CHILD WELLBEING POLICY

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1 REPORTING INFORMATION ABOUT A CHILD AT RISK OF SIGNIFICANT HARM

WHEN A MANDATED REPORTER OR ANY OTHER PERSON HAS A REASONABLE SUSPICION A CHILD IS AT RISK OF SIGNIFICANT HARM THEY NEED TO CONTACT THE CHILD PROTECTION HELPLINE ON 132 111 (24 HOURS, 7 DAYS)

WHEN CHILDREN ARE IN IMMEDIATE DANGER OF ABUSE CONTACT THE POLICE ON 000

CONSULT THE SERVICE’S CHILD PROTECTION POLICY FOR MORE INFORMATION.
2 NQS

| QA2 | 2.2.3 | Management, Educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect. |

3 National Regulations

| Regs | 84 | Awareness of child protection law |

4 Aim

4.1 The service takes our responsibility to provide a safe and caring environment for all children seriously. We believe that the safety of children is paramount at all times and we aim to protect a child’s right to be safe from abuse of any kind.

4.2 The service also aims to defend the rights of educators to confidentiality if a complaint against them is made and is found to be unsubstantiated. The service will ensure that all parties affected by this policy are made aware of their roles and responsibilities regarding child protection.

4.3 The service aims to educate all parties about their roles in child wellbeing and also about signs of abuse and ensure that all requirements of child protection requirements are being met.

4.4 The Kids’ Uni Policies and Procedures apply to Kids’ Uni North, Kids’ Uni South, Kid’s Uni CBD, Kids Uni Preschool, Kids’ Uni OOSH

5 Related Policies

- Privacy and Confidentiality Policy (CHI-ADM-POL-048)
- Record Keeping and Retention Policy (CHI-ADM-POL-049)
- Physical Environments (Workplace Safety, Learning and Administration) Policy (CHI-ADM-POL-046)
- Death of a Child Policy (CHI-ADM-POL-014)
- Family Law and Access Policy (CHI-ADM-POL-025)
- Relationships with Children Policy (CHI-ADM-POL-050)
- Tobacco Drug and Alcohol Policy (CHI-ADM-POL-058)

6 Who is affected by this Policy?

Staff, Families, Children and Management

7 Child Wellbeing Risk Management Strategy

7.1 Statement of Commitment

Our service fundamentally believes that all children have the right to a life that is free from harm. Our service aims to provide an environment that is free from any type of abuse and foster a child’s growth and development as per the individual requirements of each child.

Educators at our service are aware of their obligations under the law in regards to the welfare of children and at all times uphold their obligation. In addition to this, our service aims to provide regular training to all educators (along with any volunteers, students etc) on child wellbeing issues to ensure that, in the event a child has suffered abuse, the service can act quickly in the best interests of the child.
7.2 **Code of Conduct**

Our service upholds a Code of Conduct in relation to employers, educators, volunteers, students, families and children to ensure the safety and wellbeing of children (See Educator and Management Policy)

8 **Recruitment**

8.1 The service will keep up-to-date policies on recruiting, selecting, training and managing paid employees.

8.2 The service is responsible for developing policies and procedures about recruitment, selection, management and training to ensure all persons working at the service are suitable.

8.3 A *Working with Children Check* will be conducted on all new employees and a copy of this will be kept on file.

9 **Concerns of Abuse/ Neglect**

The following outlines the responsibilities for educators and related people to children’s services:

9.1 Children’s Services Educators must:

i. Report any situation where they suspect a child is at risk of significant harm to the Child Protection Helpline.

ii. Promote the welfare, safety and wellbeing of children at the service.

iii. Have an awareness of referral agencies for families where concerns of harm do not meet the significant harm threshold.


v. Assist in supporting children and families when liaising with the NSW Department of Education, the NSW Department of Families and Communities Services or other government agencies.

vi. It is imperative to remember that any person who delivers Children’s Services to children as part of their paid or professional work is a mandatory reporter. The service procedure dictates that reports regarding a child at risk are to be communicated to the Nominated Supervisor or the Children’s Services Manager. However, if this person fails to make a report you continue to be legally responsible to do so. It is the responsibility of the person that suspects child abuse to ensure a report is made.

9.2 Children’s Services Employers must:

i. Ensure that all employees are:

   a. Clear about their roles and responsibilities regarding child protection.

   b. Aware of their obligations to immediately report suspected abuse to the Child Protection Hotline 132 111.

   c. Aware of the indicators when a child may be at risk of harm or significant harm.
ii. Provide training and development for all employees in the recognition and reporting of abuse and harm.

iii. Provide reporting procedures and professional standards for care and protection work.

iv. Conduct a Working with Children Check for anyone that will be working with children in line with the guidelines provided by the Office of the Children’s Guardian


v. Report to the NSW Ombudsman any reportable allegations and convictions made against an employee and ensure they are investigated by the Children’s Services Manager with appropriate actions being taken when the investigation is complete.

vi. Notify the Commission for Children and Young People of details of employees against whom relevant disciplinary proceedings have been completed and or persons whose employment has been rejected because of a risk identified in employment screening processes.

vii. Enable educators to have access to relevant acts, regulations, standards and other resources in order for them to complete their obligations.

10 Indicators of Abuse

There are many indicators of harm to children. Behavioural or physical signs which can assist in recognising harm to children are known as indicators. The following is a guide only. One indicator on its own may not imply abuse or neglect. Each indicator needs to be considered in the context of other indicators and the child’s circumstances.

**General indicators of abuse and neglect**

- marked delay between injury and seeking medical assistance
- history of injury
- the child gives some indication that the injury did not occur as stated
- the child tells you someone has hurt him/her
- the child tells you about someone he/she knows who has been hurt
- someone (relative, friend, acquaintance, sibling) tells you that the child may have been abused

10. 1 Neglect

Child neglect is the continued failure by a parent or caregiver to provide a child with the basic things needed for his or her proper growth and development, such as food, clothing, shelter, medical and dental care and adequate supervision. Some examples are:

- Inability to respond emotionally to the child
- Child abandonment
- Depriving or withholding physical contact
- Failure to provide psychological nurturing
- Treating one child differently to the other
10.1 General indicators of neglect in children
- poor standard of hygiene leading to social isolation
- scavenging or stealing food
- extreme longing for adult affection
- lacking a sense of genuine interaction with others
- acute separation anxiety
- self comforting behaviours, e.g. rocking, sucking
- delay in development milestones
- untreated physical problems

10.2 Indicators of Physical Abuse in children
i. facial, head and neck bruising
ii. lacerations and welts
iii. explanations are not consistent with injury
iv. bruising or marks that may show the shape of an object
v. bite marks or scratches
vi. multiple injuries or bruises
vii. ingestion of poisonous substances, alcohol or drugs
viii. sprains, twists, dislocations
ix. bone fractures
x. burns and scalds

10.3 Indicators of Physical Abuse in parents and caregivers
i. direct admissions from parents about fear of hurting their children
ii. family history of violence
iii. history of their own maltreatment as a child
iv. repeated visits for medical assistance

10.4 Indicators of Emotional Abuse in children
i. feeling of worthlessness about them
ii. inability to value others
iii. lack of trust in people and expectations
iv. extreme attention seeking behaviours
v. other behavioural disorders (disruptiveness, aggressiveness, bullying)

10.5 Indicators of Emotional Abuse in parents and caregivers
i. constant criticism, belittling, teasing of a child or ignoring or withholding praise and affection
ii. excessive or unreasonable demands
iii. persistent hostility, severe verbal abuse, rejection and scape-goating
iv. belief that a particular child is bad or “evil”
v. using inappropriate physical or social isolation as punishment  
vi. exposure to domestic violence

10.6 **Indicators of Sexual Abuse in children**
   i. they describe sexual acts  
   ii. direct or indirect disclosures  
   iii. age inappropriate behaviour and/or persistent sexual behaviour  
   iv. self destructive behaviour  
   v. regression in development achievements  
   vi. child being in contact with a suspected or know perpetrator of sexual assault  
   vii. bleeding from the vagina or anus  
   viii. injuries such as tears to the genitalia

10.7 **Indicators of Sexual Abuse in parents, caregivers of anyone else associated with the child**
   i. exposing the child to sexual behaviours of others  
   ii. suspected of or charged with child sexual abuse  
   iii. inappropriate jealousy regarding age appropriate development of independence from the family  
   iv. coercing the child to engage in sexual behaviour with other children  
   v. verbal threats of sexual abuse  
   vi. exposing the child to pornography

10.8 **Indicators of Domestic Violence in children**
   i. show aggressive behaviour  
   ii. develop phobias & insomnia  
   iii. experience anxiety  
   iv. show systems of depression  
   v. have diminished self esteem  
   vi. demonstrate poor academic performance and problem solving skills  
   vii. have reduced social competence skills including low levels of empathy  
   viii. show emotional distress  
   ix. have physical complaints

11 **Definition of Significant Harm**

11.1 A child is at risk of significant harm when the circumstances that are causing concern are present to a significant state. This means the concern is sufficient to warrant a response by a statutory authority, such as the NSW Police Force, Department of Education or Department of Family and Community Services regardless of a family’s consent.

11.2 What is significant is not minor or trivial and may reasonably be expected to produce substantial and adverse impacts on the child’s safety, welfare or wellbeing.

11.3 The significance can be a result of a single act or omission or an accumulation of acts and omissions.
12 “Concerns don’t meet the Risk of Significant Harm” Threshold

12.1 When concerns of harm do not meet the significant harm threshold, the service should offer and coordinate assistance or make a referral to other services.

12.2 Services may be located through the Family Referral Services [http://www.familyreferralservice.com.au/], through Department of Education, or Department of Family and Community Services. Family consent will be sought before making referrals.

13 Suspecting a Child is at Risk of Significant Harm

Educators can access the Mandatory Reporter Guide at [www.keepthemsafe.nsw.gov.au](http://www.keepthemsafe.nsw.gov.au) or at [https://reporter.childstory.nsw.gov.au/s/](https://reporter.childstory.nsw.gov.au/s/) to decide if any of the following conditions are present to a significant risk:

i. Physical abuse

ii. Neglect
   a. Supervision
   b. Physical shelter/environment
   c. Food
   d. Medical care
   e. Mental health care
   f. Education

iii. Sexual abuse

iv. Problematic sexual behaviour

v. Psychological harm

vi. Relinquishing care

vii. Carer concerns
   a. Parent/carer substance abuse
   b. Parent/carer mental health
   c. Parent/carer domestic violence

viii. Unborn child

13.2 If an educator has reasonable grounds to suspect risk of significant harm, they are to use the Mandatory Reporter Guide to assess whether their concerns meet the threshold of risk of significant harm.

13.3 If there is an immediate danger to the child the police and/or the Child Protection Hotline should be contacted directly.

13.4 Reasonable grounds refer to the need to have an objective basis for suspecting that a child may be at risk of significant based on:

   i. First hand observation of the child, young person or family
   ii. What the child, young person, parent or other person has disclosed
   iii. What can reasonably be inferred based on professional training and/or experience.

13.5 When the use of the Mandatory Reporter Guide advises risk of significant harm, a mandatory reporter must make a report to the Child Protection Helpline.
14 Documentation

14.1 The service will maintain records to prepare and support its ability to make a report to the Child Protection Helpline. Records will be kept in line with our Privacy, Security and Confidentiality of Records Policy.

14.2 The helpline could ask for the following information;

i. Child’s Information
   a. Name of the child or young person (or alias) or other means of identifying them
   b. Age and date of birth (or approximation)
   c. If the child is Indigenous
   d. Cultural background of the child, language spoken, religion and other cultural factors
   e. Name, age of other household children or young people
   f. Address of child and family
   g. If the child has a disability – nature/type, severity, impact on functioning
   h. Is the child/young person subject of an Apprehended Violence Order?
   i. Is the child or young person under the care of the minister or residing in out-of-home care?

ii. Family information
   a. Name, age of parents/carer and household adults
   b. Home and/or mobile phone number
   c. Cultural background of parents, languages spoken, religion and other cultural factors
   d. Information about parental risk factors and how they link to child’s risk of harm
   e. Domestic violence
   f. Alcohol or other drug misuse
   g. Unmanaged mental health
   h. Intellectual or other disability
   i. Protective factors and family strengths
   j. Non-offending carers’ capacity to protect child
   k. Any previous suspicious death of a child or young person in the household?
   l. Is the carer/parent pregnant?
   m. Is the parent/carer subject of an Apprehended Violence Order?
   n. Description of the family structure.
   o. Name, age, gender of siblings. Do siblings live with the child or young person?

iii. Reporters Details
   a. Name, service name, address, phone and email details
   b. Position
   c. Reasons for reporting today
   d. Nature of contact with child or family
e. Nature of ongoing role with child or family (include frequency, duration and type)

f. If report is being made by someone else in the agency, name of the agency worker who sourced the report

iv. Other information
   a. If parent knows of the report and their response
   b. If child or young person knows about the report and their views
   c. Information related to worker safety issues
   d. Outcome of mandatory reporters guide

14.3 Once a report is made to the Child Protection Helpline no further report needs to be made unless new information comes to hand.

15 Notification of Abuse

15.1 When someone with mandatory reporting obligations has responsible suspicion of abuse they need to contact the Child Protection Helpline and provide them with the necessary details. It is preferable that all documentation needed be available at the time of the call to ensure that all information can be given at once.

15.2 Consult the Mandatory Reporters Guide to assess whether a child is at risk of significant harm. The Child Protection Helpline phone number for mandatory reporters is 132 111

15.3 It is important that when making a notification that the notifier asks the following questions in relation to notification;
   i. Name of person at Helpline who you spoke to.
   ii. What the next step in the process is to be?
   iii. What confirmation will be sent to confirm the report has been made?
   iv. Is there any further action you as the notifier need to take?

16 Notification of those involved in Children’s Services

16.1 In the case that someone that provides care for children in a children’s service has witnessed or has suspicions of another person involved in the care of children in children’s services of abusing children, the same definition of abuse applies to those involved in children’s services as it would to anyone outside the service.

16.2 Any person who delivers Children’s Services to children as part of their paid or professional work is a mandatory reporter. This includes if they suspect someone involved in the service is placing children at risk of harm. Any incident involving another person in the service must be reported to the Child Protection Helpline.

16.3 Your concerns should be raised with the Nominated Supervisor and Children’s Services Manager as part of the process of notification.

16.4 If the Nominated Supervisor or the Children’s Services Manager is the person that has raised suspicion then the most senior member of staff should notify the Helpline.

16.5 As well as notifying the Helpline, the most senior member of staff should also report their concerns to the NSW Department of Education (through the online ACECQA portal). The conduct may also breach the regulations and need to be investigated as a Regulatory matter.
16.6 In addition, The Ombudsman Act requires the service to notify the Ombudsman within 30 days of becoming aware of any reportable allegations or conviction made against an employee in children’s services (refer below for more detail).

17 Confidentiality

It is important that any notification remains confidential, as it is vitally important to remember that no confirmation of any allegation can be made until the matter is investigated.

18 Sharing Information

Chapter 16A of the Children and Young Persons (Care and Protection) Act 1998 enables certain organisations that are deemed to be ‘prescribed bodies’ by law, to directly share information relating to the safety, welfare or wellbeing of a child or young person without consent of the family.

If a request for information is put forward to UoW Pulse Children’s Services for such information, the Children’s Services Manager must be notified immediately. The request must be placed in writing and the identification of the person requesting the information must be verified.

Information will only be shared with prescribed bodies as outlined in the Act. Sole practitioners in private practice such as doctors, speech therapists, lawyers and counsellors are not covered by Chapter 16A, nor are Federal agencies such as Centre link.

Further information is available at:


19 Safeguard for reporters

19.1 An individual who reports to the Child Protection Helpline is kept confidential. The reporter’s identity is protected by law if the report is made in good faith. The law offers the following protections:

i. The report shall not be held to be a breach of professional etiquette or ethics or a departure from acceptable standards of professional conduct

ii. No liability for defamation can be incurred because of making of report

iii. The report, or its contents, is not admissible in any proceedings as evidence against the person who made the report

iv. A person cannot be compelled by a court to provide the report or give any evidences as to its contents


19.2 If the law enforcement agencies require the identity of the reporter in order to investigate serious offences alleged to have been committed against children, the identity of the reporter may be released to the police.
20 Disclosure
The individual who makes the complaint should not inform the person they have made the complaint about. This ensures the matter can be investigated without prior knowledge and contamination of evidence.

21 Further Information
21.1 All educators should be aware that when dealing with children who have been abused or are in other ways related or affected by an abusive situation that they are not questioned about the abuse as this may hinder the formal investigation of the situation.
21.2 Educators should not coerce additional information from children, but should keep a record of their disclosure should children disclose information. This information will be used as part of the formal investigation.

22 Notifying the Ombudsman
22.1 Special procedures are in place to deal with allegations of reportable conduct or convictions against employees of all government and some non-government agencies in NSW.
22.2 The Ombudsman Act requires the service to notify the Ombudsman within 30 days of becoming aware of any reportable allegations or conviction made against an employee in children’s services.
22.3 The service is required to conduct an investigation into allegations made against an employee. The Ombudsman’s Office can offer resources and advice to support this investigation. Visit www.ombo.nsw.gov.au for any forms required. Alternatively call ph: 1800 451 524
22.4 The Ombudsman needs to be informed of any allegation regardless of the outcome.
22.5 Some matters are notifiable to the Ombudsman as an allegation of reportable conduct. These are only reported to the Child Protection Helpline if there are also current concerns of children at significant risk.

23 Allegations against those involved in the service.
The service will provide appropriate support for any educator who has an allegation made against them.

24 Definition of Terms

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Agency</td>
<td>The Child Care Service</td>
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<td>Reportable Allegations</td>
<td>Any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including a child pornography offence), any assault, ill treatment or neglect of a child, any behaviour that causes psychological harm to a child.</td>
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<td>Employee of Agency</td>
<td>There are two groups of people who are considered to be employees and who may have reportable allegations made against them or be the subject of a reportable conviction. These two groups are:</td>
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<tr>
<td>Role</td>
<td>Description</td>
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<td>-------------------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
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<tr>
<td>Head of Agency</td>
<td>The Provider or the Children’s Services Manager</td>
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## 25 Teaching Protective Behaviour with Children

### 25.1 We aim to teach children:

i. to recognise their feelings and express them verbally.

ii. to express their feelings both verbally and non-verbally.

iii. that they can choose to change the way they are feeling.

iv. that they have a right to feel safe at all times.

v. to recognise the signs when they do not feel safe and when they need to be alert and think clearly.

vi. the difference between ‘fun’ scared that is the feeling of adventure and appropriate risk taking and dangerous scared that is not ok.

vii. to use their own skills to feel safe.

### 25.2 Beliefs

Our service believes -

i. That children are capable of the same range of emotions as adults are.

ii. That children’s emotions are real and need to be accepted by adults.

iii. That a response given to a child from an adult in a child’s early stages of emotional development can be hugely positive or detrimental depending on the adult’s reaction.

iv. That children are in touch with their bodies reactions to their emotions.

v. That children who retain, enhance and better understand their body’s response to an emotion are more able to foresee the outcome out a situation and avoid them or ask for help.

## 26 Sources

- Children and Young Persons (Care and Protection) Act 1998
- The Ombudsman’s Act 1974
Advocate for Children and Young People Act 2014 (Commission for Children and Young People’s Act repealed)

The NSW Family and Community Services: NSW Mandatory Reporting Guide

Child Protection (Working with Children) Act 2012

Education and Care Services National Regulations 2011

Early Years Learning Framework

National Quality Standard
Review

This policy will be reviewed annually and the review will include Management, Employees, Families and Interested Parties.

28 Version Control Table

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<th>Date Released</th>
<th>Next Review</th>
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<td>1</td>
<td>March 2012</td>
<td>March 2013</td>
<td>Michele Fowler Manager – Kids Uni</td>
<td>Paragraph inserted re application of policies across all centres. Migrated into new QA format.</td>
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<td>March 2013</td>
<td>March 2014</td>
<td>Michele Fowler Manager – Kids Uni</td>
<td>Minor editorial changes made as part of the annual review.</td>
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<td>Michele Fowler Manager – Kids Uni</td>
<td>Minor editorial changes made as part of the annual review.</td>
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<td>Mar 2015</td>
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<td>Michele Fowler Manager – Kids Uni</td>
<td>Minor editorial changes made as part of the annual review. Removed code of conduct and placed in ‘Educator &amp; Management Policy’ as per Centre Support recommendations.</td>
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<td>Mar 2016</td>
<td>Mar 2017</td>
<td>M. Gillmore – General Manager</td>
<td>Reviewed and no changes required.</td>
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<td>6</td>
<td>2017</td>
<td>2018</td>
<td>Kellie Grose – Manager, Children’s Services</td>
<td>Updated contact details, references and legislation. Refined definitions of Mandatory Reporters. Updated terminology to reflect current legislation. Removed components of policy that were not related to NSW legislation. Added clause to address legislation around Sharing of Information.</td>
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