons (Care and Protection) Act 1998 The Commission for Children and Young People Act 1998
<b>Reference:</b>	Children and Young Persons (Care and Protection) Act 1998 The Commission for Children and Young People Act 1998 Child Protection (Prohibited Employment) Act 1998 Children Legislation Amendment (Wood Inquiry Recommendations) Act 2009 No 13 National Quality Framework Resource Kit 2011

## Introduction

All children have the right to feel safe, secure, respected and be free from risk of harm.

### **Definition of Significant Harm**

A child is at risk of significant harm when the circumstances that are causing concern are present to a significant state. This means the concern is sufficient to warrant a response by a statutory authority, such as the NSW Police Force or Community Services, regardless of a family's consent.

What is 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.

Under the *Children & Young Persons (Care & Protection) Act 1998* all educators are mandatory reporters. Voluntary workers and people who hold a management position either paid or voluntary in this service are also mandatory reporters. A mandatory reporter is required by law under this Act to make a report to Community Services if they have current concerns about the safety, welfare or well-being of a child.

### **Goals**

- To provide a safe and caring environment for all children, families and educators
- To protect a child's right to be safe from abuse of any kind.
- To ensure staff understand their roles and responsibilities in relation to children at risk of harm and have up to date training in child protection

### **Practices**

- The welfare, safety and wellbeing of children will be promoted at the Service by educators building positive relationships with children and families and being alert to factors that may be adversely impacting the family and child.
- While there is a child on the premises there is to be a minimum of two educators on the premises
- Students and volunteers will not be left alone with children and will not be included in the ratios.
- The layout and routine will allow constant supervision of children.

### Practices

- Children will be encouraged to develop a sense of independence through adult support in making choices and finding names for their own feelings and acceptable ways to express them. Protective behaviours knowledge should be taught to children at an age and stage appropriate level.
- Individuals or groups of children are not be permitted to be withdrawn into areas where they cannot be seen by other staff members, or taken into rooms that can be locked.
- Up-to-date developmental records on all children are to be kept. Relevant conversations with parents that may relate to a child's behaviour change (eg. parents separating, new baby in the family, moving house etc) are to be noted in the developmental record.
- The Service will provide training and development for all employees in the recognition and reporting of abuse and harm.
- A Working with Children Check will be conducted for anyone that will be heavily involved with Service operations.
- If an educator or relevant person has reasonable grounds to suspect risk of significant harm, they are to use the Mandatory Reporter Guide to assess whether their concerns meet the threshold of risk of significant harm. When the use of the Mandatory Reporter Guide advises risk of significant harm, the mandatory reporter must make a report to the Child Protection Helpline **132111**. (refer page 6 for what information will be required and have this information when reporting)
- **If there is an immediate danger to the child the police and/or the Child Protection Hotline should be contacted directly.**
- The individual who makes the complaint should not inform the person they have made the complaint about. This ensures the matter can be investigated without prior knowledge and contamination of evidence.
- It is important that when making a notification that the notifier asks the following questions in relation to notification;
  - Name of person at Helpline who you spoke to.
  - What the next step in the process is to be?
  - What confirmation will be sent to confirm the report has been made?
  - Is there any further action you as the notifier need to take?
- When concerns of harm do not meet the significant harm threshold it is still important to continue observing and documenting relevant information about the child and to monitor any further needs. This information should be stored in the child's file in the office.
- All educators should be aware that when dealing with children who have been abused or are in other way related or affected by an abusive situation that they do not ask questions about the abuse as this may hinder the formal investigation of the situation. Educators should not coerce additional information from children, but should keep a record of their disclosure should children disclose information. This information will be used as part of the formal investigation.
- The Service will report to the NSW Ombudsman any reportable allegations and convictions made against an employee and ensure they are investigated, with appropriate actions being taken when the investigation is complete.
- The Commission for Children and Young People will be notified of details of employees against whom relevant disciplinary proceedings have been completed and or persons whose employment has been rejected because of a risk identified in employment screening processes.
- Information will be provided for families of support networks that they can access and support given to children and families liaising with Community Services or other government agencies.
- When abuse is suspected at home the child and their family will continue to be welcome at the Service unless circumstances indicate otherwise.
- 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 service will provide appropriate support for any staff member who has an allegation made against them

## Practices (continued)

- The Service adopts an “interagency approach” in protecting children and young people from abuse and neglect as each person or agency that can support the child has differing knowledge, skills and authority. Working together is important in ensuring that enough information is compiled to understand if a child or young person is at “significant risk” and that they do not get missed or lost in the system.

### *Safeguards for reporters*

A individual’s details who reports to Community Services is kept confidential. The reporter’s identity is protected by law if the report is made in good faith. The law offers the following protections:

- The report shall not be held to be breach of professional etiquette or ethics or a departure from acceptable standards of professional conduct
- No liability for defamation can be incurred because of making of report
- The report, or its contents, 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 give any evidences as to its contents

A report is exempt document under the *Freedom of Information Act* 1989.

If the law enforcement agencies require the identity of the reporter in order to investigate serious offences alleged to have been committed against children, the identity of the reporter may be released to the police.

## **National Law**

**165** Offence to inadequately supervise children

## **National Regulations**

**84** Awareness of child protection law

## **NQS**

**Quality Standard 2.3:** Each child is protected

**Standard 4.1.1:** Educator –to-child ratios and qualification requirements are maintained at all times

## **Linked Policies**

Access to children Policy

Arrival and Departure Policy

## Evaluation and Review

This policy will be reviewed on the date advised or earlier if the need arises.

Family and staff feedback will be considered in the review process. Changes in legislation, regulations, NQF and standards will be considered.

Any changes to this policy will be communicated to families and staff.

## Relevant Documents

Risk Of Harm Report Form

Working with Children Checks

## Practices (continued)

### Indicators of Abuse

There are many indicators of child abuse and neglect. The following is a guide only. One indicator on its own may not imply abuse or neglect. Each indicator needs to be considered in the context of other indicators and the child's circumstances.

### 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

### 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 behaviors, e.g. rocking, sucking
- delay in development milestones
- untreated physical problems

### Indicators of Neglect in parents and caregivers

- failure to provide adequate food, shelter, clothing, medical attention, hygiene or leaving the child inappropriately without supervision
- 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 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 Physical Abuse in parents and caregivers

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

## **Practices (continued)**

### **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 behaviors
- other behavioral disorders (disruptiveness, aggressiveness, bullying)

### **Indicators of Emotional Abuse in parents and caregivers**

- 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 scapegoating
- belief that a particular child is bad or “evil”
- using inappropriate physical or social isolation as punishment
- exposure to domestic violence

### **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

### **Indicators of Sexual Abuse in parents, caregivers of anyone else associated with the child**

- exposing the child to sexual behaviours of others
- suspected of or charged with child sexual abuse
- inappropriate jealousy regarding age appropriate development of independence from the family
- coercing the child to engage in sexual behaviour with other children
- verbal threats of sexual abuse
- exposing the child to pornography

### **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

## **Practices (continued)**

### **Information required when reporting**

#### *Child's Information*

- Name of the child or young person (or alias) or other means of identifying them
- Age and date of birth (or approximation)
- If the child is Indigenous
- Cultural background of the child, language spoken, religion and other cultural factors
- Name, age of other household children or young people
- Address of child and family
- If the child has a disability – nature/type, severity, impact on functioning
- Is the child/young person subject of an Apprehended Violence order?
- Is the child or young person under the care of the minister or residing in out-of-home care?

#### *Family information*

- Name, age of parents/carer and household adults
- Home and/or mobile phone number
- Cultural background of parents, languages spoken, religion and other cultural factors
- Information about parental risk factors and how they link to child's risk of harm
- Domestic violence
- Alcohol or other drug misuse
- Unmanaged mental health
- Intellectual or other disability
- Protective factors and family strengths
- Non-offending carers' capacity to protect child
- Any previous suspicious death of a child or young person in the household?
- Is the carer/parent pregnant?
- Is the parent/carer subject of an Apprehended Violence order?
- Description of the family structure.
- Name, age, gender of siblings. Do siblings live with the child or young person?

#### *Reporters Details*

- Name, centre name, address, phone and email details
- Position
- Reasons for reporting today
- Nature of contact with child or family
- Nature of ongoing role with child or family (include frequency, duration and type)
- If report is being made by someone else in the agency, name of the agency worker who sourced the report

#### *Other Information*

- If parent knows of the report and their response
- If child or young person knows about the report and their views
- Information related to worker safety issues
- Outcome of mandatory reporters guide

Once a report is made to the Child Protection Helpline no further report needs to be made unless new information comes to hand.

## Practices (continued)

### Relevant 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 centre. The services, and their responsibilities are as follows:

### Child Protection Helpline 132111

- Receive and assess reports of children who are at risk of significant harm.
- Investigate and assess reports where there is a likelihood of risk of significant harm to a child or children.
- In cases involving child sex abuse of serious physical abuse the Child Protection Hotline will plan, conduct and manage with Police, the NSW Health Department (where a medical examination and counselling or support are needed) a joint investigation.
- 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.

### Mandatory Reporting Guide [www.keepthemsafe.nsw.gov.au](http://www.keepthemsafe.nsw.gov.au)

- To help and identify whether a case meets the threshold or risk of significant harm.

### NSW Ombudsman's Office [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)

- Monitor the investigation of and in some cases investigated 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.

Phone: 02 9286 1000

Toll free (outside Sydney metro): 1800 451 524

Email: [nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)

### The Commission for Children and Young People [www.kids.nsw.gov.au/](http://www.kids.nsw.gov.au/)

- Monitors trends and makes recommendations to government and non-government agencies on legislation, policies, practices and services affecting young children.
- Provides guidelines relating to employment screening for child related employment and maintains database of relevant disciplinary proceedings.

### Community Services [www.community.nsw.gov.au/](http://www.community.nsw.gov.au/)

Community Services promotes the safety and wellbeing of children and young people and works to build stronger families and communities. We provide child protection services, parenting support and early intervention, foster care and adoption services.





