



## Child Protection Policy

National Quality Standard (NQS)		
2.2	Safety	Each child is respected
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 Protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect

### Education and Care Services National Regulations

Children (Education and Care Services) National Law	
84	Awareness of child protection law
273	Course in child protection

### Aim

To implement effective strategies to assist in ensuring the safety and wellbeing of all children.

### DEFINITIONS:

#### ABUSE

There are four types of child abuse:

- Physical Abuse
- Sexual Abuse
- Emotional Abuse
- Neglect



Child abuse is any action towards a child or young person that harms or puts at risk their physical, psychological, or emotional health or development. Child abuse can be a single incident or can be a number of different incidents that take place over time.

Maltreatment refers to non-accidental behaviour towards another person, which is outside the norms of conduct and entails a substantial risk of causing physical or emotional harm. Behaviours may be intentional or unintentional and include acts of omission and commission. Specifically abuse refers to acts of commission and neglect acts of omission. Note that in practice the terms child abuse and child neglect are used more frequently than the term child maltreatment.

**Risk of Significant Harm (ROSH)** refers to circumstances causing concern for the safety, welfare, and wellbeing a child or young person present to a significant extent. This means it is sufficiently serious to warrant a response by a statutory authority irrespective of the family's consent.

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 may be at risk of abuse and neglect based on:

- Firsthand observation of the child or family.
- What the child, parent or other person has disclosed.
- What can reasonably be indirect based on observation, professional training and/ or experience.

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

## MANDATORY REPORTERS

Mandatory reporters are people who deliver the following services, wholly or partly, to children as part of their paid or professional work:

- 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)

- Welfare (e.g., psychologists, social workers, caseworkers, and youth workers)
- Education (e.g., teachers, counsellors, principals)
- Children's services (e.g., child care educators, family day carers and home-based carers)
- Residential services (e.g., refuge workers)
- Law enforcement (e.g., police)

According to the *Children and Young Persons (Care and Protection) Act 1998* mandated reporters (including people employed in children's services and unpaid managers of these services) must make reports if they suspect on reasonable grounds a child is at risk of significant harm because:

- the child's basic physical or psychological needs are not being met or are at risk of not being met.
- the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child to receive necessary medical care.
- the parents or other caregivers have not arranged and are unable or unwilling to arrange for a school age child to receive an education.
- the child has been, or is at risk of being physically or sexually abused or ill-treated.
- the child is living in a household where there have been incidents of domestic violence and they are at risk of serious physical or psychological harm.
- the parent's or other caregiver's behaviour means the child has suffered or is at risk of suffering serious psychological harm.

## INDICATORS OF ABUSE

There are common physical and behavioural signs that may indicate abuse or neglect. The presence of one of these signs does not necessarily mean abuse or neglect. Behavioural or physical signs which assist in recognising harm to children are known as indicators. The following is a guide only. One indicator on its own may not imply abuse or neglect. However, a single indicator can be as important as the presence of several indicators. Each indicator needs to be deliberated in the perspective of other indicators and the child's circumstances. A child's behaviour is likely to be affected if he/she is under stress. There can be many causes of stress and it is important to find out specifically what is causing the stress. Abuse and neglect can be single incidents or ongoing and may be intentional or unintentional.



### General indicators of abuse and neglect may include:

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

### NEGLECT

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

- Inability to respond emotionally to the child.
- Child abandonment.
- Depriving or withholding physical contact.
- Failure to provide psychological nurturing.
- Treating one child differently to the others

### Indicators of Neglect in children

- Poor standard of hygiene leading to social isolation
- Scavenging or stealing food
- Extreme longing for adult affection
- Lacking a sense of genuine interaction with others
- Acute separation anxiety
- Self-comforting behaviours, e.g., rocking, sucking.
- Delay in development milestones
- Untreated physical problems

### PHYSICAL ABUSE

Physical abuse is when a child has suffered, or is at risk of suffering, non-accidental trauma, or injury, caused by a parent, caregiver or other person. Educators will be particularly aware of looking for possible physical abuse if parents or caregivers:

- Make direct admissions from parents about fear of hurting their children.
- Have a family history of violence.
- Have a history of their own maltreatment as a child.
- Make repeated visits for medical assistance.



### Indicators of Physical Abuse

- Facial, head and neck bruising
- Lacerations and welts
- Explanations are not consistent with injury.
- Bruising or marks that may show the shape of an object.
- Bite marks or scratches
- Multiple injuries or bruises
- Ingestion of poisonous substances, alcohol, or drugs
- Sprains, twists, dislocations
- Bone fractures
- Burns and scalds.

### EMOTIONAL ABUSE

Emotional abuse occurs when an adult harms a child's development by repetitively treating and speaking to a child in ways that damage the child's ability to feel and express their feelings. This may include:

- Constant criticism, condescending, teasing of a child or ignoring or withholding admiration and affection.
- Excessive or unreasonable demands.
- Persistent hostility, severe verbal abuse, and rejection.
- Belief that a specific child is bad or 'evil'.
- Using inappropriate physical or social isolation as punishment.
- Exposure to domestic violence.

### Indicators of emotional abuse

- Feeling of worthlessness about them.
- Inability to value others.
- Lack of trust in people and expectations.
- Extreme attention seeking behaviours.
- Other behavioural disorders (disruptiveness, aggressiveness, bullying).

### SEXUAL ABUSE

Sexual abuse is when someone involves a child in a sexual activity by using their authority over them or taking advantage of their trust. Children are often bribed or threatened physically and psychologically to make them partake in the activity. Educators will be predominantly conscious of looking for potential sexual abuse if parents or caregivers are suspected of or charged with child sexual abuse or display inappropriate jealousy regarding age-appropriate development of independence from the family. Sexual abuse may include:



- Exposing the child to sexual behaviours of others
- Coercing the child to engage in sexual behaviour with other children.
- Verbal threats of sexual abuse
- Exposing the child to pornography

### Indicators of Sexual Abuse

- They describe sexual acts.
- Direct or indirect disclosures.
- Age-inappropriate behaviour and/or persistent sexual behaviour.
- Self-destructive behaviour
- Regression in development achievements
- Child being in contact with a suspected or known perpetrator of sexual assault.
- Bleeding from the vagina or anus
- Injuries such as tears to the genitalia

### PSYCHOLOGICAL ABUSE

Psychological harm occurs where the behaviour of the parent or caregiver damages the confidence and self-esteem of the child, resulting in serious emotional deficiency or trauma. In general, it is the frequency and duration of this behaviour that causes harm. Some examples are:

- Excessive criticism
- Withholding affection
- Exposure to domestic violence
- Intimidation or threatening behaviour

### Indicators of psychological abuse:

- Constant feelings of worthlessness
- Unable to value others
- Lack of trust in people
- Lack of people skills necessary for daily functioning
- Extreme attention seeking behaviour.
- Extremely eager to please or obey adults.
- Takes extreme risks, is markedly disruptive, bullying or aggressive.
- Suicide threats
- Running away from home



## DOMESTIC VIOLENCE

Domestic violence, or intimate partner violence, is a violation of human rights. It involves violent, abusive, or intimidating behaviour carried out by an adult against a partner or former partner to control and dominate that person.

Domestic violence causes fear, physical and/or psychological harm. It is most often violent, abusive, or intimidating behaviour by a man against a woman. Living with domestic violence has a profound effect upon children and young people and may constitute a form of child abuse. (*The NSW Domestic and Family Violence Action Plan*, June 2010)

### Indicators of Domestic Violence:

- Show aggressive behaviour
- Develop phobias & insomnia
- Experience anxiety
- Show systems of depression
- Have diminished self esteem
- Demonstrate poor academic performance and problem-solving skills
- Have reduced social competence skills including low levels of empathy
- Show emotional distress
- Have physical complaints

## Implementation

Warradale Community Children's Centre strongly opposes any type of abuse against a child and endorses high quality practices in relation to protecting children. To ensure best practice, all educators will attend approved Child Safe Environment training certified by a registered training organisation. Educators will continue update, ensuring they keep up to date with their current responsibilities as Mandatory Reporters.

**NOTE:** The reporter is not required to prove that abuse has occurred.

### Leadership will ensure:

- The Director and any Responsible Person in day-to-day charge of the Centre have successfully completed a course in child protection approved by the Regulatory Authority.
- All employees and volunteers are:
  - Clear about their roles and responsibilities regarding child protection.
  - Aware of their requirements to immediately report cases where they believe a child is at risk of significant harm to the Child Abuse Report Line (131478).



- Aware of the indicators showing a child may be at risk of harm or significant risk of harm.
- Provide opportunities for training and development of all educators, staff, and volunteers in child protection.
- Provide educators with a reporting procedure and professional standards to safeguard children and protect the integrity of educators, staff and volunteers.
- That all educators, staff and volunteers have a current Working with Children Check (DCSI)
- Provide access to relevant acts, regulations, standards, and other resources to help educators, staff and volunteers meet their obligations.
- Records of abuse or suspected abuse are kept Confidential.
- To notify the Commission for Children and Young People of details of employees against whom relevant disciplinary proceedings have been completed or people whose employment has been rejected because of a risk identified in employment screening processes.
- To notify the regulatory authority (within 7 days) of any **incident** where you reasonably believe 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.
- To notify the regulatory authority (within 7 days) of any **allegation** that sexual or physical abuse of a child has occurred or is occurring while the child is being educated and cared for by the Service.

### Accusations against Educators

Accusations of abuse or suspected abuse against educators, staff members, volunteers, and the Director or members of the Management Committee are treated in the same way as allegations against other people. Reports will be made to the Child Abuse Report Line (CARL) where a child is at risk of significant abuse by a person at the Centre. If the Director is involved in the abuse, then the Chair of the Management Committee or most senior educator will assist in notifying the Child Protection Helpline.

Educators will:

- Be able to recognise indicators of abuse
- Respect what a child discloses, taking it seriously and follow up their concerns.
- Allow children to be part of decision-making processes where appropriate.
- Comprehend they are mandatory reporters under the legislation and report any situation where they believe on reasonable grounds a child is at risk of significant harm to the Child Protection Helpline on 13 14 78 (available 24 hours/7 days a week).





- Contact the police on 000 if there is an immediate danger to a child and intervene instantly if it is safe to do so.
- Associate families with referral agencies where concerns of harm do not meet the threshold of significant harm. These services may be located through Families SA. Family consent will be sought before making referrals.
- Promote the welfare, safety and wellbeing of children at the Centre.
- Prepare precise records recording exactly what happened, conversations that took place and what you observed to contribute to the investigations of abuse or suspected abuse by CARL or dealings with referral agencies.
- Understand that allegations of abuse or suspected abuse against them are treated in the same way as allegations of abuse against other people .

## DOCUMENTING A SUSPICION OF HARM

If educators have concerns about the safety of a child, they will:

- Record their concerns in a non-judgmental and accurate manner as soon as possible.
- Record their own observations as well as precise details of any discussion with a parent (who may for example explain a noticeable mark on a child).
- Not endeavour to conduct their own investigation.
- Document as soon as possible so the details are accurately apprehended including:
  - Time, date and place of the suspicion
  - Full details of the suspected abuse
  - Date of report and signature

## DOCUMENTING A DISCLOSURE

A disclosure of harm emerges when someone, including a child, tells you about harm that has happened or is likely to happen. When a child discloses that he or she has been abused, it is an opportunity for an adult to provide immediate support and comfort and to assist in protecting the child from the abuse. It is also a chance to help the child connect to professional services that can keep them safe, provide support and facilitate their recovery from trauma. Disclosure is about seeking support and your response can have a great impact on the child or young person's ability to seek further help and recover from the trauma.

When receiving a disclosure of harm, the Educator will:

- Remain calm and find a private place to talk



- Not promise to keep a secret or any such other promises.
- Tell the child/person they have done the right thing in revealing the information but that they'll need to tell someone who can help keep the child safe
- Only ask enough questions to confirm the need to report the matter because probing questions could cause distress, confusion and interfere with any later enquiries
- Not attempt to conduct their own investigation or mediate an outcome between the parties involved.
- Ask no leading questions – Do ask 'Is there anything else you would like to tell me?', "Tell me more", "Who else knows about the secret?"
- Document as soon as possible so the details are accurately captured including:
  - Time, date and place of the disclosure
  - An accurate description of what happened and what was said, including anything they said and any actions that have been taken
  - Date of report and signature.

### **Notifications of abuse**

The person making a notification of abuse or suspected abuse will make a record of the answers to the following:

- Give the child or young person your full attention.
- Maintain a calm appearance.
- Don't be afraid of saying the 'wrong' thing.
- Reassure the child or young person it is right to tell.
- Accept the child or young person will disclose only what is comfortable and recognise the bravery/strength of the child for talking about something that is difficult.
- Let the child or young person take his or her time.
- Let the child or young person use his or her own words.
- Don't make promises you can't keep.
- Tell the child or young person what you plan to do next.
- Do not confront the perpetrator.

### **Confidentiality**

It is important that any notification remains confidential, as it is vitally important to remember that no confirmation of any allegation can be made until the matter is investigated. The individual who makes the complaint should not inform the person they have made the complaint about. This ensures the matter can be investigated without prior knowledge and contamination of evidence.



### **Protection for reporters**

Reports made to Families SA are kept confidential. However, a law enforcement agency may access the identity of the reporter if this is needed in connection with the investigation of an alleged serious offence against a child. Under the *Children and Young Persons (Care and Protection) Act 1998* if the report is made in good faith:

- The report will not breach standards of professional conduct
- The report can't lead to defamation proceedings
- The report is not admissible in any proceedings as evidence 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.

A report is also an exempt document under the *Freedom of Information Act 1989*.

### **BREACH OF CHILD PROTECTION POLICY**

All educators and staff working with children have a duty of care to support and protect children. A duty of care is breached if a person:

- Does something that a reasonable person in that person's position would not do in a particular situation.
- Fails to do something that a reasonable person in that person's position would do in the circumstances
- Acts or fails to act in a way that causes harm to someone the person owes a duty of care.

### **MANAGING A BREACH IN CHILD PROTECTION POLICY**

Management will investigate the breaches in a fair, unbiased and supportive manner by:

- Discussing the breach with all people concerned
- Giving the educator the opportunity to provide their version of events
- Documenting the details of the breach, including the versions of all parties and the outcome will be recorded
- Ensuring the matters in relation to the breach are kept confidential
- Approaching an appropriate outcome which will be decided based on evidence and discussion

### **OUTCOME OF A BREACH IN CHILD PROTECTION POLICY**

Depending on the nature of the breach outcomes may include:



- Emphasising the relevant element of the child protection policy and procedure
- Providing closer supervision
- Further education and training
- Facilitating between those involved in the incident (where appropriate)
- Disciplinary procedures if required
- Reviewing current policies and procedures and developing new policies and procedures if necessary.

## EDUCATING CHILDREN ABOUT PROTECTIVE BEHAVIOUR

Our program will educate children:

- About acceptable and unacceptable behaviour, and what is appropriate and inappropriate contact at an age-appropriate level and understanding
- About their right to feel safe at all times
- To say 'no' to anything that makes them feel unsafe or uncomfortable.
- About how to use their own knowledge and understanding to feel safe.
- To identify signs that they do not feel safe and need to be attentive and think clearly.
- That there is no secret or story that is too horrific, that they can't share with someone they trust.
- That educators are available for them if they have any concerns.
- To tell educators of any suspicious activities or people.
- To recognise and express their feelings verbally and non-verbally.
- That they can choose to change the way they are feeling.

### South Australia Specifications

All education and child development staff are considered mandated notifiers under the Children's Protection Act 1993.

There is a legal obligation for mandated notifiers to notify the Department for Child Protection of all suspected cases of child abuse and neglect within their professional context. Staff also have an ethical responsibility to report experiences outside of their professional context.

Education staff who are considered mandated notifiers include:

- Teachers
- Ancillary staff
- Medical Practitioner
- Pharmacists
- Police Officers
- Community Correction Officers
- Social Workers
- Minister of religion



- A person who is an employee of, or volunteer in an organisation formed for religious or spiritual purposes
- Volunteers working on sites
- Early childhood workers
- Family day care employees
- Managers responsible for the above staff

Mandated reporters must report abuse when they have a suspicion on reasonable grounds. Proof that the abuse actually occurred is not required. Notifiers may have suspicion on reasonable grounds if:

- the child tells you they have been abused
- observations of a particular child's behaviour or knowledge of the child leads you to suspect that abuse is occurring
- a child tells you that he/she knows someone who has been abused
- Someone reliable such as relative, friend, neighbour or sibling tells you of the abuse to a child.

Failure to report suspicion of child abuse or neglect can result in being penalised as outlined in section 11 of the Children's Protection Act 193.

## Evaluation

This policy is viewed as working effectively when there is complete understanding of our duty of care responsibilities to protect children from all types of abuse and adhere to our legislative obligations at all times.

Reporting Authority	Contact Details
Department for Education and Child Development Ph. 08 8124 4185	Child Abuse Report Line (CARL): Ph. 13 14 78  After hours crisis care Ph. 13 16 11

## Source

Australian Children's Education & Care Quality Authority. (2014).  
 Guide to the Education and Care Services National Law  
 Education and Care Services National Regulations 2015,  
 ECA Code of Ethics.  
 Guide to the National Quality Standard.  
 Child Protection (Working with Children) Act 2012  
 Children and Young Persons (Care and Protection) Act 1998  
 The Ombudsman's Act 1974  
 Community and Disability Services Ministers' Conference (2005). *Creating safe environments for children: Organisations, employees and volunteers: National framework.*

Warradale Community Children's Centre acknowledges the traditional custodians of the land we live on today and we pay our respects to the Aboriginal and Torrens Strait Islander People past, present and emerging.



Community and Disability Services Ministers' Conference (2005). Schedule: Guidelines for building the capacity of child-safe organisations. *Creating safe environments for children: Organisations, employees and volunteers: National framework.*  
 The Commission for Children and Young People Act 1998  
 Early Years Learning Framework  
 National Quality Standard.  
<https://aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect>  
 National Comparison of Child Protection Systems  
<https://aifs.gov.au/cfca/publications/national-comparison-child-protection-systems>  
 Reporting abuse and neglect  
<https://aifs.gov.au/cfca/publications/reporting-abuse-and-neglect>  
 Mandatory Reporting  
<https://mandatoryreporting.dcp.wa.gov.au/Pages/Aboutmandatoryreportinglegislation.aspx>  
 Revised National Quality Standard

#### Record of Policy Adoption and Amendment:

Version	Date	Details	Author	Next Review Date
1.0	27/4/18	Policy developed	Trish Cook	May 2019
1.1	May 2019	Sent to families and staff. No change		May 2020
1.2	May 2020	Moved "Abuse" from Aim to Definitions	Trish Cook	May 2022
1.3	July 2023	No change.	Poornima Radhakrishnan	Dec 2024