

Providing a Protective Environment Policy.

Policy Number: 29

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Rationale and Policy Considerations

The education and care service understands it has a duty of care to ensure that all persons are provided with a high level of safety and protection during the hours of the service's operation. To this end all educators/staff will be fully informed about their responsibilities to implement and adhere to the service's child protection policies and procedures.

Child abuse includes physical, emotional and sexual abuse. Educators/staff need to learn about the nature of child abuse, and develop an awareness of how and why some children are victimised. **Where state/territory requirements for mandatory reporting of suspected incidences of child abuse or neglect exist, the service will adhere to these requirements.**

The service believes that the best way to ensure children's protection at the service is to establish an environment that minimises risks and sets out clear safeguards for educators and staff to follow.

Legislation and Government Requirements

- Education and Care Services National Law (WA) Act 2012.
- Education and Care Services National Regulations 2012.
- **State/territory laws relating to child protection;**

Needs

Children's

To feel safe; the right to care, safety and personal privacy; counselling and support in the event of abuse.

Families'

Families to be informed of protective procedures and why they are necessary; reassurance of their child's safety; confidentiality maintained. To feel assured every effort has been made to ensure their child is not in danger of abuse. Counselling and support in the event of abuse.

Educators

Training in providing a protective environment, what to do in the event of identified abuse, and current trends and issues; protection from the risk of allegations being made against themselves; their concerns to be heard and acted upon; two way communication with families and management; debriefing/counselling related to specific incidents; discussions and evaluations at educator/staff meetings re protective practices; confidentiality maintained; knowing where to go for advice and support.

Management

Appropriate policies implemented; training on the issues and appropriate protective practices; support for staff to implement policies; feedback from staff; clear understanding of management responsibilities and liabilities; confidentiality maintained; knowing where to go for advice and support; knowledge that all staff have appropriate clearances.

Scope

This policy is written for staff and visitors of Merino Court Childcare Centre

Policy Statement

The service aims to create an environment that minimises the risk of children being harmed in any way whilst in the care of the service, and to protect staff from the possibility that allegations of child maltreatment could be falsely made against them, as a result of their work at the service. Child abuse thrives in secrecy, therefore to prevent child abuse, the service will develop and maintain an open and aware culture where educators/staff and children are aware of appropriate and inappropriate behaviour.

The service believes it has a responsibility to all children attending the service to defend their right to care and protection. To support this right the service will follow any procedures recommended by state/territory child protection authorities, when dealing with any allegations of abuse or neglect of children, and will ensure that all educators/staff undergo appropriate professional development in this area. The service will also document any evidence of neglect or abuse which may have occurred outside of the service and follow procedures to ensure the child is protected from harm.

The service believes it also has a responsibility to its employees to defend their right to confidentiality unless allegations of abuse against them are substantiated.

To this end, all staff are required to have a current Working with Children card and are to attend child protection training at intervals of no more than 2 years. As part of our induction of new staff process, they are given this information and are expected to follow our policies at all times. Staff will also be encouraged attend the Protective Behaviours workshops for strategies on how to educate children.

Policy Principles

What is Child Protection?

Child Protection refers to keeping children safe from maltreatment or harm.

Definitions of Abuse

Physical abuse - occurs when significant physical harm or injury is experienced as the result of severe and/or continuous actions or inactions on the part of the child's caregiver.

Sexual abuse - occurs when a child is exposed to or subjected to sexual behaviours or acts which are exploitive and/or inappropriate to his/her developmental level.

Emotional and psychological abuse - occurs when there is the sustained, repetitive, ill treatment of a child or young person through a range of inappropriate adult behaviours.

Neglect - occurs when a child's caregiver fails to consistently provide physical and emotional care.

The Premises

- The service will ensure clear observation of child occupied areas through the following means:
 - Reviewing overall educator/staff supervision within the service to ensure all child occupied areas can be viewed by more than one educator/staff member at all times.
 - Ensuring furniture/equipment is positioned in a way that all areas are visible.
 - Visitors/trades people will be screened when entering the service to ensure they have a valid reason to be on site. This will be implemented using the following strategies:
- Security code system in place:
 - The service has a security code system on the front door, the service door will remain locked at all times, and families will have access through use of their security code. Other visitors must use the door bell.

- Staff members will have a PIN for their personal use. Families will be given their own PIN on enrolment, which they can share with other family members who regularly visit the service. Less frequent family visitors must ring the door bell.
- Families and educators/staff will be educated in regard to not allowing unauthorised access to others, as they enter or leave the premises, or giving their PIN to unauthorised persons.
- PINs will be changed annually to ensure past users/educators/staff do not have on-going access.
- Ensuring validity of visitors
 - All visitors will be required to sign in and out.
 - Unauthorised people will be asked to provide identification, preferably photo ID.
 - Where the visitor is unable to provide appropriate ID the service may ask them to make an appointment and return at a later date. This will be dependent on the particular circumstances at the time, i.e. a parent/guardian who has popped in to see what the service is like with a view to enrolling their child, will not be turned away, provided that someone is available to show them around the service at that time. If the educator/staff member is at all unsure about the person, they will be asked to return at a later date.
 - Appointments will only be made with people who have a valid reason for being in the service.
 - All people who perform duties at the service, (paid or unpaid), will be required to present a current criminal record check or working with children check/card, before being allowed on the premises. (i.e. student assessor; volunteers; students, educators/staff etc.)

Recruitment of staff

- The service will ensure all educators/staff working with children provide a current working with children check/card.
- All information obtained through criminal record screening will be treated in strict confidence and only used to determine suitability for employment by the service.
- Within the educator/staff recruitment process the applicant's knowledge and experience of child protection issues will be determined.
- Prior to any appointment or offer of employment, the applicant's referees will be contacted to determine:
 - details of the applicants previous employment
 - any history regarding child protection issues
 - the applicant's reliability and consistency in implementing duty of care practices
 - the applicant's supervision skills.
- The applicant's employment record will be carefully checked in regard to the reasons for breaks in service, the reasons for any change of employment, and to ensure that the references provided are linked to recent employment.
- All new educators/employees will be oriented to the service's child protection policies and procedures and educator/staff code of conduct. Whenever possible new educators/employees will have a period of time to work alongside current educators/staff to familiarise themselves with the children, families, other educators/staff and service procedures, prior to taking up their new responsibilities in a full capacity.
- All educators/employees are provided with clear duty statements that describe the daily tasks and responsibilities of their position, and identify lines of reporting and who they are responsible to.

Supervision of Children

- Children will be supervised at a level appropriate to the age and needs of the children, the program, time of day and associated risks and in accordance with the Education and Care Services National Regulations.

- Supervision of children away from the main play areas (i.e. bathrooms, toilets, nappy change areas, cubbies, tunnels, quiet areas, sleep areas etc.) is carefully monitored.
- At times of the day when staffing is at a minimum (i.e. early morning, lunchtimes or late afternoon) educators/staff will be aware of the risks this creates, and will ensure they know the whereabouts of each other, and the children within the service. Strategies will be implemented to ensure that any visitors to the service at these times are vetted prior to entry.
- Rosters are planned to ensure appropriate supervision of children is maintained and educators on non-contact duties are replaced in order to ensure appropriate educator:child ratios are maintained in accordance with the requirements of the Education and Care Services National Regulations.
- Higher levels of supervision will be needed when older and younger children are playing together. Educators will be aware that children have had different life experiences and are at different developmental stages.
- Individual children will only be released from the service to authorised people.
- Educators will undertake appropriate consultation and referral regarding children's inappropriate behaviour with family cooperation and approval. (e.g. Inclusion Support Agencies; Child psychologist etc.)

Supervision and support of staff

- Child protection issues are discussed regularly at educator/staff meetings. Educators/staff are encouraged to share any observations or concerns in regard to child and educator/staff protection risks. Resolutions are sought to eliminate risks, and management is advised of the issues and current strategies to resolve them.
- The service's educator/staff performance management system addresses educator/staff performance in relation to child protection.
- Educators/staff will support each other to limit the time they are left alone with children.
- Visitors or trades people will not be left alone with children at any time.
- Volunteers and students must be supervised by an educator that has attained the age of 18 years and holds or is working towards an approved diploma level education and care qualification, whenever they are educating or caring for children.
- Casual relief educators/staff will be rostered on to a middle shift where possible, to ensure someone is working with them at all times. When this is not possible strategies will be implemented to minimise times when the relief person is working alone with any group of children.
- Educators/staff will not leave the service alone with individual children except in emergencies and in accordance with other service policies.
- Grievances will be dealt with in accordance with the service's educator/staff grievance procedure.
- Any allegations of child abuse or neglect made against an educator/staff member will be treated with strict confidentiality whilst taking immediate action to protect children at risk in consultation with the relevant child protection authority.

Staff Training

- The service requires all educators/staff to participate in training on child protection organised by relevant child protection authorities or support agencies. This training will include:
 - Protective Behaviours Program;
 - what are appropriate and inappropriate behaviours in relationships with children;
 - the nature of child abuse and why some children are victimised;
 - signs and symptoms of child maltreatment;
 - how to respond if a child discloses sexual abuse;
 - how to observe and record children's behaviour;
 - process of reporting child maltreatment to relevant child protection and regulatory authorities;

- child protection authority's role in child protection issues.
- A guide to recognising signs of abuse or neglect will be made available to all educators/staff who have attended child protection training, and will be regularly discussed at educator/staff meetings, to remind educators/staff of the possible signs of child abuse, and the procedures they should follow if a child in their care displays behaviour or physical signs that could indicate abuse has taken place.
- The service will ensure that both management and educators/staff are knowledgeable about current legislation and reporting requirements related to child protection and maltreatment and that a system for the reporting and recording of suspicious incidents is in place.
- The service will access current information from the relevant state/territory child protection authority, about the procedures to be taken in relation to allegations of child abuse or neglect. Employer and employee responsibilities in relation to allegations of child abuse are included in educator/staff and management/committee handbooks. These responsibilities are highlighted to new educators/staff and committee members at their induction.
- All educators/staff are regularly reminded about the service's policies, procedures, and confidentiality requirements in regard to child protection and issues are discussed at educator/staff meetings.

Children's Education and Empowerment

- Educators will foster children's self-esteem and positive self-image through their interactions and relationships with children.
- The service's behaviour management policy will be followed to positively guide children's appropriate behaviour.
- Educators will encourage children to be assertive (i.e. learn when to stand up for themselves and say no when appropriate), and to communicate their needs and concerns. This may be done through role play, storytelling, puppets etc.
- Educators will role model assertive behaviour and language.
- Educators will build relationships with all children based on trust, and will empower children to discuss what is 'safe' and who may be a 'safe' person to talk to.
- *School age children will be encouraged to actively participate in decision making and policy development and review in regard to child safe strategies and policies.*
- Children are naturally curious about their bodies and will occasionally explore and compare while interacting through everyday play experiences. These behaviours are a normal part of a child's development. Educators will inform parents/guardians of the particular occurrence and environment in which the behaviour was displayed, during their normal daily communication exchange with the parent.

Information for families

- The service will make available to all families information on establishing a protective environment, and the Protective Behaviours Program.
- Educators will be available to discuss any issues with parents/guardians/families.
- The service will keep families up to date with any changes and seek their input.
- The service's policy on establishing a protective environment will be made available to families.
- Families will be informed about relevant training undertaken by educators/staff in the service newsletter.

Reporting Concerns

- The service will develop a procedure that outlines how an individual can complain about an issue relating to child protection or report an allegation of abuse; and how the service will manage complaints and/or allegations of misconduct against a staff member, volunteer or service user.
- All concerns will be acted upon in a confidential and uniform manner.

- Mandatory reporting requirements in line with child protection law will be adhered to. The service will develop a procedure for documenting and reporting allegations of child abuse or neglect.
- All staff have a duty of care to report any concerns about a child they suspect is being maltreated, whether outside or within the service. Allegations made within the service will be reported to Department of Child Protection within one working day. All allegations and concerns will be recorded along with any advice given by officers of DCP. At all times, information will be treated in strict confidence and general discussion will not be permitted in order to protect the rights and privacy of all concerned.

Protocol

When a child discloses information to you or you suspect they have been abused outside the centre,

- Ensure child is safe from immediate harm, comfortable and happy
- Notify a senior staff member
- Document concerns and/or incident
- Contact Department for Child Protection to make a statement that will be documented for future reference regarding the child. It is important to record when you reported, name of duty officer and any advice or information that was given (use abuse allegation form).
- Contact CSO for support
- Staff are not to ask questions or force any information from the child, their parents or any others involved.
- Records are to be correctly maintained at all times and confidentiality procedures strictly adhered to.

When an allegation is made within the centre,

- Ensure child is safe from immediate harm, comfortable and happy
- Notify a senior staff member
- Do not investigate
- Contact Department for Child Protection within one working day to make a statement. It is important to record when you reported, name of duty officer and any advice or information that was given (use abuse allegation form).
- Contact CSO for support
- Document concerns and/or incident
- Maintain confidentiality
- Ensure safety of all children - develop a service safety plan
- Seek industrial and legal advice
- Support the child and his/her parents
- Notify DCP re the outcomes of any investigation
- Develop a media response plan

Written Records

A confidential concerns file will be used to record all information. This form will be maintained at all times regarding any concerns.

Documenting

- Visual observations accompanied by a diagram if applicable (no photos)
- Verbal statements by:
 - The child
 - Family members
 - Visitors
 - Staff members
 - Professional Bodies

Confidentiality

All information will be regarded as highly confidential. No general discussions will occur. All written records will be stored securely. This information may be required if legal action arises.

Related Documents

- **Education and Care Services National Law Act 2010(Vic)** - Section 3(2)(a) and (3)(a); 165-167; 170; 171;174(2); 189
- **Education and Care Services National Regulations:** 76(a)(b); 84-86; 88-105; 161 - 166; 168; 169 (2)(e)(f)
- **National Quality Standard for Early Childhood Education and Care and School Age Care (Nov 2010)** - Standard 2.3; Standard 5.1; Standard 5.2; Standard 7.3.
- **Early Years Learning Framework for Australia** - Practice: Holistic approaches; Responsiveness to children; Intentional teaching; Assessment for learning - Outcomes: 1, 2, 3, 5
- **Framework for School Age Care in Australia** - Practice: Holistic approaches; Collaboration with children; Intentionality; Evaluation for wellbeing and learning - Outcomes: 1, 2, 3, 5
- Educator/staff Code of Ethics.
- Educator/staff member orientation checklist.
- Procedure for dealing with complaints/allegations against educator/staff member, student, volunteer, contractor or visitor.
- Procedure for documenting and reporting suspected child abuse or neglect.
- Procedure for ensuring validity of visitors to the service.
- Procedure for supporting an individual's return to work after a false allegation.
- Procedure and support mechanisms for children, families and educators/staff when an allegation is made.

Links to other policies

- Confidentiality and Privacy
- Delivery and Collection of Children
- Educator, Staff and Volunteer Orientation
- Enrolment and Orientation
- Grievances and Complaints Management
- Guiding Children's Behaviour
- Interactions with Children
- Maintenance of a Safe Environment
- Medications and Medical Conditions
- Partnerships and Communication with Families
- Recruitment of Educators, Staff and Volunteers
- Supervision

Sources

Putting children first 2007. Allegations of child abuse, Department of Community services.

Allegations of Child Abuse. Department for Communities. www.communities.wa.gov.au/childcare

Identifying and Responding to Concerns for a Child's Wellbeing, Department for Communities, 2010

www.pscalliance.org.au

Further Sources

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Child Wise - *Choose with Care - 12 steps to a safe organization* - Retrieved 31 March 2011, from <http://www.childwise.net/downloads/12Steps.pdf>

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Document History

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