

CHILD PROTECTION POLICY

Our Out of School Hours Care (OSHC) 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 OSHC Service embeds the National Principles for Child Safe Organisations 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 OSHC 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 REGULATIONS	
84	Awareness of child protection law
155	Interactions with children

168	Education and care service must have policies and procedures
175	Prescribed information to be notified to Regulatory Authority
176	Time to notify certain information to Regulatory Authority
S162 (A)	Persons in day-to-day charge and nominated supervisors to have child protection training

PURPOSE

All educators, staff 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 adhere to our legislative obligations at all times.

We aim to implement effective strategies to assist in ensuring the safety and wellbeing of all children. Our OSHC 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 management, the approved provider, nominated supervisor, students, staff, families, visitors (including contractors) and children of the OSHC Service.

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, family violence and 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 including when a child is:

- 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.

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.

NOTE THAT ONLY THE FREQUENTLY REQUIRED CATEGORIES HAVE BEEN INCLUDED HERE. FOR FURTHER INFORMATION ON INDICATORS PLEASE REFER TO THE *RESOURCES FOR INDICATORS OF ABUSE AND NEGLECT* SECTION OF THIS POLICY.

DEFINITIONS

Mandatory reporting is the legislative requirement for selected classes of people to report suspected child abuse and neglect to government authorities. In Western Australia (WA), mandatory reporting is regulated by the *Children and Community Services Act 2004*.

Mandatory reporters

Mandatory reporters in WA, are people who deliver the following services, wholly or partly, to children as part of their paid or professional work:

- Doctors
- nurses and midwives
- teachers
- boarding supervisors
- police officers

<https://aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect>

WORKING WITH CHILDREN CHECK

People working or volunteering with children in Western Australia and the Christmas and Cocos (Keeling) Islands must, by law, have a Working with Children Check under the *Working with Children (Criminal Record Checking) Act 2004 (the WWC Act)*. 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.

A Working with Children 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.

Working with Children 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.

Organisations need to be registered with the WWC Screening Unit to validate employees Working with Children Checks. Organisations are to advise the WWC Screening Unit through the Register Card Holders [online form](#) when a new employee, volunteer or student who already have a WWC Card from a previous employer begin working for the service. Working with Children Checks must be validated BEFORE the employee begins working with children.

IMPLEMENTATION

Our OSHC 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 every 2 years.

MANAGEMENT/NOMINATED SUPERVISOR WILL ENSURE:

- any responsible person in day-to-day charge of the OSHC Service has successfully completed a course in child protection approved by the Regulatory Authority
- all educators', staff, and volunteers' Working with Children Check are validated unless the person meets the criteria for exemption from a WWCC
- all employees and volunteers are:
 - provided with a copy of the current *Child Protection* and *Child Safe Environment Policies* as part of the induction process at the Service
 - aware of their mandatory reporting obligations and responsibilities to report all concerns about a child suffering abuse or neglect to the Department of Communities - Child Protection and Family Support's Mandatory Reporting Service on 1800 708 704. A written report must also be lodged using the Department's secure Mandatory Reporting Web System (MRWeb)

- aware of indicators showing a child may be at risk of harm or significant risk of harm
- training and development are provided for all educators, staff, and volunteers in child protection on an annual basis
- educators are provided with a reporting procedure and professional standards to safeguard children and protect the integrity of educators, staff and volunteers
- educators are provided with training and ongoing supervision to ensure they understand that child safety is everyone's responsibility, and they adhere to the Child Safe Standards
- 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*
- 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.

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.
- be able to recognise indicators of abuse
- respect what a child discloses, taking it seriously and following up on their concerns through the appropriate channels
- comprehend their obligations as mandatory reporters and their requirement to report all concerns about a child suffering abuse or neglect to the Department of Communities - Child Protection and Family Support's Mandatory Reporting Service on **1800 708 704**. A written report must also be lodged using the Department's secure [Mandatory Reporting Web System \(MRWeb\)](#)
- 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 the [Department of Communities](#). Family consent will be sought before making referrals.
- promote the welfare, safety, and wellbeing of children at the Service
- 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 Department of Communities- Child Protection or appropriate authority.

DOCUMENTING A SUSPICION OF HARM

If educators have concerns about the safety of a child, they will:

- seek guidance from the Nominated Supervisor/Director
- record their concerns in a non-judgmental and accurate manner as soon as possible
- record their own observations as well as precise details of any discussion with a parent (who may for example explain a noticeable mark on a child)
- not endeavour to conduct their own investigation
- document as soon as possible so the details are accurate including:
 - child's personal details (name, address, DOB, details of siblings)
 - time, date and place of the suspicion
 - full details of the suspected abuse
 - date of report and signature

[see: Child Protection Notification- Observation Record on childcare desktop]

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 Nominated Supervisor, Responsible Person or Educator will:

- remain calm and find a private place to talk
- not promise to keep a secret
- 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

- not attempt to conduct their own investigation or mediate an outcome between the parties involved.
- 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 said and any actions that have been taken
 - date of report and signature.

In addition, an educator receiving a disclosure from a child will:

- give the child or young person their full attention
- maintain a calm appearance
- reassure the child or young person it is right to tell
- accept the child or young person will disclose only what is comfortable and recognise the bravery/strength of the child for talking about something that is difficult
- let the child or young person take his or her time
- let the child or young person use his or her own words
- 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
- not confront the perpetrator.

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 Department of Communities - Child Protection and Family Support's [Mandatory Reporting Service](#).

When making a report you will be asked to provide information about:

- 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.

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 1989.

SHARING OF INFORMATION

The Western Australian Government recognises that for 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. The Children and Community Services Act 2004 (CCS Act) is the legislative basis for child protection responses in Western Australia. 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 and staff working with children have a duty of care to support and protect children. A duty of care is breached 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
- acts or fails to act in a way that causes harm to someone the person owes a duty of care.

MANAGING A BREACH IN CHILD PROTECTION POLICY

Management will investigate the breaches in a fair, unbiased and supportive manner by:

- discussing the breach with all people concerned and advising all parties of the process

- giving the educator/staff member the opportunity to provide their version of events
- documenting the details of the breach, including the versions of all parties
- recording the outcome clearly and without bias
- ensuring 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

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 if required
- reviewing current policies and procedures and developing new policies and procedures if necessary.

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 AND NEGLECT

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

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

CHILD SAFE ORGANISATIONS- <https://childsafefirst.org.au/>

SOURCE

Australian Children’s Education & Care Quality Authority. (2014).

Australian Government Department of Education, Skills and Employment. (2011). *My Time, Our Place: Framework for School Age Care in Australia*.

Australian Government Australian Institute of Family Studies. (2005). [National comparison of child protection systems](#)

Australian Government Australian Institute of Family Studies. (2018). [Australian child protection legislation](#)

Australian Government: Australian Institute of Family Studies. (2017). [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 2018).

[Education and Care Services National Regulations](#). (2011).

Government of Western Australia. Department of Communities, Child Protection and Family Support. (2019).

Government of Western Australia. [Working with Children Check](#)

Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017).

Guide to the National Quality Standard. (2020).

Revised National Quality Standard. (2018).

[Western Australian Education and Care Services National Regulations](#)

Working with Children (Criminal Record Checking) Act 2004

REVIEW

POLICY REVIEWED BY:	Ashleigh Gordon	Nominated Supervisor	3/5/2023
POLICY REVIEWED	AUGUST 2022	NEXT REVIEW DATE	AUGUST 2023
MODIFICATIONS	<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’ minor formatting edits within text hyperlinks checked and repaired as required 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
May 2023	New policy drafted for OSHC services located in Western Australia	MaY 2024	