

## Quality Area 2: Children's Health and Safety

### Providing a Child Safe Environment



#### Introduction

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The National Principles for Child Safe Organisations has been endorsed by all governments in Australia, which give effect to law and regulations relating to the Child Safe Standards, and provide guidance on key actions and performance measures in implementing the standards.

Kootingal and District Preschool has a moral and legal responsibility to ensure that the rights and best interests of the child are paramount and that we provide training, resources, information, and guidance to support this in order to:

- Ensure that the health, safety, and wellbeing of children at the service is protected at all times
- Ensure that people educating and caring for children at the service act in the best interests of the child
- Protect and advocate the rights of all children to feel safe, and be safe, at all times
- Maintaining a culture in which children's rights are respected
- Encouraging active participation from families at the service, supporting a partnership approach and shared responsibility for children's health, safety, wellbeing, and development
- Ensure the National Principles for Child Safe Organisations are implemented and regularly reviewed

#### Goals – What are we going to do?

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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, security, 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
- Understand, as early as possible, what is meant by 'feeling and being safe'

#### Strategies – To achieve our goals

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##### Physical Environment

The approved provider and nominated supervisor will:

- Require educators to adhere to the Service's Supervision Policy to maintain effective supervision
- Ensure adequate supervision will be provided when children are being transported. Consideration will be made depending on risk assessments, number, age and ability of children, visibility of children, each child's current activity
- Ensure the minimum child ratio requirements are met at all times
- Ensure a daily inspection of the physical premises will be undertaken before children begin to arrive. The Opening Checklist will be used as the procedure to conduct these safety checks. A record of these will be kept by the Service.

- Ensure risk assessments are completed and reviewed every 12 months to ensure risks are minimised and care taken to protect children from harm and hazards
- Ensure risk assessments are reviewed following an incident involving child safety and wellbeing, including an assessment for areas of improvement
- Ensure the Emergency and Evacuation Policy and Procedures are followed to ensure children are protected from harm during an emergency
- Ensure the environment free is from the use of tobacco (including vaping) alcohol and illicit drugs in conjunction with the Tobacco, Drug and Alcohol-Free Policy

## Digital Technologies and the Online Environment

- Support online safety for children by adhering to the Safe Use of Digital Technologies policy
- ensure management, educators, staff, visitors and volunteers are aware of and strictly adhere to legislative requirements related to taking images or videos of children, including:
  - adhering to the Safe Use of Digital Technologies and Online Environments Policy
  - only service-issued/approved devices are to be used when taking images or videos of children
  - personal electronic devices that can take images or videos (such as tablets, phones, digital cameras, smart watches, META glasses) and personal storage and file transfer media (such as SD cards, USB drives, hard drives and cloud storage) are not in the possession of any educator, staff member, visitor or volunteer while providing education and care and working directly with children
  - ensure educators, staff or volunteers submit a written request if seeking an exemption to use or have in their possession a personal electronic device for essential purposes
  - strict controls are in place for the appropriate storage and retention of images and videos in accordance with our Record Keeping and Retention Policy

## 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 always ensure adequate supervision.

## Staff

- 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.
- Working with vulnerable people/children check details must be included on volunteer staff records.
- Ensure rigorous induction processes for staff, volunteers and students that embed Child Safe Standards and practices of a child safe culture.
- Respond proactively to emerging staff performance concerns.

## Child Protection

- The approved provider, nominated supervisor and educators will review the Service's Child Protection Policy annually or as legally required to ensure awareness of Child Protection practices.
- New educators, students and volunteers will be introduced to the Child Protection Policy and Procedure, including mandatory reporting requirements during induction and orientation. Students

and volunteers will be advised of the existence and application of current child protection law and any obligation they may have under that law.

- The approved provider and nominated supervisor will ensure the nominated supervisor, responsible persons, staff, students and volunteers have completed approved mandatory Child Protection Training, within the prescribed timeframe, to understand the child protection reporting process and use of the online reporting guide per state requirements.
- The approved provider will ensure the nominated supervisor, educators, staff, volunteers and students who work with children maintain up-to-date information and training related to current child protection law and reporting obligations on a regular basis.
- The approved provider, staff, educators, volunteers and students will complete mandatory child safety training, within the prescribed timeframe, on how to identify, understand, report, and respond to child maltreatment, abuse and harm.
- The approved provider will ensure that no staff, educators, volunteers or any visitors to the service engage in inappropriate conduct toward a child. Inappropriate conduct will be identified and responded to, and any allegations, suspicions or concerns of inappropriate will be identified and reported.
- The approved provider and nominated supervisor will ensure a Child Protection Risk Assessment is conducted and reviewed following an incident involving child safety and wellbeing, including an assessment for areas of improvement.
- Information regarding mandatory reporting obligations is shared with families
- All educators will be advised of their obligations regarding the Reportable Conduct Scheme
- The approved provider and nominated supervisor will ensure all records identified as relevant to child safety and wellbeing (including child sexual abuse that has or is alleged to have occurred), are:
  - kept for at least 45 years
  - clear, objective and thorough
  - maintained in an indexed, logical and secure manner
  - retained and disposed of in a consistent manner
- Educators, students and volunteers are advised they are required to notify the approved provider, within 72 hours of the event, or within 24 hours of becoming aware of the event, of any changes to their WWCC status, changes to their teacher registration or fit and proper status.
- The approved provider will notify the regulatory authority, in writing via the NQA ITS, within 24 hours of becoming aware of an event involving a change to the educator or staff member's WWCC, including any negative notices or changes to teacher accreditation or registration [Mandatory for NSW Services]

## Child Safe Standards

- Refer to *Child Safe Code of Conduct* policy.
- Staff are committed to:
  - Creating a safe and nurturing education and care service that at all times promotes the safety and wellbeing of all children in our care.
  - Encouraging a culture where there is zero tolerance to any forms of abuse by any workers, students, volunteers, visitors or any other stakeholder.
  - Upholding the rights of the child as per the United Nations Convention on the Rights of the Child

- Upholding the ECA Code of Conduct
- Upholding the values and commitments outlined in our Philosophy
- Listening to a child’s voice and encourage them to raise concerns around their own safety
- Having policies and procedures in place to protect children from any form of abuse
- Take every allegation seriously as an integral part of our promotion of a child safe environment.
- Creating an environment where all concerns regarding the safety of children no matter how small are reported and acted on.
- The approved provider, nominated supervisor, staff, educators, students and volunteers will ensure children’s safety, rights and best interests are the paramount consideration for all Service operations, decisions and functions, including all decisions relating to child safety

### Preventing other harms and hazards

The service will ensure that:

- At a governance level, Approved Providers/Nominated Supervisors identify and manage risk that align with the Child Safe Standards. (see risk management tips from the Office of the Children’s Guardian)
- Risk assessments are conducted regularly for excursions and transportation provided or arranged by the service in conjunction with the service’s Excursions and/or Transportation of Children policies.
- Risk minimisation practices are in place for the management of medical conditions in conjunction with the service’s *Medical Conditions* policy.
- Emergency evacuation plans specific to the service are implemented in conjunction with the service’s Emergency and Evacuation policy.
- If staff consume hot drinks, they are made and consumed away from children.

### Roles and Responsibilities

Role	Authority/Responsibility For
Approved Provider	<ul style="list-style-type: none"> <li>➤ Ensure the service operates in line with the Education and Care Services National Law and National Regulations 2011 with regard to the delivery and collection of children at all times.</li> <li>➤ Ensure all staff have access to relevant professional development.</li> <li>➤ Ensure that the Nominated Supervisor and staff members at the service who work with children are advised of current child protection legislation, its application, and any obligations that they may have under that law (Regulation 84).</li> </ul>
Nominated Supervisor	<ul style="list-style-type: none"> <li>➤ Ensuring screening and suitability processes are maintained to meet policy and legislated requirements.</li> <li>➤ Identifying and providing appropriate resources and training to assist staff, contractors, visitors, volunteers, and students to implement this policy.</li> <li>➤ Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy.</li> </ul>

	<ul style="list-style-type: none"> <li>➤ Cooperate with other services and/or professionals in the best interests of children and their families.</li> <li>➤ Ensure that families are made aware of support services available to them and of the assistance these services can provide.</li> <li>➤ Ensure that all staff who work with children are supported to implement this policy in the service.</li> <li>➤ Protect the rights of children and families and encourage their participation in decision-making at the service.</li> </ul>
Early Childhood Educators	<ul style="list-style-type: none"> <li>➤ Act in accordance with the obligations outlined in this policy.</li> <li>➤ 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.</li> <li>➤ Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy.</li> <li>➤ Follow all record keeping requirements.</li> <li>➤ Undertaking appropriate training and education on child protection.</li> <li>➤ 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.</li> <li>➤ Cooperating with other services and/or professionals in the best interests of children and their families.</li> <li>➤ Informing families of support services available to them (such as Families NSW), and of the assistance these services can provide.</li> <li>➤ Ensuring that no child is left alone (or is out of sight) with a contractor, visitor, volunteer, student or parent/guardian at the service.</li> <li>➤ Implementing the procedures for reporting suspected child abuse.</li> <li>➤ 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 Kootingal and District Preschool</li> <li>➤ 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 Kootingal and District Preschool</li> <li>➤ Maintaining confidentiality at all times.</li> <li>➤ Adhering to all service policies that adhere to the Child Safe Standards</li> </ul>
Families	<ul style="list-style-type: none"> <li>➤ Reading and complying with this policy.</li> <li>➤ Reporting any concerns, including in relation to potential for child abuse, to the Nominated Supervisor.</li> </ul>

## Monitoring, Evaluation and Review

Management and staff will monitor and review the effectiveness of the Providing a Child Safe Environment regularly. Updated information will be incorporated as needed.

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 annually.

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 Regulation 172 of the *Education and Care Services National Regulations*, the service will ensure that families of children enrolled at 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.

## Links to other policies:

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Child Protection

Child Safe Code of Conduct

Excursion/Incursion

Incident, Injury, Trauma and Illness

Risk Management

Smoke, Drug & Alcohol Free Environment

Transportation of Children

## Related Legislation:

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### NQS

<b>Quality Area 2</b>	<b>Children's health and safety</b>	
<i>Standard</i>	2.2	<i>Safety</i>
<b>Quality Area 3</b>	<b>Physical Environment</b>	
<i>Standard</i>	3.1	<i>Design</i>
<i>Standard</i>	3.2	<i>Use</i>
<b>Quality Area 7</b>	<b>Governance and leadership</b>	
<i>Standard</i>	7.1	<i>Governance</i>
<i>Standard</i>	7.2	<i>Leadership</i>

### National Law

Section	165	Offence to inadequately children
Section	167	Offence relating to protection of children from harm and hazards

### National Regulations

Reg	99	Children leaving the education and care services premises
Reg	158	Children's attendance record to be kept by approved provider
Reg	168	Education and care service must have policies and procedures
Reg	176	Time to notify certain information to Regulatory Authority

## Sources:

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- Australian Children's Education and Care Quality Authority (ACECQA) - [www.acecqa.gov.au](http://www.acecqa.gov.au)
- Child Protection (Working with Children) Act 2012
- Child Protection (Working with Children) Regulation 2013
- Crimes Act 1900
- Ombudsman Act 1974 – Part 3A

- Australian Privacy Principles – [www.oaic.gov.au](http://www.oaic.gov.au)
- Office of the Australian Information Commissioner – [www.oaic.gov.au](http://www.oaic.gov.au)
- Privacy Act 1988 [Privacy Act] – [www.oaic.gov.au/law/act](http://www.oaic.gov.au/law/act)
- Smoke Free Environment Act 2000
- Mandatory Reporter Guide & training including e-learning presentation – [www.keepthemsafe.nsw.gov.au](http://www.keepthemsafe.nsw.gov.au)
- eReporting is available at: <https://reporter.childstory.nsw.gov.au/s/>
- Working With Children Check - [www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check](http://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check)
- Become a Childsafe Organisation - [www.kidsguardian.nsw.gov.au/child-safe-organisation/become-a-child-safe-organisation](http://www.kidsguardian.nsw.gov.au/child-safe-organisation/become-a-child-safe-organisation)
- Childsafety Australia - [www.childsafetyaustralia.com.au](http://www.childsafetyaustralia.com.au)
- United Nations Convention on the Rights of the Child - [www.unicef.org.au](http://www.unicef.org.au)
- The Supporting young children’s rights: Statement of intent (2015-2018) - [www.earlychildhoodaustralia.org.au](http://www.earlychildhoodaustralia.org.au)
- Australian Human Rights Commission - [www.humanrights.gov.au](http://www.humanrights.gov.au)
- Australian Childhood Foundation - [www.childhood.org.au](http://www.childhood.org.au)
- Families NSW – [www.facs.nsw.gov.au/providers/funded/programs/children-and-family/families-nsw](http://www.facs.nsw.gov.au/providers/funded/programs/children-and-family/families-nsw)
- Child Safe Standards

Developed: 2016

Reviewed: May 18, Feb 21, Apr 22, May 23, May 24

Reviewed & updated: May 26