



## 4.2 Child Protection Policy

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## Aims

In relation to child protection, the **Cootamundra Preschool** considers itself an advocate for the rights of children to be safe and protected. Therefore, the related aims of the centre on this issue are:

1. To provide a safe environment for children in which the adults working with them do not have any prior convictions in relation to child abuse in any form and have been recruited because of a proven ability to interact caringly and appropriately with children
2. In line with the legal mandatory requirement for teachers, for the Director or other staff to report any suspected cases of child abuse or harm to the Department of Community Services

## Legislative Requirements

Children and Young Persons (Care and Protection) Act 1998

The Ombudsman's Act 1974 (with the relevant child protection amendment in the reprinted version)

Children & Young Person's Care & Protection Act 1998

Child Protection (Prohibited Employment) Act 1998

Children Legislation Amendment (Wood Inquiry Recommendations) Act 2009 No 13

Education and Care Services National Regulations 2011

Children (Education and Care National Law Application) Act 2010

United Nations Convention: Rights of the Child 1998

## Who Is Affected By This Policy?

Parents

Children

Staff

Management

Volunteers

Students

Ancillary staff

Service visitors

General Community

## Relevant Early Childhood Professional Standards

Early Childhood Code of Ethics:	I-1, 1-2, I-5 to 1-8, II-1, II-3 to II-6, III-1 to III-4, IV-1, VI-1, VII-8
Early Years Learning Framework:	Learning Outcomes: 1.1, 1.4, Principles: – 1, 2, 4
Education & Care Services Australian National Regulations:	84, 155(c), 168(2,h)
National Quality Framework:	Quality areas – 2.1, 2.2, .4.1 , 4.2, 5.1, 5.2, 6.1, 6.2., 7.1, 7.2

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## Sources/References

Early Years Learning Framework, Belonging, Being and Becoming, Australian Government Department of Education, Employment and Workplace Relations for the Council of Australian Governments, 2009.

National Quality Framework, Australians Children's Education and Care Quality Authority 2017

Bromfield, L. M., & Holzer, P. J. (2008). *A national approach for child protection: Project report*. <http://www.aifs.gov.au/nch/pubs/reports/cdsmac/cdsmac.pdf> (Retrieved January 2012)

NSW Commission for Children & Young People: *The Working With Children Check* (includes the form): <https://check.kids.nsw.gov.au> (Retrieved January 2012)

\*\*NSW Government, Family & Community Services: *Preventing Child Abuse & Neglect* (includes Mandatory Reporter Guide) [http://www.community.nsw.gov.au/preventing\\_child\\_abuse\\_and\\_neglect.html](http://www.community.nsw.gov.au/preventing_child_abuse_and_neglect.html) (Retrieved January 2012)

Mandatory Reporter Guide, <https://reporter.childstory.nsw.gov.au/>, Child Story Reporter Community provides support, resources and the MRG to assist NSW mandatory reporters in responding to child protection concerns. (Retrieved November 2017)

Keep Them Safe: Home, [www.keepthemsafe.nsw.gov.au/](http://www.keepthemsafe.nsw.gov.au/), Additional resources and guides to Mandatory reporting, (Retrieved November 2017)

## Procedures

The centre will:

- 1.1 Ensure a 'Working with Children Check' has been undertaken before any new staff member, volunteer or student can commence work at the centre. In the recruitment of new staff, all referees cited by successful applicants will be contacted by the Director for verification (see the centre's 'Staffing Policy')
- 1.2 Ensure all staff are aware of the Mandatory Reporter Guide (see '\*\*\*Sources/References' section above). The Director will ensure that child protection requirements are included in the induction process of each new staff member and that staff know (1) it is the responsibility of the person suspecting the risk of child protection, to ensure that a report is made, (2) that the reporting remains confidential and (3) that no liability for defamation can be incurred because of making a report
- 1.3 The centre's Committee of Management under the Director's advice will provide training and development for staff as is affordable, in the recognition and reporting of suspected risk or harm to a child. As of 2012 this will be the DEC and NSW Department of Family & Community Services approved 'Respond to Young People at Risk' training course. The Director must receive such training and will be supported financially by the Committee of Management in undertaking or updating any compulsory child protection training.
- 1.4 Implement preventative procedures which protect and educate children, staff, parents, and community members about child abuse in all its different forms, such as the provision of public information to parents etc

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**1.5** Where concerns of harm do not meet the significant harm threshold, the Director will be aware of referring families to the usual community agencies. (The significant harm threshold refers to recognition that immediate intervention is necessary by a body such as the police.) The Director will assist in supporting children and families in partnership with NSW Government Human Services Community Services and other government agencies should this become necessary

**1.6** The Director will provide employees with access to the relevant child protection regulations and procedures if asked, and if assisting them to fulfil their obligations in relation to mandatory reporting

**1.7** Report any case where a child is suspected to be at risk of significant harm, on the Mandatory Reporters Guide. The centre will follow the procedures below when preparing to report child abuse:

- Record all concerns about child – Keep confidential
- Discuss concerns with relevant workers in case of additional information
- Identify Child Abuse indicators and developmental delays
- Talk to your Director about the risk or abuse to the child
- Report to the child protection authority through Mandatory Reporters Guide <https://reporter.childstory.nsw.gov.au/s/>
- Continue and support the child and monitor/record any further concerns

**1.8** The Director will ensure all staff members know that at no time can a notifier of child abuse inform the child or parents/guardians concerned that a notification has been made. This is to ensure that (1) the matter can be investigated without prior knowledge and contamination of evidence, and (2) that the notifier is protected

## **Identify and Respond to children and young people at risk.**

### **What is child abuse or neglect?**

Child abuse and neglect is the mistreatment of a child or young person by an adult, that harms or endangers that child or young person's physical or emotional health, development or wellbeing.

### **Legislation**

Each State has a child protection legislation, this is a law that sets out legal requirements and provides guidance for your actions. NSW – Children and Young Persons (Care and Protection) Act 1998.

### **National Quality Framework**

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Education and Care Services National Law – Section 167, Offence relating to protection of children from harm and hazards.

Education and Care Services National Regulations – Regulation 84, Awareness of child protection law.

National Quality Standard – Quality Area 2, Children’s Health and Safety. Standard 2.3, Each child is protected.

## **Mandatory Reporting**

Mandatory reporting is a legal requirement in selected roles. Legally, mandatory reporters must make a report if they suspect a child is at significant risk of harm or has been harmed.

### **What is significant risk of harm?**

Significant risk of harm is when there are circumstances causing concern for the safety, welfare or wellbeing of a child or young person, to a significant extent.

### **Abuse that must be reported**

Under section 23 & 27 of the Children and Young Persons (Care and Protection) Act 1998 in NSW we need to report to the Department of Family and Community Services [www.facs.nsw.gov.au](http://www.facs.nsw.gov.au) if any signs of:

- Physical abuse
- Sexual abuse
- Emotional/Psychological abuse
- Neglect
- Exposure to domestic violence

### **Types of abuse and their indicators**

Abuse can happen over a period of time, in can be a once-off incident or a series of incidents that happen over a period of time.

#### **Physical Abuse**

Physical abuse refers to the non-accidental injury to a child by a parent, caregiver or another person and includes injuries resulting from violent behaviours. Examples are shoving, hitting, slapping, shaking, throwing, punching, kicking, biting, burning, strangling and poisoning. Physical punishment that causes bruising, welts or fractures would also be considered physical abuse.

#### **Possible Indicators for child.**

- Bruising to face, head or neck, other bruising consistent with being hit with an object or implement, or hand prints
- Lacerations, welts, bite marks, scratches, fractured bones, burns or scalds
- Explanation of injury offered by the child or young person is inconsistent with their injuries
- Drowsiness, vomiting, fits or pooling of the blood in the eyes which may indicate a head injury
- Abdominal pain without the history of major trauma
- Ingesting poisonous substances, alcohol or other harmful drugs – you may see signs such as vomiting, pain, dizziness
- Indicators of female genital mutilation, this could be a family belonging to a community that practices FGM, a child complaining of pain in the genital area, child talking about a special procedure or ceremony.

#### **Possible indicators for parents or other perpetrators**

- Frequent visits with the child to health services with unexplained or suspicious injuries

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- Delay between child's injury and seeking medical attention
- Explanation of the injury offered by the adult is not consistent with the injury
- Family history of violence
- Own maltreatment as a child
- Using excessive discipline
- Direct disclosure – they are concerned that they may harm their child.

### **Sexual Abuse**

Sexual abuse can be physical, verbal or emotional and occurs when an adult, adolescent or older child involves another child in a sexual activity by using their power or authority over them, or takes advantage of their trust. It includes any sexual act or threat thereof, intruding on a child's privacy, exposing the child to pornography, text messaging or other forms of communication with content of a sexual nature, and forcing a child to pose in or perform sexual acts.

#### Possible indicators for child

- Pain, bruising or bleeding in the anal or genital area
- Sexually transmitted diseases
- Bruising to breasts, buttocks, lower abdomen or thighs
- Disclosure of abuse directly or indirectly through drawing, play or writing that describes abuse
- Sexual knowledge or behaviour inappropriate for child's age
- Going to bed fully clothed
- Regressive behaviour such as bed wetting
- Self-destructive or risk taking behaviours
- Being in contact with known or suspected paedophile
- Eating disorders
- Unexplained accumulation of money or gifts
- Persistent running away from home

#### Possible indicators for parent or other perpetrators

- Exposing a child or young person to prostitution or pornography
- Exposing child to sexual behaviour of others
- Coercing a child or young person to engage in sexual behaviour with other children
- Using verbal threats of sexual abuse

### **Emotional/Psychological abuse**

Emotional/Psychological abuse occurs when a child's emotional, social or intellectual development is threatened or impaired. Serious psychological harm can occur when the abuse damages the child's confidence or self-esteem. Emotional or Psychological abuse may include excessive yelling, threats, intimidation; ongoing criticism, teasing, bullying or embarrassing/humiliating the child; and rejection, hostility, or witnessing domestic violence.

#### Possible indicators for child

- Feeling worthlessness
- Low self-esteem and low self-confidence
- Lack of trust in people
- Extreme attention seeking behaviour
- Aggressive or disruptive behaviour
- Delayed physical, emotional or cognitive development
- High risk taking behaviour
- Highly depressed or anxious

- Suicide attempts or threats

#### Possible indicators for parents or other perpetrators

- Consistent criticism, teasing, belittling or ignoring a child
- Overly demanding
- Verbal abuse, rejection or withholding attention
- Domestic violence

#### **Neglect**

Neglect is when a child's basic needs are not met and their development or wellbeing is affected. These basic needs include nutritious food, a clean and secure home, access to health care and medical treatment, adequate clothing, good personal hygiene, adequate supervision, positive, nurturing engagement and stimulation.

#### Possible indicators for child

- Delay in developmental milestones or physical norms, e.g. significantly underweight
- Untreated problems such as injuries, nappy rash, dental decay
- Poor hygiene, hair texture or complexion
- Inadequate clothing, especially winter clothes
- Child unsupervised in situations inappropriate for their age
- Stealing food
- Self-comforting behaviour such as rocking, sucking head banging
- Frequent lateness or absence from school/service

#### Possible indicators for parents or other perpetrators

- Unable to provide basic needs, e.g. food, shelter, clothing, medical attention, a safe home environment
- Leaving a child unsupervised or abandoning the child
- Withholding physical contact or inability to nurture
- Limited understanding of child or young person's needs
- Shows little concern about the welfare of their child or the treatment of injuries or illness

#### **Domestic Violence**

Domestic violence refers to the witnessing of violence in the home. It is any abusive behaviour used by a person in a relationship to gain and maintain control over their partner or child. It can include physical, psychological, sexual or financial abuse.

#### Possible indicators for child

- Extended stays at school, public places or other homes, or not wanting to go home
- Role playing observed behaviours with other children
- Change of behaviour, e.g. becoming withdrawn, aggressive or clingy
- Difficulty eating or sleeping
- Frequently absent from school/service
- Highly anxious
- Emotional distress
- Low self esteem

#### Possible indicators for parent or other perpetrators

- Bruising, welts, lacerations or other signs of physical assault
- Change in behaviour, e.g. no longer interacting with staff, limited eye contact, change in interactions with child
- Direct disclosure

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- Low self-esteem
- Shows signs of depression
- Wearing inappropriate seasonal clothing to cover up bruising or marks

### Relationships with children and families help to identify indicators

It is important to build strong partnerships with families, with the common focus being the wellbeing of the child. Partnerships are built on our responsiveness, openness and positive attitudes towards families and children. Greeting families and ensuring that you are available will assist in strengthening these connections. It is through strong and responsive relationships that you will be more likely to notice and changes in behaviour.

#### Early Years Learning Framework- Principle 2, Partnerships

In genuine partnerships, families and early childhood educators:

- Value each other's knowledge of each child
- Value each other's contributions to and roles in each child's life
- Trust each other
- Communicate freely and respectfully with each other
- Share insights and perspectives about each child
- Engage in shared decision making

### Responding to disclosure

Disclosure is about a child or young person 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.

If a child has chosen to disclose to you, this can be a sign that they trust you and it is of the utmost importance to maintain this trust.

#### General tips for responding to disclosure

- Always listen and support the child or young person
- Give the child or young person your full attention
- Let the child or young person take their time and allow them to use their own words
- Accept the child or young person will only disclose what they are comfortable with
- Don't make promises you can't keep
- Don't be afraid of saying the wrong thing-as long as you listen and are supportive, the child or young person will have benefitted from talking to you
- Maintain a calm tone and appearance and remember that body language is important
- Be respectful of the confidentiality of the disclosure and only share information with the appropriate person in your service and /or relevant state
- Let the child or young person know that you need to find out the best way to help them
- Stay close to the child following disclosure to provide sense of security
- Do not confront the perpetrator (this may put the child or young person at further risk)

#### Messages that you can convey to the child or young person during disclosure

- That is the right thing to do to tell someone if they are being hurt
- That you believe them
- That it is not ok for adults to harm children, no matter what
- That you need to talk to someone else who can help them
- Acknowledge their concerns about what might happen next
- Reassuring them that they are not alone and that they are not the only child in this situation

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- DO NOT investigate allegations
- DO NOT ask leading questions or probe for additional information
- DO NOT make the child or young person tell others or repeat their story, you are the person they have chosen to confide in
- DO NOT tell the child it will be ok, or that you won't tell anyone else. These are misleading statements and will break the trust the child has put in you if you need to seek assistance with the situation

Your response to a child or young person's disclosure of abuse can be central on their ongoing safety and recovery from trauma. If you do not take action on this information, the child may continue to be at risk of ongoing abuse and prevent the family from receiving the support they need.

### Documenting concerns

Documenting the concerns you have that a child or young person has been harmed or is at risk of harm is an extremely important role for educators, and it is vital that you document these details as soon as possible.

#### Your record should include:

- Details of any conversations
- Description of any injury
- Explanation of the injury or an observation of the child or caregiver's behaviour
- Current circumstances
- Date and time of the record
- Name of child and Date of Birth
- Action taken

#### Important tips for documenting concerns

- Record as soon as possible
- Document conversations, exact words or phrases to describe what happened to them
- Information should be accurate, specific and objective
- Date and sign record
- Follow policies and procedure to notify your supervisor
- Keep this record in a confidential file
- It is best to type information as the information could be used as long-term evidence

### Reporting child abuse or neglect

When working with children you have the legal responsibility to make a report if you suspect or know a child who is at risk of harm. Your service policy and procedures should identify reporting procedures, but generally you will discuss your concerns with your supervisor, who in turn would assist you in making a report to the appropriate body in your state.

Reporting your concerns about a child or young person's safety or wellbeing is an important step in preventing or stopping abuse and protecting children from further harm.

#### What you need to make a report

- Provide as much detail as possible, previous records or observations may assist you with this
- Child or young person's name, age, address and current location
- Information about why you believe the child or young person is at risk
- What you have seen, heard or been told about
- Description of injury, abuse and/or neglect
- Name of person suspected of causing harm and the relationship to the child

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- Names of anyone else who has knowledge of the abuse
- Your name, role and contact details
- Any other known risk factors

#### Making a report

- Identifying indicators
- Collecting all the information required to make a report
- Use the mandatory reporters guide, in which this will direct you to your next step of action, you will be given a reference number.
- Call the help line if MRG has requested or if you still are not satisfied with response from MRG.
- You will be informed of follow up details over a few days  
Please ensure that all information and details given to MRG and Helpline is confidential.

**The Director will ensure that this policy is maintained and implemented at all times.**

# Documentation of Concerns Form

Child's Name: \_\_\_\_\_ Child's D.O.B: \_\_\_\_\_

Date: \_\_\_\_\_ Time of record: \_\_\_\_\_ Observer: \_\_\_\_\_

Observation: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

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Action taken:

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Observers Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Directors Name: \_\_\_\_\_ Signature: \_\_\_\_\_