



## Providing a Child Safe Environment

### Aim

Our service has a moral and legal responsibility to ensure that the rights and best interest of the child are paramount and that we will provide training, resources, information and guidance to support this in order to:

- ensure the health, safety and wellbeing of children at the service is protected at all times;
- ensure that people educating and caring for children at the service act in the best interests of the child;
- protect and advocate the rights of all children to feel safe, and be safe, at all times;
- maintaining a culture in which children's rights are respected;
- encouraging active participation from families at the service, supporting a partnership approach and shared responsibility for children's health, safety, wellbeing and development.

### Legislative Requirements

Education and Care National Law Act 2010: Sections 165, 167

Education and Care National Regulations 2011: 99, 158-159, 168(f), 176

Child Protection (Working with Children) Act 2012 f Child Protection (Working with Children) Regulation 2013

Child Protection (Working with Children) Amendment (Miscellaneous) Regulation 2013

Crimes Act 1900 f Ombudsman Act 1974 – Part 3A

Australian Privacy Principles – [www.oaic.gov.au](http://www.oaic.gov.au) f Office of the Australian Information Commissioner – [www.oaic.gov.a](http://www.oaic.gov.a) f Privacy Act 1988 (Privacy Act) – [www.oaic.gov.au/law/act](http://www.oaic.gov.au/law/act)

### Goals

All children have the right to experience quality education and care in an environment that promotes opportunities to thrive with adults who safeguard and advocate for their health, safety, security and wellbeing including the right to:

- be asked to express their views and wishes about matters affecting their lives and to have those views appropriately considered by adults;
- feel and be safe in their interactions with adults and other children and young people; and
- understand, as early as possible, what is meant by 'feeling and being safe'



## Strategies

### The Physical Environment

In order to promote a safe physical environment we will:

- Ensure all equipment and materials used at the service meet relevant safety standards.
- Remove, repair or replace worn and damaged buildings, structures equipment and resources which may provide a safety risk for children in a timely manner.
- Ensure learning environments are established that provide appropriate child groupings, sufficient space, and include carefully chosen and well-maintained resources and equipment.
- Organise indoor and outdoor spaces to ensure risks to the health and safety are minimised.
- Conduct a risk assessment of the service environment on a quarterly basis to determine any risks to children's health and safety.
- Analyse and evaluate the risks associated with identified hazards.
- Determine appropriate ways to eliminate or control identified hazards.
- Review risk assessments after any serious incident report is made to the Regulatory Authority.

### Staffing and Supervision

- Ensure that sufficient numbers of educators are employed to ensure adequate supervision of children at all times.
- Manage rosters to not only ensure that adequate numbers of educators are on duty to meet ratio and qualification requirements but that duty of care implications are considered to ensure adequate supervision at all times.
- Ensure screening and suitability of staff, volunteers as per the legislation and policy at the time of employment and as part of an ongoing process.
- Respond proactively to emerging staff performance concerns.

### Child Protection

- All educators and volunteers of our service are Mandatory Reporters and are required to report to the Child Protection Helpline (Phone: 132 111) if they have reasonable grounds to suspect a child or young person is at risk of significant harm and have current concern about the safety, welfare or wellbeing of a child or young person.
- The Mandatory Reporter Guide will be used, to guide decision making and determine whether or not to report to the Child Protection Helpline under the new risk of significant harm reporting threshold.
- Staff will undertake training in order to effectively:
  - Make appropriate responses to all disclosures of abuse and any allegation of abuse against staff members of the service
  - understand the responsibilities and processes as a mandatory reporter
  - be able to recognise the factors that increase a child's vulnerability to maltreatment;
  - be aware of the vulnerabilities which may indicate a need to assess, monitor or curtail the behaviour of individuals in relation to children and young people within organisations



## **Roles and Responsibilities**

### **Approved Provider and Nominated Supervisor**

- Ensure the service operates in line with the Education and Care Services National Law and National Regulations 2011 with regard to the delivery and collection of children at all times.
- Ensure all staff have access to relevant professional development.
- Ensure ensuring that the Nominated Supervisor and staff members at the service who work with children are advised of current child protection legislation, its application, and any obligations that they may have under that law (Regulation 84).
- Provide all staff and educators working directly with children with a copy of the Mandatory Reporter Guide to assist them in their reporting.
- Provide all staff and educators working directly with children with access to the Child Wellbeing and Child Protection NSW Interagency Guidelines.
- Ensuring screening and suitability processes are maintained to meet policy and legislated requirements.
- Identifying and providing appropriate resources and training to assist staff, contractors, visitors, volunteers and students to implement this policy.
- Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy.
- Co-operating with other services and/or professionals in the best interests of children and their families.
- Ensuring that families are made aware of support services available to them and of the assistance these services can provide.
- Ensuring that all staff who work with children are supported to implement this policy in the service.
- Protecting the rights of children and families, and encouraging their participation in decision-making at the service.

### **Early Childhood Educators and Certified Supervisors**

- Act in accordance with the obligations outlined in this policy.
- Raise concerns when barriers or threats to the protection of children and young people's safety and wellbeing are identified, including through the conduct of other adults at the site/service.
- Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy.
- Follow all record keeping requirements.
- Undertaking appropriate training and education on child protection.
- Identifying any potential for risk and harm to a child at the service and developing and implementing effective prevention strategies in consultation with the approved provider and the nominated supervisor.



- Co-operating with other services and/or professionals in the best interests of children and their families.
- Informing families of support services available to them (such as child first), and of the assistance these services can provide.
- Ensuring that no child is left alone (or is out of sight) with a contractor, visitor, volunteer, student or parent/guardian at the service.
- Implementing the procedures for reporting suspected child abuse.
- Notifying the nominated supervisor or the approved provider immediately on becoming aware of any concerns, complaints or allegations regarding the health, safety and welfare of a child at the service.
- Offering support to the child and their family, and to other and staff in response to concerns or reports relating to the health, safety and wellbeing of a child at the service.
- Maintaining confidentiality at all times.
- Adhering to all service policies.

#### **Families**

- Reading and complying with this policy.
- Reporting any concerns, including in relation to potential for child abuse, to the Nominated Supervisor.

#### **Sources**

Education and Care Services National Law Act 2010  
Education and Care Services National Regulations 2011  
Guide to the National Quality Standard 2011  
NSW Work Health and Safety ACT 2011  
NSW Work Health and Safety Regulation 2011  
Community Child Care Co-operative (NSW)

#### **Review**

This policy will be monitored to ensure compliance with legislative requirements and unless deemed necessary through the identification of practice gaps, the service will review this Policy every 18 months. Families and staff are essential stakeholders in the policy review process and will be given opportunity and encouragement to be actively involved.