

## **Policy Statement**

Activity Centres Incorporated aims to promote and provide an environment that ensures the safety, welfare and wellbeing of all children at all times. ACI believes that the welfare of any child is of paramount importance and that the Organisation has an obligation to defend and promote all children's rights to be safe and protected. Our Organisation has a legal and ethical responsibility to take action and report any child at risk of significant harm. Staff will promote and encourage a trusting and secure relationship with children while in the care of the Organisations.

## **Considerations**

- ✓ Education and Care Services National Law 2010
- ✓ Education and Care Services National Regulations 2011(current version 1 February 2018)
- ✓ Education and Care Services National Quality Standards 2011(National Quality Standards 2.2.3).
- ✓ My Time Our Place
- ✓ Keep them Safe NSW
- ✓ NSW Department of Family and Community Services
- ✓ Children and Young Persons (Care and Protection) Act 1998 (NSW)
- ✓ Child Protection (Working with Children)Act 2012 (NSW)
- ✓ New South Wales Ombudsman
- ✓ NSW Office of the Children's Guardian
- ✓ NSW Interagency Guidelines for Child Protection Intervention 2006
- ✓ Activity Centres Incorporated Policies and Procedures

## **Procedures**

- ✓ Manager and Assistant Managers responsibilities are to ensure that information regarding child protection and mandatory reporting is available in the Staff orientation package.
- ✓ Management will ensure all Staff (paid and volunteer) in child related employment have a current Working with Children Check .Uncleared persons will not be able to work directly with children
- ✓ Management will ensure that all persons working directly with the children are aware of the mandatory reporting guidelines as indicated under current legislation. This responsibility involves following current procedures as outlined by Department of Family and Community Services, Keep Them Safe: A shared approach to child wellbeing and the Office of the Advocate for Children and Young People.
- ✓ Management will ensure that all persons working directly with the children are aware of the indicators for children who may appear to be at risk of significant harm.
- ✓ Management will ensure that all persons working directly with the children are aware of their legal responsibility as Mandatory Reporters to take action to protect and support children they suspect may be at significant risk of harm.
- ✓ Management will ensure that if any changes to policies, procedures or the Children and Young persons (Care & Protect) Act 1998, training will be provided to Staff working directly with children.
- ✓ It is Management's responsibility to ensure that the Nominated Supervisors and any Responsible Persons have successfully completed an accredited course in Child Protection, approved by the New South Wales Regulatory Authority.
- ✓ Persons working directly with children who have concerns regarding a child that may be at risk of significant harm, have the responsibility to keep appropriate and accurate reports. It is not the job of Staff to investigate, only to record the minimal facts required to make a report. Asking too many questions may upset the child, be seen as "leading" and ultimately damage the investigation and outcome.
- ✓ All Staff are to actively support a positive environment for the children where they are made to feel comfortable, safe and allow activities that promote engaging conversations without bias.

# Child Protection Policy

- ✓ If a child or young person discloses information to any Staff member that has placed the child in risk of significant harm, the Staff member needs to provide reassurance to the child and give positive feedback to ensure the child's wellbeing is paramount.
- ✓ Reporting Concerns  
These should be current concerns, which means that at the time you make the report:
  - a) you are worried about the safety, wellbeing or welfare of the child and/or
  - b) the child may be at risk now because of their reaction to past abuse.
- ✓ Manager and Management Committee will support the Staff through the process of reporting any concerns of children that may be at risk of significant harm. Staff will be provided with clear guidelines on accurate reporting.
- ✓ Any Staff who believe that a child is at risk of significant harm are encouraged to discuss their concerns with the Coordinator or the Manager.
- ✓ Information related to incidents or observations that have lead a Staff member to the conclusion to report abuse should be recorded accurately, including as much detail as possible and reports will keep in accordance with the Organisation's Maintenance of Records Policy.
- ✓ Manager, Assistant Manager and Coordinator will offer assistance to Staff in the completion of the online Mandatory Reporter Guide (MRG), this will determine whether the report meets the threshold for significant risk of harm.  
There are two ways mandatory reporters can make a child protection report:
  - By eReport through the [ChildStory Reporter website](#).
  - By calling the Child Protection Helpline on [133 627](#)
  - **Note:** when contacting the Help line have all information ready, Child's name, family information, reported details and the MRG outcome.
- ✓ the phone number of the Child Protection Helpline will be displayed with the emergency contact list located at each Service near the phone.
- ✓ All Staff will ensure accurate disclosure of abuse and any allegation of abuse against a child by any Staff member or other persons of this Service is dealt with appropriately.
- ✓ Should an incident occur that involves a child being put at risk of significant harm from a Staff Member, volunteer, trainee or person visiting the Service, this is regarded as '**reportable conduct**' and necessitates such conduct being reported to the NSW Ombudsman within 30 days, a notification to the Children's Guardian if a sustained finding was made and a Child Protection Mandatory report will be made.
- ✓ For the protection of both the children and the Staff Member involved, the Staff Member will take special leave until the situation is resolved where the Organisation will be guided by the Fair Work Ombudsman.
- ✓ All Staff will ensure accurate disclosure of abuse and any allegation of abuse against any Staff member of this Service is dealt with appropriately under the Service's Confidentiality Policy.
- ✓ All Staff who feel that they have concerns about a child who may be at risk of significant harm have the right under the act to talk to other persons involved in the child's life. Information exchange between Schools, care givers, case workers or others must be accurately recorded of what has been discussed. An Education and Care Service is a prescribed body under Chapter 16A and can share information with other agencies. (See ACI Information Exchange Policy)

**Reportable Conduct** - Section 25A(1) of the Ombudsman Act defines 'reportable conduct' as:

- ✓ 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 – even if the child consented to the behavior

**What is grooming behaviour?**

- ✓ Grooming is the criminal activity of becoming friends with a child in order to persuade them to enter into a sexual relationship.

- ✓ Grooming is when someone builds an emotional connection with a child to gain their trust for the purposes of sexual abuse, sexual exploitation or trafficking.

## **Mandatory Reporting**

- ✓ A Mandatory Reporter is anybody who delivers services to children as part of their paid or professional work.
- ✓ In OSHC services mandatory reporters are:
  - Staff that deliver services to children
  - Management, either paid or voluntary, whose duties include direct responsibility or direct supervision for the provision of these services.
  - Staff are mandated to report to Community Services if they have current concerns about the safety or welfare of a child relating to section 23 of the NSW Children and Young Persons (Care and Protection) Act 1998

### Section 23 (1)

- a-b) Child is at risk of significant harm – Neglect
  - a) Basic physical or psychological needs not being met or are at risk of not being met
  - b) Parents/ carers unwilling or unable to provide necessary medical care
  - b1) parents/ carers unwilling or unable to arrange for the child or young person to receive an education
- c) Child is at risk of significant harm – Physical / Sexual abuse
- d) Child is at risk of significant harm – Domestic violence
- e) Child is at risk of significant harm – Serious Psychological harm
- f) Child is at risk of significant harm – Prenatal report

### Definition of risk of significant harm:

- ✓ What is significant is not minor or trivial, and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child's or young person's safety, welfare, or wellbeing.

## **Checklist for Staff**

- Read Information provided on child protection and reporting
- Seek assistance from others if needed
- If you feel that others have not reported accurately or promptly, make your report
- Supervise children and interactions with others
- When engaged with children in conversations listen to what they have to say
- If you have to make a report keep records accurate.

\_\_\_\_\_ end of policy \_\_\_\_\_

Policy is only endorsed if initialled by 2 members of the management committee

**Endorsed by the Management Committee on the 8<sup>th</sup> August 2018**

**Child Protection Policy is to be reviewed by the 8<sup>th</sup> August 2020**