

Policy 6.20 Child Safe Environment Policy

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“Every child has the right to live a full and productive life. It is up to all of us to ensure our children grow up in environments that build confidence, friendship, security and happiness, irrespective of a person’s family circumstances and background “ (Protecting the safety and wellbeing of children and young people)

Policy Statement:

The protection of children, one of the most vulnerable groups in society, is a shared community responsibility and involves ensuring that all children are safe, their needs met and the possibility of child abuse is minimised.

Ballan Community Childcare has a moral and legal responsibility to ensure that all children are safe in their care whilst promoting their learning and development.

The purpose of this policy is to set clear guidelines and procedures to ensure that all children attending Ballan Community Childcare are provided with a safe environment and that reasonable steps are taken to ensure the health, safety and wellbeing of the children attending the service.

This policy also maintains that the Approved Provider, educators and staff will initiate timely and effective intervention for children and young people whom they deem may be at risk of abuse or neglect.

Services have a duty of care to act immediately to preserve the safety and wellbeing of the children in their care. We aim to fulfil our duty of care obligations under the law by acting in the best interests of the child, protecting children from any reasonable or foreseeable risk of injury or harm, supporting the rights of all children to feel safe, and to be safe at all times. Currently early childhood educators are not mandated to report when children appear to be at risk of harm, however, educators in daily contact with children and their families are well placed to observe when a child appears to be at risk of harm arising from abuse or neglect.

Educators at Ballan Community Childcare are committed to developing and maintaining a culture in which children feel valued, respected and cared for and we encourage active participation from parents/guardians and families at the service, ensuring that best practice is based on a partnership approach and shared responsibility for children’s health, safety and wellbeing.

Risk minimisation strategies, supported by clear policies and procedures for specific areas of child safety will help ensure the environment and practices at the service are child safe. Policies and procedures are developed in all matters specified in Regulation 168(2) including emergency evacuation, water safety, sun protection, delivery and collection of children, excursions, and incident, injury, trauma and illness. Risks in the child’s physical environment can be minimised by ensuring the safety of buildings and grounds, equipment, materials and furniture used at the

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service and the safe storage and use of dangerous substances such as cleaning products and chemicals.

Definitions:

The terms defined in this section relate specifically to this policy.

Abuser: A person who mistreats and/or harms a child or young person.

Abuse: (In the context of this policy) refers to physical and/or emotional mistreatment, and/or lack of care of the child. Examples include sexual abuse, the witnessing of family violence and any non-accidental injury to a child.

Bullying: Repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Bullying occurs when one or more people deliberately and repeatedly upset or hurt another person, damage their property, reputation or social acceptance.

Child abuse: An act or omission by an adult that endangers or impairs a child's physical and/or emotional health and development. Child abuse can be a single incident but often takes place over time. Child abuse includes any and all of the following:

- **Physical abuse:** When a child suffers or is likely to suffer significant harm from an injury inflicted by a parent/guardian, caregiver or other adult. The injury may be inflicted intentionally, or be the consequence of physical punishment or the physically aggressive treatment of a child. Physical injury and significant harm to a child can also result from neglect by a parent/guardian, caregiver or other adult. The injury may take the form of bruises, cuts, burns or fractures, poisoning, internal injuries, shaking injuries or strangulation.
- **Sexual abuse:** When a person uses power or authority over a child, or inducements such as money or special attention, to involve the child in sexual activity. It includes a wide range of sexual behaviour from inappropriate touching/fondling of a child or exposing a child to pornography, to having sex with a child.
- **Emotional and psychological abuse:** Involves continuing behaviour by adults towards children, which erodes social competence or self-esteem over time. It occurs when a person engages in inappropriate behaviours, such as rejecting, ignoring, threatening or verbally abusing a child, or allowing others to do so (Office of the Child Safety Commissioner (OCSC), Victoria).
- **Racial, cultural and religious abuse:** Conduct that demonstrates contempt, ridicule, hatred or negativity towards a child because of their race, culture or religion (OCSC).
- **Neglect:** The failure to provide a child with the basic necessities of life such as food, clothing, shelter, medical attention or supervision, to the extent

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that the child's health and development is, or is likely to be significantly harmed.

Child FIRST – A Victorian community based intake and referral service linked with Family Services. Child FIRST ensures that vulnerable children, young people and their families are effectively linked to relevant services, including Child Protection

Duty of Care – A common law that refers to the responsibilities of the organisations to provide people with an adequate level of protection against harm, and all reasonable foreseeable risk of injury.

Legislative Base

Relevant legislation and standards include but are not limited to:

- *Children, Youth and Families Act 2005* (Vic), as amended 2011
- *Child Wellbeing and Safety Act 2005* (Vic), as amended 2012
- *Charter of Human Rights and Responsibilities Act 2006* (Vic), as amended 2011
- *Education and Care Services National Law Act 2010* (Vic): Sections 165, 166, 167
- *Education and Care Services National Regulations 2011* (Vic): Regulations 82, 83, 84, 85, 86, 98, 99, 100,101, 102, 168(2)(h)
- *Family Law Act 1975*, as amended 2008 and 2011
- *National Quality Standard*, Quality Area 2: Children's Health and Safety
 - Standard 2.3: Each child is protected
 - Element 2.3.1: Children are adequately supervised at all times
 - Element 2.3.2: Every reasonable precaution is taken to protect children from harm and any hazard likely to cause injury
 - Element 2.3.4: Educators, co-ordinators and staff members are aware of their roles and responsibilities to respond to every child at risk of abuse and neglect
- *National Quality Standard*, Quality Area 3: Physical Environment
 - Standard 3.1: The design and location of the premises is appropriate for the operation of a service
 - Element 3.1.1: Outdoor and indoor spaces, buildings, furniture, equipment, facilities and resources are suitable for their purpose
 - Element 3.1.2: Premises, furniture and equipment are safe, clean and well maintained

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Guidelines/Procedure:

The Approved Provider is responsible for:

In relation to child protection matters:

- 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)
- screening all educators, staff, contractors, volunteers and students, including undertaking criminal history checks, Working with Children Checks, reference checks and interviews
- ensuring educators, staff, contractors, volunteers and students undertake appropriate training and education on child protection, including recognising the signs and symptoms of child abuse (refer to *Definitions*), knowing how to respond, and understanding processes for reporting and managing concerns/incidents
- offering support to the child and their family, and to educators and staff in response to concerns or reports relating to the health, safety and wellbeing of a child at Ballan Community Childcare
- notifying DEECD, in writing, within 24 hours of becoming aware of a notifiable complaint (refer to *Definitions*) or allegation regarding the health, safety and/or welfare of a child at Ballan Community Childcare maintaining confidentiality at all times

In relation to providing a child safe environment at the service:

- ensuring the physical environment at the service is safe, secure and free from hazards for children (refer to the *Service policies* section of this policy) conducting risk assessments for excursions and considering children's safety when leaving the service premises
- ensuring all equipment and materials used at the service meet relevant safety standards
- Ensuring that the Nominated Supervisor, educators and all staff at the service who work with children are aware that it is an offence to subject a child to any form of corporal punishment, or any discipline that is unreasonable or excessive in the circumstance
- must ensure that, when educating or caring for children as part of the service, the nominated supervisor and staff members of the service have ready access to an operating telephone or other similar means of communication to enable immediate communication to and from parents and emergency services
- must ensure that children being educated and cared for by the service are provided with an environment that is free from the use of tobacco, illicit drugs and alcohol
- must ensure that the nominated supervisor or a staff member of, or volunteer at, the service is not affected by alcohol or drugs (including prescription medication) so as to impair his or her capacity to supervise or provide education and care to children at the centre

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- Organising/facilitating regular safety audits of the following:
 - emergency equipment
 - playgrounds and fixed equipment in outdoor environments
 - cleaning services
 - horticultural maintenance
 - pest control
 - ensuring that all cupboards/rooms are labelled accordingly, including those that contain chemicals and first aid kits, and that child-proof locks are installed on doors and cupboards where contents may be harmful
- Implementing and reviewing this policy in consultation with the Nominated Supervisor, educators, staff, contractors and parents/guardians
- Ensuring the Nominated Supervisor, educators, staff, contractors, volunteers and students are kept informed of any relevant changes in legislation and practices in relation to this policy.
- A suitably qualified and experienced staff member shall be designated, in writing, to be the educational leader of the service and shall be recorded in the Staff Record as having this role.

The Nominated Supervisor is responsible for:

In relation to child protection matters:

- Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy
- Arranging appropriate training and education for educators and staff on child protection, including recognising the signs and symptoms of child abuse (refer to *Definitions*), knowing how to respond, and understanding processes for reporting and managing concerns/incidents
- Ensuring that where the service has been notified of a court order prohibiting an adult from contacting an enrolled child, such contact does not occur while the child is on the service premises
- Identifying and implementing appropriate programs and practices to support the principles of a child safe organisation in consultation with the Approved Provider and educators at the service
- 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 (such as Child FIRST), and of the assistance these services can provide
- Implementing the procedures for reporting suspected child abuse and management of complaints
- Notifying the Approved Provider immediately on becoming aware of a concern, complaint or allegation regarding the health, safety and welfare of a child at Ballan Community Childcare offering support to the child and their family, and to educators and staff in response to concerns or reports relating to the health, safety and wellbeing of a child at the Centre

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In relation to providing a child safe environment at the service:

- Ensuring that all educators and staff who work with children are aware of this policy, and are supported to implement it in the service
- Protecting the rights of children and families, and encouraging their participation in decision-making at the service
- Ensuring that all children are adequately supervised at all times (refer to *Interactions with Children Policy*)
- Ensuring that all contractors/visitors sign in to the visitor's log book
- Ensuring the physical environment at the service is safe, secure and free from hazards for children
- Conducting risk assessments for excursions and considering children's safety when leaving the service premises
- Ensuring all equipment and materials used at the service meet relevant safety standards
- Must not, while educating and caring for children for the service consume alcohol or be affected by alcohol or drugs (including prescription medication) so as to impair his or her capacity to supervise or provide education and care to the children
- Implementing and practising emergency and evacuation procedures (refer to *Emergency Management Plan*)
- Ensuring there are appropriate procedures in place for the safe delivery and collection of children (refer to *Delivery and Collection of Children Policy*)
- Ensuring that all educators and staff at the service who work with children are aware that it is an offence to subject a child to any form of corporal punishment, or any discipline that is unreasonable or excessive in the circumstances
- Implementing and reviewing this policy in consultation with the Approved Provider, educators, staff, contractors and parents/guardians
- Identifying and providing appropriate resources and training to assist educators, staff, contractors, visitors, volunteers and students to implement this policy

Certified Supervisors and other educators/staff are responsible for:

In relation to child protection matters:

- Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy
- Undertaking appropriate training and education on child protection, including recognising the signs and symptoms of child abuse (refer to *Definitions*), knowing how to respond, and understanding processes for reporting and managing concerns/incidents (refer to "*A step by step guide to making a report to Child Protection or Child FIRST*")
- Ensuring that where the service has been notified of a court order prohibiting an adult from contacting an enrolled child, such contact does not occur while the child is on the service premises

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- Co-operating with other services and/or professionals (including Child FIRST) 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 and management of
- 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 Ballan Community Childcare Centre
- Offering support to the child and their family, and to other educators and staff in response to concerns or reports relating to the health, safety and wellbeing of a child at the Centre
- Maintaining confidentiality at all times (refer to *BDHC Privacy and Confidentiality Policy 1.08*)
- Reviewing this policy in consultation with the Approved Provider, Nominated Supervisor, other educators and parents/guardians.

In relation to providing a child safe environment at the service:

- Maintaining learning environments that provide sufficient space, and include carefully chosen and well-maintained resources and equipment to ensure a safe environment
- Maintaining a clean environment daily, and removing tripping/slipping hazards as soon as these become apparent
- Actively supervising children at all times (refer to *Interactions with Children Policy*)
- Educating and empowering children to talk about events and situations that make them feel uncomfortable.
- Ensuring that children at the service are not subjected to any form of corporal punishment, or any discipline that is unreasonable or excessive in the circumstances
- Implementing and reviewing this policy in consultation with the Nominated Supervisor, other educators, staff and parents/guardians
- Keeping up to date and complying with any changes in legislation and practices in relation to this policy.

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Key Performance Indicators:

In order to assess whether the values and purposes of the policy have been achieved, the Approved Provider will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness, particularly in relation to identifying and responding to child safety concerns
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notify parents/guardians at least 14 days before making any changes to this policy or its procedures (Regulation 172(2)).

This Policy satisfies the following National Quality Standard Quality elements:

Regulation 168(2)(h) and 172(h)

Standards 2.3 and 7.1

Sources:

1. www.bullyingnoway.gov.au
2. www.education.vic.gov.au/aboutschool/childhealth/bullying.htm
3. Child Safety Commissioner. (2006). *A Guide for Creating a Child-safe Organisation*. Melbourne
http://www.ccyp.vic.gov.au/childsafetycommissioner/downloads/childsafe_organisation.pdf
4. DHS, Office for Children:
http://www.dhs.vic.gov.au/_data/assets/pdf_file/0019/574210/child-sexual-abuse-understanding.pdf
5. Link to the United Nations Convention on the Rights of the Child:
<http://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf>
6. Templestowe Pre-School Child safe Environment Policy Document