ACTIVITY Centres

CHILD PROTECTION POLICY

Activity Centres Inc (ACI) is committed to providing a child safe environment where children's safety and wellbeing is supported and children feel respected, valued and encouraged to reach their full potential. ACI embeds the NSW Child Safe Standards and promotes a culture of safety and wellbeing to minimise the risk of child abuse, neglect or harm, while promoting children's sense of security and belonging. We will ensure all employees, students and volunteers understand the meaning, importance and benefits of providing a child safe environment and, critically, understand their reporting obligations and requirements. ACI adheres to and aligns with the Education and Care Services (Supply, Authorisation and Use of Devices) Order 2026 related to taking images or videos of children.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2	Safety	Each child is protected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
2.2.3	Child Safety and Protection	Management, educators and staff are aware of their roles and responsibilities regarding child safety, including the need to identify and respond to every child at risk of abuse or neglect

EDUCATION AND CARE SERVICES NATIONAL LAW [NSW] AND NATIONAL REGULATIONS	
S. 3A	Paramount consideration
S. 4	How functions to be exercised
S. 5	Definitions: "serious incident"
S.5AA	Meaning of "inappropriate conduct" in relation to child
S. 162A	Offence relating to child protection training
S. 162B	Child safety training
S. 165	Offence to inadequately supervise children
S. 166	Offence to use inappropriate discipline
S.166A	Offence to subject child to inappropriate conduct
S. 167	Offence relating to protection of children from harm and hazard
S. 174	Offence to fail to notify certain information to Regulatory Authority

S. 174AA	Educators and other staff members of education and care service to notify certain information
S. 174AB	Approved provider must notify Regulatory Authority of event under section 174AA
Part 6A	Devices in education and care services
S. 188	Offence to engage person to whom prohibition notice applies
S. 188A	False or misleading information about certain notices
S. 269B	National Early Childhood Worker Register
S. 269E	Approved provider must give information to the National Authority for the National Early Childhood Worker Register
12	Meaning of serious incident
84	Awareness of child protection law
86	Notification to parents of incident, injury, trauma and illness
87	Incident, injury, trauma and illness record
128B	Child protection training
128D	Foundation child safety training
128E	Advanced child safety training
145	Staff record
149	Volunteers and students
154A	National Early Childhood Worker Register
154B	Approved provider must give information to the National Authority for the National Early Childhood Worker Register
155	Interactions with children
168	Education and care service must have policies and procedures
170	Policies and procedures to be followed
175	Prescribed information to be notified to Regulatory Authority
176	Time to notify certain information to Regulatory Authority
176B	Nominated supervisor, staff member or volunteer must notify approved provider of changes
176C	Approved providers must notify Regulatory Authority of changes
181	Confidentiality of records kept by approved provider

RELATED LEGISLATION

Children's Guardian Act 2019	*Children and Young Persons (Care and Protection) Act 1998 (The Care Act)*
Child Protection (Working with Children) Act 2012	*Crimes Act 1900*

RELATED CHILD SAFE STANDARDS	
1	Child Safety is embedded in organisational leadership, governance and culture.
2	Children participate in decisions affecting them and are taken seriously
3	Families and Communities are informed and involved
5	People working with children are suitable and supported
6	Processes to respond to complaints of child abuse are child focused
7	Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.
8	Physical and online environments minimise the opportunity for abuse to occur
9	Implementation of the Child Safe Standards is continuously reviewed and improved
10	Policies and Procedures document how the organisation is Child Safe

RELATED POLICIES

Behaviour Guidance Policy	Recruitment Policy
Child Safe Environment Policy	Responsible Person Policy
Code of Conduct Policy	Safe Use of Digital Technologies and Online Environments Policy
Communication Policy	
Grievance and Complaints Policy	Social Media Policy
Health and Safety Policy	Staffing Policy
Interactions with Children, Families and Staff Policy	Visitors Policy
Privacy and Confidentiality Policy	Supervision Policy
Protected Disclosures (Whistleblower) Policy	Work Health and Safety Policy

PURPOSE

All educators, staff, visitors and volunteers are committed to identifying possible risks and indicators of significant harm to children and young people at the Service. We understand our duty of care to protect children from abuse and neglect and will adhere to our moral and legislative obligations at all times. Our Service ensures that child safety, wellbeing and best interests take priority over all other considerations, including financial interests or other obligations of management, and are embedded in our daily practices, policies and procedures.

We implement effective strategies to ensure the safety and wellbeing of all children. Our Service will act in the best interest of each child, supporting them to develop to their full potential in a secure and child safe environment.

Keeping children safe: a shared responsibility.

SCOPE

This policy applies to children, families, staff, educators, approved provider, nominated supervisor, students, volunteers and visitors of the Service.

DEFINITIONS

For additional definitions and key terms used within this policy.

Child abuse is any act, or failure to act, that harms or places a child or young person at risk of harm to their physical, psychological or emotional health, wellbeing or development. Child abuse may occur as a single incident or as a pattern of incidents over time and can occur within organisations as well as within families, particularly where power, authority, isolation or poor supervision increase risk to children.

Child abuse, neglect and harm: The NSW Department of Communities and Justice (DCJ) identifies the following as abuse, neglect and harm:

- neglect
- sexual abuse
- physical abuse
- emotional abuse or psychological harm
- domestic and family violence
- circumcision, including female circumcision
- forced marriage and underage forced marriage

There are common physical and behavioural signs that may indicate abuse or neglect, known as indicators. The presence of a single indicator does not necessarily mean abuse or neglect has occurred; however, a single indicator can be as significant as the presence of several indicators. Each indicator should be considered in the context of other indicators and the child's individual circumstances.

A child's behaviour is likely to be affected when they are experiencing stress, and there can be many causes of stress unrelated to abuse or neglect. Educators and staff should seek to understand the specific cause of any change in a child's behaviour rather than assuming abuse or neglect, while remaining alert to their obligations under this policy. Further

definitions and indicators are available through the DCJ's guidance on Recognising Child Abuse.

Concerning or harmful sexual behaviours displayed by a child: Children's sexual development includes curiosity about their bodies and sexual identity. While some behaviours may be part of normal, age-appropriate development, other behaviours may be outside typical developmental expectations and require an immediate response in line with child protection and mandatory reporting obligations. For further information, see pages 56-57 of the NQF Child Safe Culture Guide (ACECQA, 2025).

Inappropriate conduct to a child is any behaviour that a reasonable person would consider to be inappropriate in an education and care service, taking into account the child's age, development, safety, wellbeing and the context of the interaction.

Mandatory reporting is the legislative requirement for selected classes of people to report suspected child abuse and neglect to government authorities.

Mandatory reporters are listed in the *Children and Young Persons (Care and Protection) Act 1998 (NSW) (The Care Act)* and include people who deliver the following services, wholly or partly, to children as part of their professional work or other paid employment, and those in management positions in these services:

- Health care (e.g., registered medical practitioners, specialists, general practice nurses, midwives, occupational therapists, speech therapists, psychologists, dentists and other allied health professionals working in sole practice or in public or private health practices)
- Education (e.g., teachers, counsellors or principals)
- Children's services (meaning all persons working in education and care services)

More information on mandatory reporters can be found in section 27 of the Act.

Risk of significant harm (ROSH) refers to circumstances in which concerns for the safety, welfare and wellbeing of a child or young person are present to a significant extent. This means the concerns are sufficiently serious to warrant a response by a statutory authority, irrespective of the family's consent. Mandatory reporters should report their concerns to the Child Protection Helpline or a Child Wellbeing Unit (CWU). 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. In the case of an unborn child, what is significant is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child.

Reasonable grounds refer to the need to have an objective basis for suspecting that a child or young person may be at risk of abuse or neglect based on:

- observation: Firsthand observation of the child, young person or family
- disclosure: Information disclosed by the child, young person, parent or other person
- professional inference: Conclusions reasonably drawn from observations, knowledge, professional training and/or experience.

Reportable conduct: Early childhood services have legal obligations under the NSW Reportable Conduct Scheme. Under the Scheme, services are required to notify and investigate certain allegations (reportable allegations) against an employee in accordance with the requirements of the *Children's Guardian Act 2019 (NSW).* In NSW, reportable conduct includes:

- a sexual offence committed against, with, or in the presence of a child
- sexual misconduct with, towards, or in the presence of a child
- ill-treatment of a child
- neglect of a child
- an assault against a child
- behaviour that causes significant emotional or psychological harm to a child
- an offence under section 43B or 316A of the *Crimes Act 1900*.

For the purposes of the NSW Reportable Conduct Scheme, an employee may include paid employees, volunteers and certain contractors engaged by the Service.

WORKING WITH CHILDREN CHECK

All people working or volunteering with children in NSW must, by law, have a valid Working with Children Check (WWCC) in accordance with the *Child Protection (Working with Children) Act 2012.* Our Service ensures that no person is permitted to commence work or volunteer in any capacity unless they hold a valid WWCC (or are exempt) and the approved provider has verified the WWCC.

The WWCC is an assessment conducted by the Office of the Children's Guardian to determine whether a person poses an unacceptable risk to children. It includes the applicant's national criminal history and any findings of misconduct by a relevant entity. WWCCs are valid for five years. Students, volunteers and staff members under the age of 18 years are exempt from holding a WWCC, and provisions need to ensure a WWCC is available from the day they turn 18.
A National Police Check may be used as an additional screening measure to complement the legislated WWCC and produces a record of criminal history. This provides a broader overview of an individual's criminal history, including offences not related to children. Child safe recruitment processes in NSW recommend that this check be requested prior to the engagement of staff and educators.

WWCC holders are subject to ongoing monitoring, and any relevant new records may lead to the clearance being suspended or revoked. If new information about a person means they pose a risk to children's safety, that person's check

will be re-assessed, and they will be immediately prohibited from working with children, in accordance with directions from the Office of the Children's Guardian. The Office of the Children's Guardian will notify both the individual and relevant organisations of any changes.

All staff, volunteers and students must notify the approved provider in writing within 72 hours of any changes to their WWCC status, their teacher registration or fit and proper status (or within 24 hours of becoming aware of the change). The approved provider must notify the NSW Early Learning Commission (ELC) within 24 hours of becoming aware of any changes, including negative notices or changes to teacher registration.

The National Continuous Checking Capability (NCCC) will be used to support real-time monitoring of worker criminal history across all jurisdictions.

CHILDSTORY REPORTER COMMUNITY

If a child is at immediate risk and police or medical assistance is required, educators/staff must contact emergency services immediately on 000.

The ChildStory Reporter Community is available for staff and educators when responding to and reporting risk of abuse and neglect. Mandatory reporters in **NSW** should use the online Mandatory Reporter Guide (MRG) if they have concerns that a child or young person is at risk of being neglected or physically, sexually or emotionally abused.

ACI will ensure all educators and staff have access to the MRG and reporting decision tree via service-supplied electronic devices. *(See: Child Protection Notification MRG Guide NSW).*

IMPLEMENTATION

ACI has zero tolerance for any abuse, neglect or harm against a child and endorses high quality practices in relation to protecting children. Educators have an important role in supporting children and young people and identifying any concerns that may jeopardise their safety, welfare, or wellbeing, guided by child safety principles and the best interests of the child as the paramount consideration, including:

- a duty of care to ensure that reasonable steps are taken to prevent harm to children
- obligations are met under child protection legislation
- obligations are met under work, health and safety legislation.

TRAINING AND AWARENESS

ACI promotes a culture of child safety and wellbeing within the Service. The approved provider will ensure all prescribed personnel, i.e., all persons with management or control, nominated supervisors, persons in day-to-day charge, other staff, volunteers, and students:

- complete national child safety training (before or within 14 days of commencing work at the Service or working directly with children, including the foundation training and advanced training (where applicable), and renew training every 2 years
- are aware of the current child protection law
- understand how to apply child protection law within our Service, and can demonstrate that understanding
- are aware of their obligations, including their responsibilities as mandatory reporters
- are aware that neglecting to report child protection concerns may be deemed a criminal offence under the Crimes Act 1900
- complete online training to understand the child protection reporting process and use of the Mandatory Reporter Guide (MRG), including when and how to submit a child protection report

In addition, the approved provider will ensure each nominated supervisor and each person in day-to-day charge:

- successfully completes approved child protection training (see: Child protection and child safety training requirements ELC)
- provides evidence of the completion of approved child protection training
- participates in regular child protection training refresher courses.

The approved provider will ensure all records relating to child safety and child protection training, including date of completion and renewal date, are recorded via the *Training Register.* Records will be kept for 3 years after a person's engagement with the Service ends.

REPORTING AND NOTIFICATION REQUIREMENTS

THE APPROVED PROVIDER/MANAGEMENT/NOMINATED SUPERVISOR WILL:

Dial 000 if a child is at immediate risk and NSW Police or medical assistance is required.

- follow the NSW Early Learning Commission reporting requirements and guidance, which includes the guide to Responding to incidents, disclosures and suspicions of child abuse
- report all instances (alleged or witnessed) of child abuse, including assault or sexual abuse (including grooming) to NSW Police
- notify the Department of Communities and Justice (DCJ) if a child is at risk of significant harm (ROSH) to the Child Protection Helpline by calling 132 111 (for immediate concerns) or by making an online eReport via ChildStory Reporter website as soon as practicable

- notify the NSW Early Learning Commission through the NQA IT System (within 24 hours) of
    - any incident or allegation where it is reasonably believed that physical and/or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the Service
    - any complaints alleging that a serious incident has occurred or is occurring at the Service
    - any serious incident, including (but not limited to):
        - physical or sexual abuse of a child where emergency services attended the Service or
        - where a child appears to have been involved in a sexual offence or sexual-misconduct
    - any sexual offence or sexual misconduct committed by an employee, volunteer, student, or other person engaged with the Service
    - any circumstances that pose a risk to the health, safety or wellbeing of a child, including:
        - harmful behaviour of a child that poses a risk to other people while being educated and cared for by the Service
        - any incident or allegation of conduct by an approved provider, nominated supervisor, staff member or volunteer that a reasonable person would consider to be inappropriate at the Service, including inappropriate conduct towards a child or between adults in the presence of a child
    - any circumstances that may affect an educator or staff member's WWCC or fit and proper status, including changes to teacher accreditation or registration (if applicable) within 24 hours of becoming aware of the event.
- report any suspected cases of online abuse to the relevant authorities, including the eSafety Commissioner and NSW Police, in accordance with legal requirements and child protection obligations
- ensure documentation is completed to assist in making reports to relevant authorities, including the *Incident, Injury, Trauma and Illness Record* in the first instance, and any other records required by relevant authorities
- comply with the Reportable Conduct Scheme and notify the Office of the Children's Guardian-within 7 business days of becoming aware of a reportable allegation and/or convictions of abuse or neglect of a child involving an employee, volunteer, student or contractor. The Service will investigate all allegations and take appropriate action to ensure children's safety and wellbeing (see Reportable Conduct Scheme section below).
- notify the NSW Early Learning Commission through the NQA ITS, NSW Department of Communities and Justice (DCJ), NSW Office of the Children's Guardian (OCG) and NSW Police of any allegation, suspicion, observation or disclosure that a staff member or volunteer is engaging or has engaged in inappropriate conduct that may place a child at risk of harm
- develop a 24-hour reporting procedure to ensure that any matter notifiable to the NSW Early Learning Commission is reported within the required timeframe, including incidents that occur or are reported outside operational hours (e.g., weekends or public holidays).

EDUCATORS WILL:

- contact the NSW Police on 000 if there is an immediate danger to a child and, where it is safe to do so, take reasonable steps to protect the child until emergency services arrive
- understand their mandatory reporting obligations and report concerns that a child may be at risk of significant harm (ROSH) to the NSW Department of Communities and Justice (DCJ) via the Child Protection Helpline or ChildStory Reporter, in accordance with legislative requirements
- listen to and acknowledge a child's disclosure, taking their concerns seriously and engaging the appropriate authorities
- follow the NSW Early Learning Commission reporting requirements and guidance, including the guide to Responding to incidents, disclosures and suspicions of child abuse
- report concerns directly to NSW Police where there is an immediate threat to a child's safety or where a crime is suspected, including allegations of assault, sexual abuse or grooming
- report all child safety concerns, incidents, allegations and complaints to the approved provider or nominated supervisor
- prepare accurate, objective and timely records, recording exactly what happened, conversations that took place and what was observed to pass on to the relevant authorities to support any investigation
- NOT investigate allegations or suspicions of abuse or neglect, but collect only enough information to clarify concerns and make a report to the Child Protection Helpline, NSW Police or other appropriate authority
- understand that allegations or concerns relating to their own conduct will be managed in the same way as allegations made against any other people
- identify and report any concerns, allegations, suspicions, observations or disclosures of reportable conduct, including conduct by a staff member, volunteer, contractor or student that may place a child at risk of harm, to the approved provider in accordance with Service procedures. Concerns may also be reported to the NSW Office of the Children's Guardian if there is a belief that reporting obligations have not been met.
- identify and report any concerns and allegations of inappropriate conduct (observed or suspected or disclosures) by other staff members, volunteers or students to the approved provider within 24 hours
- refer families to appropriate support agencies when there are no significant reasons to believe a child is being abused or neglected. Referral pathways may include Child Wellbeing Unit or Community and Family Support, or other relevant services. Family consent will be sought (where appropriate) before making referrals.
- seek appropriate support for their own wellbeing following child protection concerns, disclosures, allegations or reports, while maintaining confidentiality and professional responsibilities.

CONFIDENTIALITY

It is important that all allegations and notifications remain confidential until investigated by the appropriate authorities. The individual who makes the notification should not inform the suspected perpetrator (if known) nor attempt to investigate any allegation themselves. This ensures the matter can be investigated without contamination of evidence or pre-rehearsed statements by the appropriate authorities.

ACI is committed to providing support to children, families, educators or staff who have made a report regarding child protection, with a focus on upholding strict confidentiality throughout the process. Our primary concern is the wellbeing and safety of the child, and we will work closely with relevant authorities, professionals, and support networks to ensure that the child's best interests are met throughout the process. Our dedicated support system will assist educators and staff in navigating this challenging process while safeguarding their privacy and professional wellbeing.

PROTECTION FOR REPORTERS

All reporters who make a report about concerns for a child's safety or wellbeing are protected against liability and detrimental action for making or proposing to make a report under amendments to the *Children and Young Persons (Care and Protection) Act 1998*. Provided the report is made in good faith and on reasonable grounds:

- the report does not breach standards of professional conduct
- the report cannot result in defamation, civil or criminal liability
- the report is not admissible as evidence in any proceedings against the person who made the report
- a person cannot be compelled by a court to provide the report or disclose its contents
- the identity of the person making the report is protected by law from being disclosed, except in certain exceptional circumstances.

Additional protections apply under the Children (Education and Care Services) National Law (NSW). It is an offence to take or threaten to take any detrimental action, such as intimidation, bullying, discrimination, or adverse treatment, against a person who has made or may make a complaint, report or disclosure under the National Law. These protections are outlined within our *Protected Disclosures (Whistleblower) Policy,* which supports and protects individuals who report concerns in good faith about child safety, compliance with the National Law, or Service operations.

SHARING OF INFORMATION

Under Chapter 16A of the *NSW Children and Young Persons (Care and Protection) Act 1998*, early childhood education and care services are recognised as prescribed bodies and may lawfully share information about a child or young person where it relates to their safety, welfare or wellbeing.

Consent for information sharing

The approved provider, nominated supervisor and educators will:

- seek consent from families before sharing information about a child, where possible
- accept consent given either verbally or in writing
- not seek consent where doing so may place a child or any other person at risk
- ensure information shared relates only to the child's safety, welfare or wellbeing and supports a prescribed body to make decisions, conduct assessments or investigations, provide services, or manage risk in relation to that child.

Sharing information with prescribed bodies

Information may only be shared with other prescribed bodies, including:

- NSW Police
- public service agencies or public authorities
- private and public schools, and TAFE establishments
- early childhood education and care (ECEC) services
- public health organisations
- private health facilities
- other persons or bodies prescribed by legislation – see section 248(6) for more information.

Responsibilities

The approved provider, nominated supervisor and educators must ensure information shared or received is relevant, necessary, proportionate and that appropriate records are kept of what is shared, with whom and why, in accordance with legislation requirements.

THE APPROVED PROVIDER/MANAGEMENT/NOMINATED SUPERVISOR WILL:

Governance, Child Safety and Compliance

- that obligations under the Children (Education and Care Services) National Law (NSW) and Education and Care Services National Regulations (NSW) are met, and children's safety, rights and wellbeing are prioritised at all times
- families are aware of this *Child Protection Policy* and relevant procedures and are advised on how and where the policy can be accessed
- all children being educated and cared for by the Service are adequately supervised
- a range of strategies are used to provide effective supervision, including using attendance records to ensure children are accounted for (e.g., head counts)

- they do not subject a child to inappropriate conduct or inappropriate discipline and ensure that no child being educated and cared for by the Service is subjected to inappropriate conduct or inappropriate discipline by any staff member, student or volunteer
- any allegations, concerns or suspicions of inappropriate conduct are investigated and reported to the ELC in accordance with the *Management of Inappropriate Conduct Procedure*
- that the premises, including toilets, are designed and maintained to facilitate clear supervision of children while maintaining their rights and dignity
- all training completed by staff, students, volunteers and persons with management or control is recorded on the *Training Register*.

All employees, volunteers, students and visitors (where applicable):

- have knowledge of and adhere to child safety policies, including the current *Child Protection, Child Safe Environment, Code of Conduct and Safe Use of Digital Technologies Online Environments Policies*
- are informed of and have access to the NSW Early Learning Commission reporting requirements and guidance, which includes following the Responding to incidents, disclosures and suspicions of child abuse guide. The guide will be displayed in a prominent location within the staff room and provided to new staff, students and volunteers during induction.
- have knowledge of and adhere to the Education and Care Services (Supply, Authorisation and Use of Devices) Order 2026 and not use, or have access to, any personal electronic devices, including mobile phones or smart watches used to take images or videos when educating and caring for children at the Service
- only use electronic devices supplied by the Service for taking images or videos of children enrolled at the Service
- are never left alone with a child while at the Service under any circumstances (best practice for staff and educators, mandatory for volunteers, students and visitors).
- are provided with comprehensive induction, training and ongoing supervision to promote and foster a child safe culture and ensure they understand that child safety is everyone's responsibility, and they adhere to the NSW Child Safe Standards
- are provided with support to adhere to a zero-tolerance stance against child abuse
- are provided with current information and reporting procedures for the Reportable Conduct Scheme (Office of Children's Guardian)
- are provided with regular training and resources about the different ways children may express concerns, distress and disclose harm, as well as the process for responding to disclosures from children, including a complaint that alleges a child is exhibiting sexual behaviours that may be harmful to the child or another child

- are provided with regular training and resources about trauma-informed care, effective supervision and monitoring, appropriate and inappropriate discipline and online abuse
- are informed of appropriate positive and consistent approaches to guide behaviour and ensure no child is subjected to any form of corporal punishment or discipline that is unreasonable in the circumstances
- are advised that it is an offence to subject a child to inappropriate conduct which includes behaviour that is inconsistent with professional standards; is likely to cause emotional, psychological or physical harm to children or has violent or sexual connotations
- are informed that if they observe, suspect or receive any allegations or disclosures that a staff member or volunteer is engaging in or has engaged in inappropriate conduct, they must notify the NSW Early Learning Commission, approved provider and nominated supervisor as soon as practicable, and no later than within 24 hours
- are provided with access to all relevant legislation, regulations, standards and other resources to help meet their mandatory reporting obligations
- are required to participate in regular performance reviews.

Recruitment, Screening and Workforce Requirements

- a thorough recruitment process is implemented to employ people who are committed to children's safety and ensure applicants demonstrate behaviours and values consistent with the Service's Code of Conduct, Statement of Philosophy and child safety policies and procedures
- the recruitment process includes pre-employment screening, background checks, reference checks and prohibition checks
- all prospective applicants are required to complete a prohibition notice declaration to acknowledge they do not hold any prohibition notices or negative notices that would prevent them from working with children
- the Service registers with the Office of the Children's Guardian and validates all staff, educators, volunteers and students WWCC prior to their employment or engagement
- a record is kept and updated with the number of each WWCC number and expiry date, and staff and educators are reminded to renew their WWCC at least 3 months prior to expiry
- staff, student and volunteer records are maintained as per the *Record Keeping and Retention Policy* and entered into the National Early Childhood Worker Register
- staff, students and volunteers notify the approved provider in writing within 72 hours of any changes to their WWCC status, their teacher registration or fit and proper status (including show cause notices, suspension notices, supervision notices, disciplinary notices/orders or prohibition notices), or within 24 hours of becoming aware of the event
- staff, students and volunteers are advised that it is an offence to provide false or misleading information in relation to their identity, qualifications, WWCC, or any matter relevant to their suitability to work with children.

Reporting, Records and Continuous Improvement

- a *Child Protection Risk Assessment* is completed and reviewed annually
- a *Child Protection Concerns Register* is completed to record child protection concerns
- the Service cooperates and complies with any directions or orders issued by the ELC regarding a show cause, suspension or supervision notice provided to a student, volunteer or visitor, including immediately preventing the person from engagement with children
- registration for the Service is completed for eReporting through the ChildStory Reporter Community
- child safety is emphasised throughout the Service with regular discussions at team meetings and with children and families
- regular assessment of staff understanding of child safety policies and procedures through quizzes/surveys
- educators are provided with reporting procedures and professional standards to safeguard children and protect the integrity of educators, staff and volunteers
- records of abuse or suspected abuse are kept confidential, stored securely, and accessible only to authorised personnel, in line with our *Privacy and Confidentiality Policy*
- records relating to child sexual abuse that has occurred or is alleged to have occurred are kept for at least 45 years
- complaint handling processes are child-focused and provide support and guidance for children to identify who they can talk to if they are feeling unsafe
- following any critical incident, children, staff and families are provided with access to appropriate support services they may need, including counselling, debriefing and community services
- critical reflection is undertaken with staff and educators following any critical incident to inform changes to policies, procedures, practices (including supervision arrangements), and risk assessments.

STAFF, EDUCATORS, VOLUNTEERS, STUDENTS AND VISITORS WILL: (where applicable)

- comply with and understand the current *Child Protection, Child Safe Environment, Code of Conduct, Safe Use of Digital Technologies and Online Environments Policies* and relevant procedures
- participate in a comprehensive induction and orientation program, including an understanding of child protection legislation and reporting obligations
- support and promote a child safe culture within the Service by complying with the NSW Child Safe Standards
- adhere to the Service's zero-tolerance stance against child abuse
- complete training to understand the child protection reporting process and use of the Mandatory Reporter Guide (MRG), including when and how to make a child protection report
- complete mandatory national child safety training within the required timeframes and renew it every 2 years
- understand their mandatory reporting obligations and responsibilities, and be aware that neglecting to report child protection concerns may be deemed a criminal offence

- participate in regular training on child protection, including recognising and responding to children's expressions of concern, distress and disclosures of harm, indicators of abuse or neglect, grooming behaviours, child sexual abuse prevention, and harmful sexual behaviours displayed by young children, including the Traffic Lights Framework. Training should also include the process for responding to disclosures from children, including a complaint that alleges a child is exhibiting sexual behaviours that may be harmful to the child or another child (refer to guidance below)
- participate in regular training about trauma-informed care, effective supervision and monitoring, appropriate and inappropriate discipline and online abuse
- not use any personal electronic devices, including mobile phones or smart watches used to take images or video of children at the Service
- implement consistent, appropriate interactions with children
- foster a culture of openness, respect and cultural safety where children and young people feel secure and valued
- allow children to be part of decision-making processes where appropriate
- provide ongoing monitoring and follow-up for children's health and wellbeing
- use appropriate, positive and consistent approaches to guide behaviour and ensure no child is subjected to any form of corporal punishment, inappropriate conduct or inappropriate discipline
- understand that it is an offence to subject a child to inappropriate conduct, which includes behaviour that is inconsistent with professional standards, is likely to cause emotional, psychological or physical harm to children or has violent or sexual connotations
- notify the NSW Early Learning Commission, approved provider and nominated supervisor as soon as practicable, and no later than 24 hours, if they observe, suspect or receive an allegation or disclosure that a staff member or volunteer is engaging in or has engaged in inappropriate conduct.

DOCUMENTING A DISCLOSURE

A DISCLOSURE OF HARM (GENERAL)

A disclosure of harm emerges when someone, including a child, tells you about harm that has happened or is likely to happen. Disclosures may be received from a child, family, staff member, volunteer or another person.

WHEN RECEIVING A DISCLOSURE FROM A CHILD, THE PERSON RECEIVING THE DISCLOSURE WIL:

- give the child or young person their full attention
- remain calm and find a suitable place to talk where the child feels comfortable and can be heard
- not make promises that cannot be kept. For example, never promise confidentiality or that the information will not be shared.
- explain to the child or young person what you plan to do next and what is required

- reassure the child or young person that they have done the right thing in revealing the information or speaking up, and that it will be necessary to tell those who can help keep them safe
- let the child or young person take their time and use their own words
- only ask enough questions to clarify the information required to make a report, as further questioning could cause distress, confusion or interfere with any later enquiries
- tell the child or young person that the abuse or harm is not their fault
- support culturally and linguistically diverse children and children with additional needs to express themselves in their preferred way
- not attempt to investigate or mediate an outcome between the parties involved
- not confront the alleged perpetrator
- document the disclosure as soon as possible so the details are accurately captured, including:
  - time, date and place of the disclosure
  - 'word for word' record of what was said and what happened, including anything they (the staff member/educator) said, and any actions taken
  - date of record and signature.

Adapted from: Australian Institute of Family Studies (2025), *Responding to children and young people's disclosures of abuse*.

CONCERNING OR HARMFUL SEXUAL BEHAVIOURS DISPLAYED BY A CHILD

Children's sexual development includes curiosity about their bodies and sexual identity. While some behaviours may be age and developmentally appropriate, behaviours that are harmful, coercive, persistent, exploitative or outside typical developmental expectations will be responded to immediately in accordance with supervision, child protection and mandatory reporting obligations.

Educators and staff will:

- engage in professional learning to promote a consistent and appropriate approach to identifying and responding to harmful sexual behaviours in children. This may include consideration of:
  - age and developmental capacity of the child/children
  - reasons why a child may display harmful sexual behaviours
  - behavioural history of the child
  - how the behaviour impacts other children
  - risk the behaviour poses to others
  - vulnerability of the child displaying harmful sexual behaviours, including whether they have experienced abuse or trauma, have been exposed to sexually explicit material, have attachment difficulties, or have developmental delays that may affect their understanding of appropriate boundaries and consent.
- respond to concerns about any sexual behaviour that may be harmful to the child or another child promptly (see *Child Protection Notification Procedure*)

- recognise that a child displaying harmful sexual behaviour may themselves be a victim of abuse, and respond to all such behaviour with this possibility in mind, ensuring the child's needs are assessed and addressed alongside any necessary notification
- provide appropriate supervision and take immediate action to ensure children's safety and wellbeing
- respond to any child displaying harmful or problem sexual behaviours in a manner that is respectful, trauma-informed and appropriate to the child's age and developmental stage
- work in partnership with families and relevant agencies where required
- support all children involved in a respectful and non-stigmatising manner
- document and report all concerns in accordance with child protection and mandatory reporting obligations
- conduct an environmental audit to identify any indoor or outdoor areas that may not offer clear lines of sight for supervision, including enclosed spaces such as cubby houses, play corners and bathroom areas.

EDUCATING CHILDREN ABOUT PROTECTIVE BEHAVIOURS

Our educational program will support children to learn about their rights, develop protective behaviours, and encourage them to express their views, feelings and concerns. A risk assessment will be conducted prior to the delivery of any child protection education program to ensure it is age-appropriate and supports children's wellbeing.

Children will be supported to learn:

- about safe and unsafe behaviour in both physical and online environments
- about appropriate and inappropriate contact in an age-appropriate and developmentally appropriate way
- about body safety, including using correct names for private body parts, recognising inappropriate touch and respecting personal space and boundaries
- appropriate interactions with other children, including respecting personal space, body boundaries, consent, privacy and the right of others to feel safe and comfortable
- that no other child is allowed to touch your private body parts and you are not allowed to touch another child's private parts
- what to do if another child asks them to engage in sexual behaviour or touches them without consent
- about their right to feel safe and respected at all times
- to say '*no*' to anything that makes them feel unsafe or uncomfortable, and seek help from trusted adults
- strategies to help them recognise and respond to situations that may make them feel unsafe or uncomfortable
- to identify and express feelings when they feel safe, unsafe, worried or uncomfortable
- identify trusted educators, adults and friends who can support them
- the difference between 'safe and unsafe secrets', and that there is no secret that cannot be shared with a trusted adult
- that educators are available to listen and support them if they have any concerns
- to tell a trusted adult about any behaviour, activity or person that makes them feel unsafe or worried

- to recognise and express their feelings verbally and non-verbally
- strategies to help them regulate emotions and seek support when needed.

BREACH OF THE CHILD PROTECTION POLICY

A breach is any action or inaction by an individual within the Service, including staff, educators, students, volunteers and visitors who fail to comply with any part of this policy. The rights and best interests of children are paramount, and breaches will be treated seriously.

Any allegations of criminal offences against children, including sexual offences, must be reported to the NSW Police and relevant authorities immediately. All breaches will be recorded and outcomes documented in accordance with record-keeping requirements. A breach may include (but is not limited to):

- failure to report suspected child abuse, neglect, or risk of harm
- engaging in or failing to prevent inappropriate conduct or inappropriate discipline towards a child
- breaching confidentiality about a child protection matter
- failing to maintain a valid WWCC, where required
- not following the Service's *Code of Conduct Policy*, supervision or reporting procedures
- any action or inaction that places a child at risk of harm.

MANAGING A BREACH OF THE CHILD PROTECTION POLICY

Management will respond to any breaches of this policy in a fair, unbiased and supportive manner by:

- liaising with the Department of Communities and Justice (DCJ), NSW Police and/or the Office of the Children's Guardian, as appropriate to ensure evidence is not destroyed or compromised
- not conducting an internal investigation while external agencies such as the Department of Communities and Justice (DCJ), NSW Police and/or the Office of the Children's Guardian are conducting an investigation
- following directions from external agencies such as the DCJ, Office of the Children's Guardian and/or NSW Police, which may include immediately preventing the educator or staff member who is the subject of allegations~~,~~ from working with children or young people until authorities conclude their investigation
- complying with all NSW Early Learning Commission requirements regarding notifications and compliance actions
- displaying the Service's compliance history and any compliance actions under review by the ELC for families to view.

Management may undertake an internal investigation if the DCJ, Office of the Children's Guardian and/or NSW Police are not conducting their own investigation or if their action has concluded.

Management will:

- give the educator, staff member, student or volunteer the opportunity to provide their version of events and respond to the concerns
- document the details of the breach, including the information provided by all parties
- record the outcome clearly, factually and without bias
- maintain confidentiality in accordance with Service policy and legal obligations
- reach a decision based on fair consideration of all evidence and available information.

OUTCOME OF A BREACH OF THE CHILD PROTECTION POLICY

Staff members or educators who fail to adhere to this policy may be in breach of their terms of employment. Visitors, students or volunteers who fail to comply with this policy may face termination of their engagement. Depending on the nature of the breach, outcomes may include:

- disciplinary procedures, including termination of employment, if required
- reinforcing the relevant requirements of the *Child Protection Policy* or procedure that were not followed
- providing closer supervision
- providing further education and training
- reviewing current policies and procedures and developing new policies and procedures if necessary
- external regulatory or enforcement action, including compliance actions, fines, conditions placed on service approval, changes to the quality rating or a suspension of rating or other measures, including Service closure.

REPORTABLE CONDUCT SCHEME – OVERVIEW OF RESPONSIBILITIES

In an emergency where there are immediate concerns for a child's safety, emergency services must be contacted on 000.

The approved provider (as the head of the organisation) has obligations under the Reportable Conduct Scheme (Children's Guardian Act 2019) to notify the Office of the Children's Guardian (OCG) of reportable allegations and convictions against their employees (including volunteers, contractors and students where they meet the definition of an employee under the Act). This includes notifying the OCG, managing the matter in accordance with procedural fairness, and reporting outcomes of the investigation. This section is to be read in conjunction with the *Reportable Conduct Scheme Procedure*, which provides details of responsibilities and obligations, prevention and awareness, reporting requirements, investigations, risk management and record keeping.

All educators and staff members have an obligation to report relevant allegations of reportable conduct to the approved provider. Where appropriate, concerns may also be reported directly to the OCG if there is a concern that the approved provider has not met their reporting duty. Mandatory reporting obligations, including notifications to the Child Protection Helpline, operate alongside the Reportable Conduct Scheme and do not replace it.

SUPPORT FOR EDUCATORS AND STAFF

The approved provider, management and nominated supervisor will ensure:

- educators and staff who are involved in making a mandatory report, responding to a disclosure of abuse or neglect, or managing a notification involving concerning or harmful sexual behaviours displayed by a child are offered timely and appropriate support
- a confidential debrief is provided to any educator or staff member following their involvement in a child protection notification
- educators and staff are provided with access to professional support, where needed
- the wellbeing of educators and staff involved in child protection matters is monitored on an ongoing basis following a notification
- educators and staff feel safe and supported to raise concerns about their own wellbeing without fear of judgement or reprisal
- the support provided to educators and staff involved in child protection matters remains confidential.

CHILD PROTECTION RESOURCES

Australian Human Rights Commission. Child safe organisations

Emerging Minds. Supporting children who have experienced trauma

Kids Helpline

Lifeline

NAPCAN – Prevent Child Abuse & Neglect

NSW Government. Child safety

NSW Government. ChildStory Reporter Community

NSW Government. Child Safe Standards training and resources

Raising Children Network. Safeguarding children and child sexual abuse

SOURCES

Australian Children's Education & Care Quality Authority. (2026). *Guide to the National Quality Framework*
Australian Children's Education & Care Quality Authority. (2025). *Embedding the National Child Safe Principles*
Australian Children's Education & Care Quality Authority. (2025). *NQF Child Safe Culture Guide.*
Australian Children's Education & Care Quality Authority. (n.d.). *Reporting requirements about children*
Australian Children's Education & Care Quality Authority. (2026). Safe use of devices in education and care services
Australian Government Department of Education. *My Time, Our Place- Framework for School Age Care in Australia.V2.0, 2022*
Australian Institute of Family Studies. (2023). *Mandatory reporting of child abuse and neglect*
Australian Institute of Family Studies. (2025). *Responding to children and young people's disclosures of abuse*
Australian Institute of Family Studies. (2023). *What is child abuse and neglect?*
Early Childhood Australia. (2016). *Code of Ethics*.
Education and Care Services National Law Act 2010
Education and Care Services National Regulations 2011
NSW Government. NSW legislation. Child Protection (Working with Children) Act 2012

NSW Government. Children and Young Persons (Care and Protection) Act 1998
NSW Government. Department of Communities & Justice. (2024) Mandatory Reporter Guide (MRG)
NSW Government. Early Learning Commission. (2026). Education and Care Services (Supply, Authorisation and Use of Devices) Order 2026
NSW Government NSW legislation Children's Guardian Act 2019
NSW Government NSW legislation The Commission for Children and Young People Act 1998
NSW Office of the Children's Guardian
Ombudsman Act 2001.
Queensland Government. (2026). *Child sexual abuse*. *Child Safety Practice Manual: Child sexual abuse*

REVIEW

POLICY REVIEWED BY	Jessie McCulloch, Rachael Bajo & Natasha Foenander	Role: Head office team	Date: 09/10/2025
ENDORSED BY 2 PARENT COMMITTEE MEMBERS (initial/date)	A.S & H.C (14/10/2025)	**UPDATES/MODIFICATIONS**	-Moved to Childcare desktop policy -Added Appendix A to support educators
NEXT REVIEW DATE: October 2026			
POLICY REVIEWED BY	Jessie McCulloch & Rachael Bajo	Role: Head office team	Date: October 2026
ENDORSED BY 2 PARENT COMMITTEE MEMBERS (initial/date)	A.G & K.K (20/10/26)	**UPDATES/MODIFICATIONS**	-revised roles & responsibilities -Improved overall structure -removed outdated content -Updated Laws/regs -Added new sections -References and sources checked for accuracy
NEXT REVIEW DATE: October 2027			

APPENDIX A

Support for Educator and Staff response during a disclosure

These questions are designed to encourage children to share their experiences in their own words:

- "Can you tell me what happened?"
- "What did you do next?"
- "How did that make you feel?"
- "Can you describe what happened?"
- "Tell me more about that?"
- "What happens when you felt that emotion?"
- "What do you like to do at home"
- "How do you feel when you're with [person's name]?"

These questions are open-ended and allow the child to share their story without promoting specific answers.

Questions to Avoid

To prevent leading the child or introducing bias, avoiding questions that: (ncacia.org)

- Can be answered with a simple "yes" or "no" (e.g. "Did your Dad hit you?")
- Suggest a specific answer (e.g., "He must have hurt you, didn't he?")
- Presume knowledge (e.g., "Why did you let that happen?")
- Are multiple questions in one (e.g., "what did he do and how did you feel?")

Such questions can lead to inaccurate information and may affect the child's comfort and the investigation's outcome.

Best Practice for Engaging with Children

- Create a Safe Environment: Ensure the conversation takes place in a private, comfortable setting where the child feels safe.
- Use Age-Appropriate language: Tailor your language to the child developmental level to ensure understanding.
- Be Patient and Non-Judgemental: Allow the child to speak at their own pace without interruption or showing shock.
- Reassure the Child: Let them know it's okay to share their feelings and experiences and that they will be believed.
- Limit Questioning: Avoid over-questioning; instead, let the child guide the conversation.