



Child Protection Policy

Background:

Maryland Care & early education Centre is committed to providing an environment that fosters health, development, self-respect and dignity that is free from violence and exploitation. Under the ***Children and Young Persons (Care and Protection) Act 1998***, children and young people must receive the care and protection necessary to ensure their safety, welfare and wellbeing. All educators and volunteers of our service are Mandatory Reporters and are required to report to the ***Child Protection Helpline (Ph: 133 627)*** if they have reasonable grounds to suspect a child or young person is at risk of significant harm and have current concerns about the safety, welfare or wellbeing of a child or young person where concerns arise during or form their work. We are committed to ensuring all educators and staff have a full understanding of their responsibilities as a Mandatory Reporter and are supported in fulfilling these. Anyone making notification in good faith is protected under the ***Children and Young Persons (Care & Protection) Act 1998*** cannot be held personally or professionally liable if the subsequent investigation establishes that no abuse in fact took place.

Aim:

- To ensure that every reasonable precaution is taken to protect children being educated and cared for by Maryland Care and Early Education Centre from harm. Our service (educators, staff, management and volunteers) has a responsibility to defend children's right to care and protection to ensure their safety, welfare and wellbeing, and a responsibility to report any children at a significant risk of harm.
- For children to have a safe and healthy start to life
- For educators to have appropriate training and understanding of what abuse is (neglect, sexual, physical and emotional abuse or harm)
- To provide clear policies and procedures for educator's, visitors and families in the case of suspected 'significant risk of significant harm'
- Maryland Care & Early Education Centre will ensure that children, young people and their families have access to appropriate and responsive support services, if needed
- To enhance service provision focusing on prevention and early intervention

Legislative requirements / Sources:

Ombudsman Act, 1974.

Commission for Children and Young Person Act, 1998.

Children and Young Persons (Care and Protection) Act, 1998.

Education and Care Services National Law Act 2010

Education and Care Services National Regulations. (2011)

National Quality Standards 2011

Keep them Safe (www.keepthemsafe.nsw.gov.au)

Definitions:

'At risk of significant harm' in relation to a child or young person means that there are current concerns for their safety, welfare or well-being because of the presence to a significant extent of any one or more of the following circumstances:

- The child's or young person's basic physical or psychological needs are not being met or at risk of not being met
- The parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive medical care
- In the case of a child or young person who is required to attend school in accordance with the *Education Act 1990*- the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive education in accordance with the ACT
- The child or young person has been, or is at risk of being, physically or sexually abused or ill-treated
- The child or young person is living in a household where there have been incidents of domestic violence and, as a consequence the child or young person is at risk of serious physical or psychological harm
- A parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm
- The child was subject to a pre-natal report under *section 25* of the *Children and Young Person's Care and Protection Act 1998* and the birth mother of the child did not engage successfully with the support services to eliminate or minimize to the lowest level reasonable practicable the risk factors that gave rise to the report

'Reasonable grounds' means that you suspect a child may be at risk of significant harm based on:

- Your observations of the child, young person or family
- What that child, young person, parent or other person has told you.

It does not mean that you are required to confirm your suspicions or have clear proof before making a report

Prescribed Bodies:

The Children's and Young Persons (Care and Protection) Act, 1998 allows prescribed bodies to exchange information that relates to a child or young person's safety, welfare or wellbeing, whether or not the child or young person is known to Community Services. Community Services involvement is not required for this contact.

Service educators are able to contact another prescribed body where the information is required for the safety, welfare and wellbeing of a child and young person. Such as: Families first, Brighter Futures, Early Intervention and Placement Prevention (EIPP).

What information can be exchanged between "prescribed bodies?"

A prescribed body may provide information relating to the safety, welfare and wellbeing of a child/young person to another prescribed body if the information would assist with making a decision, assessment, investigation or service delivery.

Prescribed Bodies include:

- o NSW Police
- o Government Departments AND Public authorities
- o Schools and TAFEs
- o Public Health organisations and private hospitals
- o Private fostering and adoption agencies
- o Residential child care centres and services
- o Any other organisation whose duties include direct contact, responsibility or direct supervision of health care, welfare, education, children's services, residential services or law enforcement to children.

Implementation:

The Approved Provider/Nominated Supervisor will:

- Ensure any adult working directly with children signs a *Prohibited Employment Declaration Form* and a *Consent to a Working With Children's Check* and ensure their clearance prior to employment
- Ensure every adult working with children is made aware of *The Children and Young Persons (Care and Protection) Act 1998* and *Keep them Safe: A Shared Approach to Child Wellbeing* and of their obligations under this law and action plan (*Education and Care Services National Regulation, Regulation 84, National Quality Standards QA2*)
- Orientate every working adult to this child protection policy, *Keep Them Safe* protocols and Mandatory Reporter responsibilities and ensuring their regular review of these

- Support educators and staff in their roles as Mandatory Reporters

Educators and staff will:

- Develop trusting and secure relationships with all children at the service
- Use resources such as: Kids Matter a Australian Early Childhood Mental Health Initiative. Access protective behavior resources from: www.bravehearts.org.au , www.fpg.com.au and www.danielmorcombe.com.au
- Make reports of current concerns for any child at risk of significant harm to the *Child Protection Helpline* for Mandatory Reporters (www.kepthemsafe.nsw.gov.au)
- Make appropriate responses to all disclosures of abuse and any allegation of abuse against staff members of the service
- Report to the Nominated Supervisor immediately if there are any concerns about a child's wellbeing
- Will provide appropriate documentation to the Nominated Supervisor in a timely manner, with the incident and reasons as to why they suspect a child is at "significant risk of harm." (This documentation can include what they have seen, what they have heard or what they have been told and any other evidence that they feel in of importance.)
- Use the Mandatory Reporters online tool (www.kepthemsafe.nsw.gov.au) to help decide if a report to the child protection help line is necessary. This will be available for all staff to use before reporting is undertaken. This can be done by either the Nominated Supervisor or individual educators.
- Ensure that confidentiality is maintained at all times. Educators must disclose concerns to the Nominated Supervisor and when needed to the other educators in their room and other rooms if it involves a sibling in another room.
- Ensure they follow correct procedures and service policies. Individual staff can make a notification of a possible case "significant risk of harm" themselves

See Procedures for Child Protection notifications, disclosures and allegations.

Review:

This policy is the intellectual property of Maryland Care & Early Education Centre and is created with consultation of staff and families attending the service. This policy will be reviewed annually. This policy is available in other languages upon request.

Last Review: July 2015.

Next Review: July 2016.