

Early Learning Education & Outside School Hours Policy Document

Providing a Child Safe Environment

Policy Hierarchy link

Education and Care Services National Law Act 2010:
Sections 165, 166, 167

Education and Care Services National Regulations 2011:
Sections –
168(2) Policies and procedures. 103-115 – Physical Environment
168(2hii) -Safe use of online environments at the service
82 -84 -Tobacco, vaping devices, vaping substances, drug and alcohol-free environment

National Quality Standard:
Quality Area 2: Children's Health and Safety – Standard 2.3
Quality Area 3 – Physical Environment – Standard 3.1
Quality Area 7: Leadership and Service Management-
Standards 7.1

Child Protection (Working with Children) Act 2012
Child Protection (Working with Children) Regulation 2013
Child Protection (Working with Children) Amendment (Miscellaneous) Regulation 2013
Crimes Act 1900
Children's Guardian Act 2019
Australian Privacy Principles – www.oaic.gov.au
Office of the Australian Information Commissioner – www.oaic.gov.a
Privacy Act 1988 (Privacy Act) – www.oaic.gov.au/law/act

Version	Authorised by	Effective Date	Revision Date
10	COO	August 2026	August 2029

1. BACKGROUND

All children have the right to experience quality education and care in an environment that promotes opportunities to thrive with adults who safeguard and advocate for their health, safety, welfare and wellbeing including the right to:

- be asked to express their views and wishes about matters affecting their lives and to have those views appropriately considered by adults;
- feel and be safe in their interactions with adults and other children and young people; and
- understand, as early as possible, what is meant by 'feeling and being safe'.

2. POLICY STATEMENT

Our service has a moral and legal responsibility to ensure that children's safety, rights and best interests are paramount in all decisions and actions.

A child safe culture will be promoted and the service will:

- ensure that the health, safety, and wellbeing of children at the service is protected at all times;
- ensure all staff complete child protection training as required by the Education and Care Services National Law, with up to date training records maintained;
- maintaining a register of child protection concerns
- ensuring staff know how to report any concerns to the regulatory authority
- conducting child protection risk assessments
- maintaining accurate daily attendance records, ensuring children are accounted for at all times
- ensure that people educating and caring for children at the service act in the best interests of the child;
- assist children in expressing their complaints -see Child Friendly Complaints Flowchart.

3. HOW THE POLICY WILL BE IMPLEMENTED

The Physical Environment

In order to promote a safe physical environment our daily operations and decision-making will adhere to the following:

- Ensure all equipment and materials used at the service meet relevant cleanliness and safety standards.
- Ensure the outside space used by the children is enclosed by an appropriately safe fence in terms of height and design.
- Ensure learning environments (indoor and outdoor) are established that provide appropriate child groupings, sufficient space, and include carefully chosen, clean and well-maintained spaces, resources and equipment.
- Organise indoor and outdoor spaces to ensure risks to the health and safety are minimised.
- Ensure children have access to shady spaces to play in the outdoor environment.
- Conduct a risk assessment of the service environment on a regular basis to determine any risks to children's health and safety.
- Analyse and evaluate the risks associated with identified hazards.
- Determine appropriate ways to eliminate or control identified hazards.
- Review risk assessments after any serious incident report is made to the Regulatory Authority.

3.1 Staffing and Supervision

- Ensure that sufficient numbers of educators are employed to ensure adequate supervision of children at all times.
- Manage rosters to not only ensure that adequate numbers of educators are on duty to meet ratio and qualification requirements but that duty of care implications are considered to ensure adequate supervision at all times.
- Ensure screening and suitability of staff, volunteers as per the legislation and policy at the time of employment and as part of an ongoing process.
- Respond proactively to emerging staff performance concerns.
- The approved provider, nominated supervisor, staff members and volunteers must not subject any child to inappropriate conduct.
- Notify the Office of the Children's Guardian (OCG) or the Reportable Conduct Directorate.

4. Child Protection

All educators and volunteers of our service are Mandatory Reporters and are required to report to the Child Protection Helpline (Phone: 132 111 or eReport at: <https://reporter.childstory.nsw.gov.au/s/>) if they have reasonable grounds to suspect a child or young person is at risk of significant harm and have current concern about the safety, welfare or wellbeing of a child or young person.

The Mandatory Reporter Guide will be used, to guide decision making and determine whether or not to report to the Child Protection authorities (DCJ).

Staff will undertake training in order to effectively:

- Make appropriate responses to all disclosures of abuse and any allegation of abuse against staff members of the service
- understand the responsibilities and processes as a mandatory reporter
- be able to recognise the factors that increase a child's vulnerability to maltreatment;
- keep accurate observations and records;
- be aware of the vulnerabilities which may indicate a need to assess, monitor or curtail the behaviour of individuals in relation to children and young people within organisations;

If staff believe that a child is at risk of significant harm, the educator will:

- complete an Observation Record detailing the nature of the disclosure or the risk they have identified
- Use the Mandatory Report Guide (MRG) to determine next steps together with a senior SCECS employee (Nominated Supervisor or ROO) and complete an eReport where necessary
- Consult with the SCECS Child Safety Officer
- If the educator is not present at the time the MRG is completed, the MRG decision/eReport will be shared with the educator to confirm their reporting obligations have been met.

4.1 National Child Safety Training

- The following people must complete National Child Safety Training:
 - All persons with management or control
 - Nominated supervisors
 - Persons in day-to-day charge
 - All educators, other staff, volunteers and students
- An up-to-date record of staff training will be maintained
- The child safety training does not replace Child Protection training required of Responsible Persons.

4.2 Register for Child Protection Concerns

- A register will be maintained for child protection concerns. The register supports consistent documentation, monitoring, and appropriate follow-up of matters relating to the safety and wellbeing of children.
- The register will be reviewed to identify and manage trends or patterns of behaviour and indicate when further monitoring is required.
- Storing, reviewing and maintaining the register is the responsibility of the Child Safety Officer to ensure confidentiality.
- The register includes all child safety and protection reports made to:
 - NSW Office of Children's Guardian (OCG)
 - NSW Department of Communities and Justice (DCJ)
 - NSW Early Learning Commission (RA)
 - NSW Police

4.3 National Decision Tree for Notifications to the Regulatory Authority

- All Nominated Supervisors, Responsible Persons and Educators are advised of their reporting obligations as part of their induction to the role.
- Information on reporting obligations is followed up in team meetings.
- Staff have access to the NSW Early Learning Commission 'Reporting Guide' decision tree.
- Staff are advised of the [ACECQA National Decision Tree](#). This interactive tool helps approved providers notify the regulatory authority of incidents, complaints and updated information.

4.4 Child Protection Risk Assessments

- Services will have child protection risk assessments in place to identify potential risks to children's safety, welfare and wellbeing and outline control measures to mitigate those risks across physical

environments, routines, excursions, interactions and online or communication practices.

4.5 Attendance records and daily accountability

- Accurate attendance records will be maintained.
- Sign-in and out procedures will be regularly monitored to ensure all children are accounted for throughout the session
- Head counts or roll call will be conducted regularly in addition to after transitions and in emergency situations.

5. Tobacco, Vaping Devices, Vaping Substances, Drugs and Alcohol-Free Environment

- The education and care service will ensure that the children are educated and cared for in an environment that is free from the use of tobacco, vaping devices and substances, illicit drugs and alcohol.
- The approved provider will ensure that all staff and volunteers are not affected by alcohol or drugs (including prescription medication) so as to impair the person's capacity to supervise or provide education and care to children at the service.

6. Safe Use of Online Environments at the Service

Key considerations for educators, students and volunteers utilising digital devices in the service context include:

- Supporting the implementation of child-safe practices when using electronic devices to take, use and store images or videos of children enrolled in early education and care services.
- Obtaining authorisation from parents/guardians to take, use and store images and videos of children being educated and cared for by the service.
- Increasing awareness of educators, students, volunteers, and families regarding safety risks associated with using electronic devices in the service and implementing strategies to support child safety.
- Implementing child-safe practices regarding the use of electronic devices across the service context in preparation for the potential regulatory changes predicted by the Education and Care Services National Law 2010, in line with the National Model Code in response to the Review of Child Safety Arrangements under the NQF.
- Use of CCTV in services is covered under the Close Circuit Television Requirements Policy
- It is the requirement of the service that educators, students, volunteers follow the Child Safe Digital Technology Policy and the Child Safe Code of Conduct.

7. ROLES AND RESPONSIBILITIES

Role	Authority/ responsible for
Approved Provider - SCECS	• Ensure the service operates in line with the Education and Care Services National Law and National Regulations 2011 with regard to delivery and collection of children at all times • Ensure all staff have access to professional development • Ensure the Nominated Supervisor and staff members at the service who work with children are advised of current child protection legislation, its application and any obligations that they may have under that law (Regulation 84) • Ensure all staff members and any visitors who will be working with the children have current Working with Children Checks • Notify The Office of the Children's Guardian via the Reportable Conduct Directorate with relevant allegations (02)8219 3800 reportableconduct@kidsguardian.nsw.gov.au
Nominated Supervisor	• Provide all staff and educators working directly with children access to the Mandatory Reporter Guide to assist them in their reporting. If the MRG is completed or an eReport is made while the reporting educator is not present, a copy of the MRG outcome and/or the eReport will be provided to the educator to confirm their reporting obligations have been met. • Provide all staff and educators working directly with children with access to the Child Wellbeing and Child Protection NSW Interagency Guidelines. • Ensuring screening and suitability processes are maintained to meet policy and legislated requirements. • Identifying and providing appropriate resources and training to assist staff, contractors, visitors, volunteers and students to implement this policy (refer to Sources). • Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy. • Co-operating with other services and/or professionals in the best interests of children and their families. • Ensuring that families are made aware of support services available to them and of the assistance these services can provide. • Ensuring that all staff who work with children are supported to implement this policy in the service.

	• Protecting the rights of children and families, and encouraging their participation in decision-making at the service.
All educators	• Act in accordance with the obligations outlined in this policy. • Follow the Child Safe Code of Conduct and the Code of Professional Conduct. • Raise concerns when barriers or threats to the protection of children and young people's safety and wellbeing are identified, including through the conduct of other adults at the site/service. • Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy. • Follow all record keeping requirements. • Undertaking appropriate training and education on child protection. • Identifying any potential for risk and harm to a child at the service and developing and implementing effective prevention strategies in consultation with the approved provider and the nominated supervisor. • Co-operating with other services and/or professionals in the best interests of children and their families. • Informing families of support services available to them (such as child first), and of the assistance these services can provide. • Ensuring that no child is left alone (or is out of sight) with a contractor, visitor, volunteer, student or parent/guardian at the service. • Implementing the procedures for reporting suspected child abuse. • Notifying the nominated supervisor or the approved provider immediately on becoming aware of any concerns, complaints or allegations regarding the health, safety and welfare of a child at the service. • Ensuring that if the MRG is completed or an eReport is made while the reporting educator is not present, a copy of the MRG outcome and/or the eReport will be provided to the educator to confirm their reporting obligations have been met. • Offering support to the child and their family, and to other and staff in response to concerns or reports relating to the health, safety and wellbeing of a child at the service • Maintaining confidentiality at all times. • Adhering to all service policies.

Families	• Reading and complying with this policy. • Adhering to the Parent Code of Conduct • Reporting any concerns, including in relation to potential for child abuse, to the Nominated Supervisor.
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8. RESOURCES/REFERENCES

- Australian Children's Education and Care Quality Authority (ACECQA) www.acecqa.gov.au
- Mandatory Reporter Guide & training including e-learning presentation <https://reporter.childstory.nsw.gov.au/s/>
- eReporting is available at: <https://reporter.childstory.nsw.gov.au/s/>
- Working With Children Check www.kidsguardian.nsw.gov.au/working-with-children/working-with-children-check
- Office of the Children's Guardian <https://www.kidsguardian.nsw.gov.au/>
- Childsafety Australia: www.childsafetyaustralia.com.au
- United Nations Convention on the Rights of the Child: www.unicef.org.au
- The Supporting young children's rights: Statement of intent (2015-2018): www.earlychildhoodaustralia.org.au
- Australian Human Rights Commission: www.humanrights.gov.au
- Australian Childhood Foundation: www.childhood.org.au

9. Monitoring, Evaluation and Review

This policy will be monitored to ensure compliance with legislative requirements and unless deemed necessary through the identification of practice gaps, the service will review this Policy every two years.

Families and staff are essential stakeholders in the policy review process and will be given opportunity and encouragement to be actively involved.

In accordance with R. 172 of the *Education and Care Services National Regulations*, the service will ensure that families of children enrolled in the service are notified at least 14 days before making any change to a policy or procedure that may have significant impact on the provision of education and care to any child enrolled at the service; a family's ability to utilise the service; the fees charged or the way in which fees are collected.

Version	Authorised by	Approval date	Sections modified
1	Franceyn O'Connor	Jan 2018	New
2	Sara Hole	Aug 2018	Addition of new section
3	Sara Hole	August	Add ref to Children's Guardian Act

		2020	2019
4	Operations Manager	March 2022	Scheduled review
5	SCECS Management	April 2025	Adherence to Codes of Conduct added Safe use of online environments added
6	SCECS Management	July 2025	Further clarification regarding the: • restriction of both vaping devices and vaping substances • promotion of a culture of child safety and wellbeing within the service • safe use of digital technologies and online environments at the service
7	SCECS Management	Nov 2025	If the MRG is completed or an eReport is made while the reporting educator is not present, a copy of the MRG outcome and/or the eReport will be provided to the educator to confirm their reporting obligations have been met.
8	COO	Mar 2026	Information added to the policy regarding: • Child safety being paramount • Child safety training requirements • Child protection register • Reporting decision tree for notifications to the regulatory authority • Child protection risk assessments • Attendance records and head counts
9	COO	June 2026	The approved provider, nominated supervisor, staff members and volunteers must not subject any child to inappropriate conduct.
10	COO	Aug 2026	Staff have access to the NSW Early Learning Commission 'Reporting Guide' decision tree.