

SINGLETON HEIGHTS PRE-SCHOOL INC.



CHILD SAFE POLICY

GOAL: Our service is committed to providing an environment that ensures children receive the care and protection necessary to ensure their safety, welfare and wellbeing, upholding the rights of all children irrespective of cultural background, gender or disability. All Educators and volunteers of our service are committed to building and maintaining a child safe environment which is inclusive, transparent, promotes child participation, and ensures interactions and engagement with children are appropriate and safe. This is achieved through listening to and empowering children, having zero tolerance of abuse and following documented systems to take allegations seriously and respond appropriately.

RELEVANT LEGISLATION / LINKS:

ACT: Children (Education and Care Services National Law Application) 2010 Act: Section 165-167, **Child Protection (Working with Children) and Other Child Protection Legislation Amendment Act 2016, Child protection (Working with Children) Act 2012, The Freedom of Information Act 1989, Child and Young Persons (Care and Protection) Act, 1998, Criminal Code Act 1995, Crimes Legislation Amendment (Sexual Offences Against Children) Act 2010, Fair Work Act 2009, Privacy Act 1998, Work Health and Safety Act 2011, Adoption Act 2000, Crimes Act 1900 (Grooming and Child Abuse Material)**

REGULATIONS: Education and Care Services National Regulations 2011: 84-85, 149,155, 168, 273, **Child protection (Working with Children) Regulation 2013, Child and Young Persons (Care and Protection) Regulation 2012,**

NQS: 2.1, 2.3, 5.1, 5.2, 6.7, 7.3

POLICY:

CHILD SAFE STANDARDS

Introduction

The Child Safe Standards recommended by the Royal Commission into Institutional Responses into Child Sexual Abuse, provide a framework so organisations can create and adopt a culture, policies, procedures and strategies, to keep children safe from harm.

The Child Safe Standards:

- Help drive cultural change in organisations.
- Are principle-based and outcome-focused.
- Are flexible enough that they can be adapted by organisations of varying sizes and characteristics.
- Avoid placing undue burden on organisations.
- Help organisations address multiple risks.
- Balance caution and caring.
- Are a benchmark against which organisations can assess their child safe capability and set performance targets.
- Are of equal importance and are interrelated.

A child safe culture is supported by a set of values and practices that guide the attitudes and behaviour of all staff while good leaders champion these values and embed them in organisational governance. The following values are at the heart of any approach that prioritises children's safety:

- The best interests of children and their protection from harm is paramount.
- Child abuse is not tolerated and will not occur.
- Children's rights are understood and respected.
- Concerns about child safety raised by children and their parents and carers are acted on.
- Reporting abuse is not obstructed or prevented.

Definition of a Child Safe Organisation

Child safe organisations create cultures, adopt strategies and act to prevent harm to children, including sexual abuse. The Australian and New Zealand Children's Commissioners and Guardians define a child safe organisation as one that systematically:

- creates conditions to reduce the likelihood of children being harmed.
- creates conditions that increase the likelihood of identifying and reporting harm.
- responds appropriately to disclosures, allegations and suspicions of harm.

Standard 1: Child safety is embedded in organisational leadership, governance and culture.

- The organisation publicly commits to child safety and leaders champion a child safe culture.
- Child safety is a shared responsibility at all levels of the organisation.
- Risk management strategies focus on preventing, identifying and mitigating risks to children.
- Staff and volunteers comply with a code of conduct that sets clear behavioural standards towards children.
- Staff and volunteers understand their obligations on information sharing and record keeping.

Standard 2: Children participate in decisions affecting them and are taken seriously.

- Children are able to express their views and are provided opportunities to participate in decisions that affect their lives.
- The importance of friendships is recognised and support from peers is encouraged, helping children feel safe and be less isolated.
- Children can access abuse prevention programs and information.
- Staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children to communicate and raise their concerns.

Standard 3: Families and communities are informed and involved.

- Families have the primary responsibility for the upbringing and development of their child and participate in decisions affecting their child.
- The organisation engages in open, two-way communication with families and communities about its child safety approach and relevant information is accessible.
- Families and communities have a say in the organisation's policies and practices.
- Families and communities are informed about the organisation's operations and governance.

Standard 4: Equity is upheld and diverse needs are taken into account.

- The organisation actively anticipates children's diverse circumstances and responds effectively to those with additional vulnerabilities.
- All children have access to information, support and complaints processes.
- The organisation pays particular attention to the needs of Aboriginal and Torres Strait Islander children, children with disabilities, and children from culturally and linguistically diverse backgrounds.

Standard 5: People working with children are suitable and supported.

- Recruitment, including advertising and screening, emphasises child safety.
- Staff and volunteers have Working with Children Checks.
- All staff, volunteers and students receive an appropriate induction and are aware of their child safety responsibilities, including reporting obligations.
- Supervision and people management have a child safety focus.

Standard 6: Processes to respond to complaints of child sexual abuse are child focused.

- The organisation has a child-focused complaint-handling system that is understood by children, staff, volunteers and families.
- The organisation has an effective complaint-handling policy and procedure which clearly outline roles and responsibilities, approaches to dealing with different types of complaints and obligations to act and report.
- Complaints are taken seriously, responded to promptly and thoroughly, and reporting, privacy and employment law obligations are met.

Standard 7: Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.

- Relevant staff, volunteers and students receive training on the nature and indicators of child maltreatment, particularly organisational child abuse.
- Staff and volunteers receive training on the organisation's child safe practices and child protection.
- Relevant staff and volunteers are supported to develop practical skills in protecting children and responding to disclosures.

Standard 8: Physical and online environments minimise the opportunity for abuse to occur.

- Risks in the online and physical environments are identified and mitigated without compromising a child's right to privacy and healthy development.
- The online environment is used in accordance with the organisation's Code of Conduct and relevant policies.

Standard 9: Implementation of the Child Safe Standards is continuously reviewed and improved.

- The organisation regularly reviews and seeks to improve and child safe practices.
- The organisation analyses complaints to identify causes and systemic failures to inform continuous improvement.

Standard 10: Policies and procedures document how the organisation is child safe.

- Policies and procedures address all Child Safe Standards.
- Policies and procedures are accessible and easy to understand.
- Best practice models and stakeholder consultation inform the development of policies and procedures.
- Leader's champion and model compliance with policies and procedures.
- Staff understand and implement the policies and procedures.

Living Our Organisational Culture

Living your organisation's culture is especially important for leaders but is required of all. A child safe organisation that has strong leadership and values children:

- Establishes and updates policies and procedures regularly.
- Leads by example and models appropriate behaviour.
- Looks for innovation and practices continuous improvement.
- Places the needs and safety of children at its heart.
- Values and empowers all children in its care and gives them a voice.

When a child knows they will be listened to, that they have a voice and that they can influence the culture of the organisation, they are more likely to speak up when something or someone is upsetting them. Empowering children in this way is an important step in keeping them safe.

Staff in child safe organisations understand that parents, carers and other important people in a child's life, have the primary responsibility for raising their children. A child safe organisation talks to, consults with and invites the participation of families, caregivers and the broader community, to promote the rights of children.

Child safe organisations facilitate open, two-way communication with families and communities. Organisations are more likely to foster a child safe culture if the surrounding community values children, and respects and upholds their rights.

A child safe organisation provides culturally safe and child-friendly services which take into account children's diverse circumstances. It recognises that some children are more vulnerable to abuse than others, or find it harder to speak up and be heard. Children have diverse needs, abilities and backgrounds and may be particularly vulnerable if they:

- are living with a physical or intellectual disability.
- come from specific religious or cultural backgrounds.
- are very young.
- have previously been exposed to abuse/trauma.
- feel vulnerable because of their gender identity or sexuality.
- come from diverse family backgrounds.
- feel they are not encouraged by their family
- have Aboriginal heritage
- live remotely
- feel they are not listened to or respected
- are engaged with an organisation which has a lack of understanding or awareness of child abuse
- are engaged in an organisation in which Leaders fail to recognise child safety as a priority
- are engaged in an organisation in which organisational culture is not child safe
- are engaged in an organisation in which expectations are unclear about child/adult interactions and relationships
- are engaged in an organisation in which long-standing relationships between adults are prioritised
- are engaged in an organisation which prioritises protection of its reputation
- are engaged in an organisation in which policies and practices are not made visible
- are engaged in an organisation in which internal disciplinary processes are not adequate
- opportunities are available when an adult may be alone with a child
- opportunities to develop relationships with physical or emotional closeness are available
- Opportunities to engage with digital engagement are provided

Responsibilities of the Management Committee

All employers in child-related employment are required to comply with legislation designed to enhance the level and standard of child protection, through the creation of a child safe organisational culture. Through the creation, promotion and nurturing of the child safe culture organisations aim to deter offenders. To ensure the effective deterrent it is imperative that the Management Committee:

- Familiarise themselves with the legislation.
- Become familiar with the processes they will to follow to ensure compliance.
- Become familiar with government agencies.
- Integrate the new child safe obligations into the processes they follow in managing employees, from recruitment, through to termination. The integration will be evident in things such as job descriptions, advertising vacant positions, developing and amending policies.

- Demonstrate a commitment to providing a child safe organisation.
- Have an established and consistent recruitment and selection process.
- Have clear behaviour guidelines and Codes of Conduct for stakeholders.
- Ensure on-going professional development of employees and volunteers is aligned to current practices and research.
- Promote effective supervision of children and adult interactions with children.
- Act on small breaches in procedure with appropriate disciplinary action.
- Ensure inappropriate conduct is reported to the appropriate authority and required investigations are implemented.
- Ensure there is an effective process for staff performance reviews.

Each of these actions are supported by the collaborative relationship between the Management Committee and Nominated Supervisor, who will be responsible for ensuring they are performed and communicated to the Management Committee.

In respect to current staff:

The Management Committee and Nominated Supervisor will apply good governance which ensures:

- Staff are aware of and have access to policies and procedures, and adhere to them.
- Staff have input into continuous improvement practices.
- Staff have access to ongoing fit-for-purpose training.
- Staff are educated about child protection, Child Safe Standards and the current legislation, Acts and Regulations:
- There are clear child safe policies and Codes of Practice for staff, children and families which are applied consistently. This includes clear procedures if and when a breach is identified.
- Child safe policies underpin day-to-day practice.
- The implementation of a comprehensive job description for each staff member, outlining their duties and responsibilities and which will include child protection and Child Safe components.
- The maintenance of a clear procedure for mandatory reporting.
- All staff, volunteers and age-appropriate students hold a current, cleared Working with Children Check. If under the age of 18, volunteers and students will complete the service child protection declaration.
- The Nominated Supervisor and all nominated Responsible Persons, have obtained the accredited Child Protection qualification.
- Policies and Codes of Practice are freely available to all stakeholders, and are discussed and reviewed regularly.
- All stakeholders are aware of their obligations if they suspect or witness harm to a child or children.
- A visual display within the Pre-School which outlines and demonstrates the organisation's commitment to child safe practices.
- The development of and adherence to an employee disciplinary policy for all breaches of conduct, including minor ones.
- Mentoring, support and guidance to encourage child safe best practices in the workplace.
- Engagement of all staff in performance appraisals, supporting the identification of any concerning behaviour.
- The offer of support for stakeholders, if they make complaints or raise concerns or allegations.

In respect to staff recruitment:

Legislation requires the Management Committee to apply good governance which includes:

- Familiarising themselves with the legislation.
- Registering with the relevant approved screening agency.
- Maintaining a clear procedure for employment screening, prior to employment, through the "Working with Children Check".
- Ensuring that advertisements and / or information packs sent to applicants for positions advertised, state that the preferred applicants will be screened and asked to make disclosure to the Pre-School about whether they are a 'prohibited person'.
- Treating any information disclosed from screening in a fair way.
- Ensuring the education and training of all new Educators in relation to the relevant laws, acts, legislation and regulations. They will be given information during the induction process if required.
- Maintaining a comprehensive job description for each staff member outlining their duties and responsibilities, and which will include a Child Safe component.
- Ensuring each employee signs and receives a copy of their work agreement and position description.
- Ensuring employment advertising includes the organisation's Statement of Commitment to Child Safety.
- Ensuring induction packages for new staff include Codes of Conduct, Child Safe Policies and Complaint Handling Policies.
- Ensuring recruitment processes involve a range of interview questions, to establish staff suitability.
- Ensuring background and reference checks are being implemented and recorded.
- Ensuring records are kept of staff interview responses, reference checks and inductions.

In respect to the Working with Children Check:

A Working with Children Check is a prerequisite for anyone working in paid or voluntary child-related work in NSW. The process involves a National Police check and a review of findings of misconduct. The Pre-School is registered with the

Office of the Children's Guardian and will obtain an online clearance before a volunteer, or new staff member, begins in the Pre-School. A copy of the clearance is held in a staff members personal file.

If a volunteer or student is under 18 years of age, and unable to apply for the "Working with Children Check", they will sign the Pre-School volunteer or student "Child Protection Declaration". By completing this form, they are declaring that they are not a prohibited person under the Commission for Children and Young People Act 1998.

All support service personnel and therapists are required to provide a "Working with Children Check" number.

In respect to an allegation regarding a staff member:

The Management Committee and Nominated Supervisor will:

- Report allegations, even if they are believed to be false, vexatious or misconceived.
- Investigate reportable allegations against their employees.
- Protect the privacy of the employee, maintaining confidentiality in respect to any investigation or other disciplinary process.
- Notify the NSW "Office of the Children's Guardian" of the allegation/incident, within 7 days.
- Notify the "Office of the Children's Guardian" at 30 days, of the actions taken since the matter was notified, and the actions the service intends to take in relation to the investigation process.
- Submit an "Entity Report Form" to the "Office of the Children's Guardian", when the investigation is complete, along with all investigation findings.
- Ensure that any decision to terminate an employee as a consequence of a disciplinary process is fair and substantiated.
- Ensure that all policies and procedures are adhered to.

Documenting the Standard

Singleton Heights Pre-School displays and reinforces its commitment to child safety through the creation, review and improvement of related documentation. These documents include:

- The maintenance of a "Child Safe Policy" and "Child Protection Policy".
- Organisational statement of commitment to child safety which is displayed in the foyer of the service.
- Codes of Conduct signed by all staff, volunteers, students and Management Committee members.
- Risk minimisation strategies which are documented and signed by all staff.
- Complaint handling, information sharing.
- A reporting policy.
- Posters and other information promoting child safety, which is shared during induction processes and with families.
- Meeting agendas and minutes that show child safety is a standing agenda item.

Responsibilities of the Nominated Supervisor

There are many ways to support professional development so staff receive ongoing support and advice about child safe practices:

- Regular team meetings where children's safety is a standard agenda item.
- Encourage staff to ask questions, voice concerns or give feedback about the organisation's child safe practices.
- Clearly state the importance of child safe protocols in the position descriptions of all staff.
- Develop and distribute child safe resources and information for staff.
- Conduct regular performance appraisals where you can provide and collect feedback from staff on their strengths and area of improvement.
- Encourage staff to complete relevant training.
- The Nominated Supervisor assumes the role of the Child Safety Officer.

Leaders Promote a Culture of Safety and Reporting:

- Development of clear procedures and expectations around child safety and ensuring these are followed by staff.
- Promotion of a culture where children are able to express their views and are provided opportunities to participate in decisions that affect their lives.
- The organisation is aware of and responds to the needs of Aboriginal and Torres Strait Islander children, children with disability, children from CALD backgrounds and others who may have additional vulnerabilities.
- Leading a culture of continuous improvement in which all stakeholders are consulted in relation to the continuous improvement of procedures, practices, program and environment.
- Personal behaviour demonstrates child safe practices and acting as a role model in prioritising child safety.
- Ensure all new employees and Management Committee receive a copy of the "Child Safe Policy" during induction and that they have the opportunity to ask questions and clarify their responsibilities.
- Conduct and implement the risk assessment and management process, in consultation with all stakeholders.
- Professional development is prioritised by the service and provides staff with the knowledge, skills and confidence to prevent and identify abuse, and to respond to complaints.

- Incorporate risk management of child abuse into decision-making and actively monitor risks to child safety.
- Encourage day-to-day practices that prioritise child safety.
- A “Code of Conduct” is signed by all staff, volunteers, students and Management Committee members, and consultation during induction ensures that it has been understood.
- Creation of a “Child Safe Policy” and “Reportable Conduct Policy”, in consultation with all stakeholders, and ensuring the review of these as per the service policy review schedule, or when necessary.
- The service culture promotes reporting when necessary.
- Confidentiality is maintained.
- The required documentation is completed and forwarded to relevant agencies.
- The curriculum includes developmentally appropriate content and resources to teach children child safe principles and this is consistently reinforced.
- Ensure families know how, when and to whom complaints can be made. If an incident occurs, the Pre-School will provide families with relevant and appropriate information in a timely manner.
- Families and community members are encouraged to provide feedback on how the organisation keeps children safe, and this information is acted upon when necessary.
- The creation of a culture where complaints are taken seriously and all adults take responsibility for the safety of children.
- Leaders know the value of continuous monitoring of staff.
- Leaders and staff review critical incidents to identify the root cause of the problem, identify risks to the safety of children and make improvements.
- Leaders clearly explain that breaches of Codes of Conduct will result in disciplinary action.
- Staff are given support and information on what to report and how to report, including reports to external bodies.

Child Safety Contact Officer

The Nominated Supervisor is appointed the role of the “Child Safety Contact Officer” and is responsible for ensuring the safety of children, as well as recognising and responding to issues. This Officer will:

- Have formal training in identifying and responding to child abuse.
- Be experienced in managing complaints and allegations.
- Know child protection legislation relevant to their industry.
- Provide support and guidance on expectations of appropriate behaviour for staff interacting with children.
- Be proficient at educating or training staff, particularly in the area of child protection.
- Interact with children on an informal day-to-day basis.
- Accept the nominated role in writing.

Responsibilities of Educators and Staff

Ethical practice and service policy ensure Educators maintain a professional boundary between themselves and children/families. Educators and staff will:

- Maintain a child focus.
- Work within their Code of Conduct, position description and service policies.
- Link practice to the relevant Acts, Laws, Regulations, Code of Ethics and National Quality Standards.
- Be aware of how personal values/beliefs may impact on effective decision making.
- All primary contact Educators complete accredited Child Protection training and child safe training while all other Educators, and administrative staff, are also encouraged to complete the training. Educators are knowledgeable about the types of harm, grooming and reporting procedures.
- Become familiar with the “Child Safe Policy” and “Code of Conduct” and abide by these in their interactions and practices.
- Promote a culture where children are able to express their views and are provided opportunities to participate in decisions that affect their lives.
- Be aware of, and respond to, the needs of Aboriginal and Torres Strait Islander children, children with disability, children from CALD backgrounds and others who may have additional vulnerabilities.
- Listen to children and parents, considering and responding to their diverse needs.
- Ensure all stakeholders are consulted in relation to the continuous improvement of procedures and practices in the workplace.
- Engage in continuous professional development.
- Ensure Codes of Conduct are signed by all staff and steps taken to ensure that it has been understood.
- Report any behaviours of concern, completing a “Complaints Record Form”.
- Ensure confidentiality is maintained.
- Ensure the curriculum includes age-appropriate information, teaching about protective behaviours children and this is consistently reinforced.
- Ensure that families know how, when and to whom complaints can be made. If an incident occurs, they provide families with relevant and appropriate information.
- Ensure the organisation pays particular attention to the needs of Aboriginal and Torres Strait Islander children, children with disability and children from CALD backgrounds.

In Respect to Families

Staff in child safe organisations understand that parents, carers and other important people in a child's life have the primary responsibility for raising their children.

A child safe organisation talks to, consults with, and invites the participation of families, caregivers, and the broader community to promote the rights of children. Open, two-way communication is practiced with families and communities.

A child focused complaint process supports children who are exposed to the risk of harm and encourages them to speak up. Children, families, and staff will be provided with the relevant information to make a complaint of child abuse. Child safe organisations respond by immediately protecting children at risk. Complaints are addressed promptly, thoroughly, and fairly.

Staff wear easily identifiable clothing with their name and the service logo embroidered on it

All adults understand their reporting obligations, including to external authorities. Child safe cultures create an environment where staff can identify and report suspected harm of children.

Families and community members are encouraged to provide feedback on how the organisation keeps children safe, and this information is acted upon where necessary. This may occur through:

- Policy development and review
- Conducting and implementing the risk assessment and management process, in consultation with all stakeholders.
- Ensuring all stakeholders are consulted in relation to the continuous improvement of procedures and practices in the workplace.
- Informal discussions with families and formal meetings.
- Surveys distributed by the service
- Ensuring that families know how, when and to whom complaints can be made. If an incident occurs, families are able to access relevant and appropriate information.

CHILD ABUSE and NEGLECT

About Child Abuse:

Child abuse is the term commonly used to describe different types of maltreatment inflicted on a child or young person. It includes assault (including sexual assault), ill treatment, neglect and exposing the child or young person to behaviour that might cause psychological harm. Child abuse can be a criminal offence under the *Crimes Act 1900*.

Physical Abuse

Physical abuse or ill treatment is defined as the non-accidental injury and/or physical harm to a child or young person by a parent, caregiver, another person responsible for the child or young person, or older child that occurs. It includes harm or injuries which are caused by corporal punishment, excessive discipline, beating, shaking, bruising, pushing, shoving, punching, slapping, kicking, biting, lacerations, welts, burns, fractures or dislocation, female genital mutilation or attempted suffocation or strangulation.

In the workplace, we need to consider employee responses, interactions or behaviours which are not appropriate. These may include:

- "A smack never hurt me".
- Using bullying or intimidation in the belief a child will achieve more.
- Educators not having the skills to manage a child's behaviour resulting in loss of temper
- Individuals experiencing difficult personal circumstances so they have lower than normal tolerance levels.

Psychological/Emotional Abuse

Behaviours that cause psychological harm include acts by a parent, caregiver, or other person that damage the cognitive and emotional development of a child or young person. Serious psychological harm may occur when a child or young person is exposed to:

- chronic or severe domestic violence.
- severe parental/carer mental health or substance abuse concerns.
- persistent and repetitive parental/carer behaviours that have a negative impact
- parental/carer criminal or corrupting behaviour.
- parental/carer behaviours that deliberately expose a child or young person to traumatic events.

In the workplace, we need to consider employee responses, interactions or behaviours which are not appropriate. These may include:

- A lack of positive, nurturing engagement or mental stimulation for children, due to a lack of training and professional skills.
- Belittling or humiliating a child due to how the carer was raised or cultural beliefs. This leads them to believe that this approach will make the child more 'resilient'.
- Deliberate shaming or embarrassing of a child to make them feel isolated or inadequate.
- Using inclusion or exclusion techniques, providing special treatment to one or more children. This may lead to particular children feeling isolated or the child feeling privileged, and 'closer' to their abuser.
- Bullying, threatening language and intimidation.

Neglect

Neglect is the failure to provide the basic physical and emotional necessities of life. Neglect can take one or more of the following forms:

- **Neglect of basic physical needs** occurs where there is a risk of harm or actual harm caused by the parent or caregiver's failure to provide for a child's basic physical needs, such as:
 - food
 - clothing and hygiene
 - physical shelter / environment
 - medical care
 - mental health care
 - education
 - safety from harm – including issues of appropriate supervision.

Depending on the age of the child, the focus is not simply and solely on the absence of physical care, adequate nutrition or appropriate clothing. Rather, the issue is whether the omission of such basic care needs has impaired or could risk impairing the child's development.

- **Neglect of basic psychological needs** occurs when a child or young person is not receiving appropriate interaction, encouragement, acceptance, nurturing or stimulation from their parents or caregivers. This form of neglect also refers to the persistent ignoring of a child's signals of distress, pleas for help, attention, comfort, or reassurance. Without this care, a child or young person may not develop appropriate attachments with primary carers and others, significantly impairing their ongoing emotional, cognitive and physical development.

- **The neglect of necessary medical care** presumes that risk of harm is likely to arise from a failure to provide medical service or treatment. This can include the withholding or failure to provide essential medication for a child.

- **Lack of adequate supervision** for example if a child is missing or if an Educator fails to ensure the child has been collected by an authorised person.

- **Failing to Report** harm, abuse or reportable conduct to the appropriate authorities.

Sexual abuse

Child sexual abuse is any sexual act or sexual threat imposed on a child or young person. Adults, adolescents, or older children, who sexually abuse children or young people, exploit their dependency and immaturity. Coercion may be physical or psychological and is intrinsic to child sexual abuse. Sexual abuse includes inappropriate physical contact, grooming, inappropriate conversations of a sexual nature, crossing professional boundaries by spending time alone with a child or having contact with the child outside of the workplace or inappropriately sitting a child on your lap when an individual's hands are not visible.

Offenders use a range of tactics including force, threats, and tricks to engage children in sexual contact and try to silence the child. They may also try to gain the trust and friendship of parents in order to obtain access to children.

Inappropriate Behaviours

Grooming

Grooming is the process by which a person manipulates children and their carer's, integrating themselves into family situations over weeks, months or years, where they can access and exploit children, and commit abuse. They often target vulnerable children, with the adults also being groomed so they don't understand, fail to properly interpret, or sometimes even support the behaviour of the perpetrator.

Grooming may manipulate the feelings of children and their carers so that the perpetrator becomes a trusted and liked figure in their lives. As well as enabling abuse to occur, it also assists offenders to avoid detection. This is called Influencing Guardianship. There are two main types of guardianship influence:

- **Professional**
 - Undermining others in the organisation to deflect and disguise the groomer's behaviour.
 - Ignoring warnings from others about their breach of professional conduct or boundaries.
 - Arranging activities that involve a child and require the supervision of the groomer.
 - Volunteering for tasks which leave them alone with a child.
 - Blaming the child for any inappropriate behaviour.
- **Family**
 - Convincing a parent or guardian that the groomer is a person of integrity or expertise.
 - Making themselves invaluable to the child's successes and achievements.
 - Undermining parental guidance and authority.
 - Ignoring requirements to limit contact with a child.
 - Telling a child their parents don't understand them or their relationship.
 - Telling a child they won't be believed if they speak up.
 - Seeking invitations to a child's home.

People who are grooming may seek to desensitise individuals to their inappropriate actions and relationship to a child by;

- Repeatedly flattering a child.
- Flattering a parent, either personally or about their child.
- Claiming to have a 'special relationship'.
- Talking to a child about their own or the child's sexuality.
- Entering private areas such as changing rooms unnecessarily or unannounced.
- Nudity or partially undressing in front of a child, or encouraging the child to undress.
- Having a child pose in an adult or sexualised way for photographs.
- Commenting on the sexual characteristics of a child such as changes due to puberty, growth of breasts or body hair.
- Gift Giving can create the illusion of a 'special relationship' between the victim and the perpetrator. The perpetrator could also use the threat of removing the gift to gain compliance.
- Physical Interaction including repeatedly brushing against a child, going beyond normal touching while performing a legitimate task, or seemingly accidental or deliberate touching intimate areas can indicate grooming, including, adjusting a child's clothing inappropriately, restricting a child, hugging a child or insisting they hug you, sitting a child on their lap or kissing a child. This normalises inappropriate behaviour and tests the boundaries of what the child finds acceptable.
- Engaging in activities that result in touching including rough play, wrestling or tickling.
- Taking unnecessary photos of a child.
- Special treatment such as allowing a child to break or breach rules, showing favouritism, giving a child a birthday card, having a special pet name for a child or consistently selecting one child or a specific group of children for demonstrations is special treatment. This sort of behaviour can create an inappropriate relationship based on power.
- Breaching the boundaries of professional counselling.

- Transporting a child in a personal vehicle.
- Wanting to be present unnecessarily during changing of a child.
- Seeking information about the child's movements outside the professional setting.
- Finding reasons to contact the child or family, outside the professional setting.
- Breaching professional conduct by attending events not related to the professional setting including attending birthday parties, sporting events. Dance concerts, award ceremonies, or inviting a child/family to attend an event
- Requesting a child/family to visit their home.
- Visiting a child who is sick at home.
- Meeting a child /family in a community setting.
- Offering to babysit in breach of the Code of Conduct.
- Offering tuition.
- Personal emails or contact through social media to a child or family.
- Asking a child to keep contact secret.
- Influencing a parent or guardian to believe they are a person of integrity or expertise.
- Making themselves appear invaluable to a child's success.
- Ignoring requests from a parent to limit contact.
- Telling a child their friendship needs to be secret.
- Telling a child they won't be believed if they speak up.
- Seek invitations to a child's home.
- Ignoring colleague's warnings about professional boundaries or breach of professional conduct.
- Causing colleagues to believe a change in a child's behaviour is trivial.

Sexual Misconduct

Sexual misconduct includes behaviour that can reasonably be construed as involving an inappropriate and overly personal or intimate relationship with a child or young person. Grooming should be considered sexual misconduct where there is evidence of a pattern of behaviour that is consistent with manipulating an alleged victim for sexual activity. Sexual misconduct includes:

- Descriptions of sexual acts without a legitimate reason to provide the descriptions.
- Sexual comments, conversations or communications.
- Comments to a child that express a desire to act in a sexual manner towards the child or another child.
- Crossing professional boundaries.
- Grooming behaviours.
- Sexually explicit comments and other overtly sexual behaviour.
- Inappropriate touching.

Sexual Offence

A sexual offence refers to an offence of a sexual nature, committed against, with, or in the presence of a child. This includes::

- Sexual touching of a child
- Grooming
- Production, dissemination or possession of child abuse material

Assault

Assault refers to the intentional or reckless application of physical force without lawful justification or excuse. This includes hitting, striking, kicking, punching or dragging or threatening to physically harm a child.

III-Treatment

Ill-treatment of a child, means conduct towards a child that is unreasonable and seriously inappropriate, improper, inhumane or cruel. This includes:

- Making excessive demands.
- A pattern of hostile or degrading comments or behaviour.
- Using inappropriate forms of behaviour management.

Neglect

Neglect of a child, means a significant failure to provide adequate and proper food, supervision, nursing, clothing, medical aid or lodging for the child, that causes or is likely to cause harm to a child. This includes failing to protect a child from abuse or exposing a child to a harmful environment such as where illicit drugs are manufactured or used.

Emotional or Psychological Harm

This refers to behaviour that causes significant emotional harm or psychological harm to a child. Examples of indicators of significant emotional harm or psychological harm:

- Displaying behaviour patterns that are out of character
- Regressive behaviour
- Anxiety or self-harm

If the alleged conduct involves a criminal allegation, immediately report the matter to Police.

If the alleged conduct poses a risk of significant harm to a child or young person, or class of children or young people, report the matter to the Child Protection Helpline (132 111 or through Child Story).

Effects of Abuse

For many people, abuse can have profound and lasting impacts. Impacts may be immediate and temporary or an individual may experience complex trauma and cause effects across their lifespan. Some emerge later in life or fade away, only to re-emerge or manifest in response to triggers or events. Child abuse can effect many areas of a person's life, including their:

- mental health
- interpersonal relationships
- physical health
- sexual identity, gender identity and sexual behaviour
- connection to culture
- spirituality and religious involvement
- interactions with society
- education, employment and economic security

DETERRING OFFENDERS IN OUR ORGANISATIONAL SETTING

- A “*Committed Offender*” actively manipulates environments and seeks out victims to groom.
- An “*Opportunistic Offender*” sexually discriminates and is quick to exploit opportunities presented to them.
- A “*Situational Offender*” is not primarily attracted to children but are stimulated to offend by environmental cues.

There are some simple barriers which can be put in place to deter offenders in organisational settings. This is known as governance, and includes:

- A demonstrated commitment to the provision of a child safe organisation.
- Established and consistent recruitment and selection processes
- Having clear behaviour guidelines and Codes of Conduct for all stakeholders.
- Ensuring the on-going professional development of staff is aligned to current practices and research.
- Having effective supervision of children including removing opportunities for adults to be alone with children.
- Following up all breaches in procedure with appropriate disciplinary action.
- Promoting a culture where reporting is supported.

Adopting Situational Prevention Approaches

Situational prevention reduces inappropriate behaviour by making systematic and permanent changes to social and physical environments. This is known as target hardening and makes it hard for people to offend.

- **Step 1: Increasing the effort needed to engage in inappropriate behaviour.**

Increasing the effort needed to offend means making it harder for potential offenders to gain access to children in settings where they could be abused, as well as reducing opportunities for abuse to occur. There are ways to increase the effort needed to offend:

- Demonstrating it will be difficult to offend in the organisation. The Pre-School ensures job advertisements promote the organisation’s commitment to being child safe.
- A key component of the services recruitment process is the screening of all employees through the Working with Children Check. Reference checks for applicants confirm their previous employment history, and any instances of inappropriate behaviour with children.
- Reflecting on the physical environment to allow more natural surveillance opportunities.
- The service maintains Codes of Conduct, policies, and procedures that are consistently applied.
- Embedded professional development of staff ensures they have current training.
- Enforcing disciplinary protocols to raise awareness that particular actions will have consequences.

- **Step 2: Increasing the risks of getting caught.**

To reduce the likelihood of detection in an organisational setting, the Nominated Supervisor and all employees are responsible for monitoring, supervising, and evaluating the behaviour of individuals on the premises. The Pre-School will:

- *Extend guardianship.*
 - Encouraging and supporting the inclusion of families and children voices in the programs and decision-making processes.
 - Encouraging and supporting children to have a voice so they’ll speak up if they feel unsafe, upset or scared.
 - Teach children protective behaviours.
- *Assist natural surveillance.*
 - Make sure areas are well lit.
 - The design of open plan spaces.
 - Asking children using the service to identify any areas where they don’t feel safe.
 - Windows aren’t obscured with posters.
 - Ensure children are not in isolated areas unless they’re with more than one adult.
- *Improve the knowledge* and confidence of staff when reporting concerning behaviour.
- *Empower children* and ensure they have the capacity to voice their opinions and report situations when they feel uncomfortable.
- *Reducing anonymity through* all staff being easily identifiable to children, parents and families by wearing uniforms or badges. All volunteers and students wear service supplied badges and visitors are accompanied by a staff member.

- **Step 3: Remove excuses for inappropriate behaviour.**

Many offenders minimise the criminality of their behaviour in order to lower their internal inhibitors. They do this so they can convince themselves they are not harming their victims, or that their actions are not really intended to desensitise the child. The Pre-School will:

- Set clear rules of acceptable behaviour through the awareness and implementation of associated policies and Codes of Conduct for staff, volunteers, students and the Management Committee.
- Have clear and obvious instructions about children’s rights
- Have clear procedures in relation to acting in response to inappropriate behaviours through the existence and implementation of a disciplinary policy and reporting policy.
- Demonstrate governance and leadership through clear organisational policies which promote a strong child safe culture.

- Practice effective supervision as per associated service policy and procedure.
- Provide initial and ongoing training through:
 - An effective induction program.
 - Provide support and guidance to all staff in relation to Child Safe practice and policy information and how they can access it.
 - Encourage an open and transparent culture.
 - Put in place ongoing mentoring, support, and guidance to encourage child safe best practices in the workplace.
 - Carry out performance appraisals so any concerning behaviour is identifiable.
 - Offer support to families if they make complaints, raise concerns or allegations.
 - Provide ongoing training in Child Protection and Child Safe Practices.

CHILD SAFE RISK MANAGEMENT STRATEGY

What is risk management?

Research demonstrates that children who experience varied and interesting activities are more likely to grow and develop to their full potential, so our program and practices, aim to provide children with leadership opportunities, team building capacity and life skills. A Child Safe Risk Management Strategy is not meant to dissuade organisations from providing fun, interesting play and learning opportunities.

As a Child Safe Organisation, the Singleton Heights Pre-School's risk management procedure involves identifying and analysing all the risks of harm to children that currently exist or could occur. The risk minimisation process:

- **Establish settings** the organisation works in.
- **Identify risks** which could occur within the different settings.
- **Analyses and evaluation of risks.**
- **Develop interventions** that aim to reduce risk by reflecting on prevention strategies, processes, and checks we should put in place to reduce the risk.

DISCLOSURE OF ABUSE

Child Disclosure

It is very rare for a child to disclose abuse or neglect immediately or the first time something happens. Often children and young people experience a great sense of helplessness and hopelessness and think that nobody can help them. Weeks or even years may pass before a child or young person makes their abuse known, either directly or indirectly.

Depending on the age of the child and the nature of the abuse or risk, there can be a range of inhibitors to them telling someone about their situation. For instance, a child or young person may:

- Believe that they are responsible for the abuse.
- Not understand that it is inappropriate behaviour by others.
- Want to protect the person responsible.
- Want to protect their own 'reputation'.
- Feel ashamed of the abuse / of the perpetrator / of protecting the perpetrator.
- Feel scared or powerless.
- Have been threatened with further harm if they tell someone.

A disclosure occurs when a child lets you know in some way that they have been abused or are likely to be abused. When a child does disclose this information, they might do this purposefully or accidentally. They could:

- 'Blurt out' a harmful experience or their fear of something.
- Confide privately that they have been abused or fear that they will be.
- Tell another child.
- Provide hints as evidenced in drawings, play or stories.
- Disguise a disclosure by posing 'what if' or 'a friend of mine' scenarios.
- Present with somatic symptoms (such as constantly feeling 'sick').

Responding to a child who discloses.

How an Educator responds to a disclosure by a child or young person can be critical. If the child senses that the person they tell is not interested in listening to them, or doesn't believe them, the child will typically stop disclosing the events. This will delay them from seeking help in the future. Many of the permanent staff in the Pre-School engage in accredited Child Protection training to support them to respond to disclosures appropriately.

If a child makes an allegation Educator's will:

- Remain calm.
- Continue to engage the child in the play they are participating in.
- If a child/young person uses a communication board/form or argumentative communication, consider whether another trusted person needs to be present who is able to understand them and accurately record the communication.
- Listen carefully without interrupting.
- Allow them to talk, using their own words and not ask "leading" questions.
- Be open and non-judgemental to their account and support them in telling their experience.
- Establish the welfare and safety of the child.
- Arrange urgent medical treatment as required.
- Make detailed notes to document all the information given and received (as soon as possible after the child has disclosed).
- Tell them it is not their fault and that they have a right to be safe.
- Support the child and reassure them they have done the right thing by telling you.
- Tell them you will try to stop it happening.
- Explain clearly what will happen next.

- Follow the service internal policies, procedures, flow charts and complaints and allegations policy.
- Alert the Nominated Supervisor/Responsible Person.
- Participate in an exchange of information if appropriate.

Staff will not:

- Express panic, shock, anger, disapproval, judgement or disbelief.
- Ask “leading” questions (ie: questions that contain or suggest answers, or multiple choice questions), or probe for additional information that the child is unwilling to provide.
- Dismiss, minimise or challenge the disclosure.
- Make promises that cannot be kept (including keeping the disclosure a secret).
- Make the child or young person tell others
- Investigate the allegations.
- Confront the alleged perpetrator.
- Confront parents or caregivers.
- Leave the child alone.

The role of the person hearing the disclosure is not to interview or gather evidence, as this is the responsibility of the relevant authority caseworkers or Police Officers, who have received special training in investigative interviewing of children and young people.

It is important to acknowledge the impact of a disclosure on the child or young person. They may regret telling someone, or may react with guilt, anxiety or shame. They may even recant their disclosure in the days following, or seek to provide more information. Disclosure is not always a discrete event but often an evolving process.

Immediately after the disclosure, the staff member will document and date the comments and statements made by the child. The staff member will use their exact words and record any observations about the child’s mood or demeanour during the disclosure. This information will need to be communicated to the Helpline during the reporting process, as it will assist in the assessment and investigation process.

ALLEGATIONS AND ACTION INVOLVING STAFF

Defining Reportable Conduct

The *Children's Guardian Act 2019* defines reportable conduct as:

- a sexual offence.
- sexual misconduct.
- ill-treatment of a child.
- neglect of a child.
- an assault against a child.
- an offence under s 43B (failure to protect) or s 316A (failure to report) of the Crimes Act 1900.
- behaviour that causes significant emotional or psychological harm to a child.

A Clear Reporting Process

A child focused complaint process supports children who are exposed to the risk of harm and encourages them to speak up. Children, families and staff are educated on whom to tell if they want to make a complaint of child abuse. Child safe organisations respond by immediately protecting children at risk while complaints are addressed promptly, thoroughly and fairly. All staff understand their reporting obligations, including to external authorities. Child safe cultures create environments where staff can identify and report suspected harm of children.

All staff are supported to make reports, demonstrating the service commitment to believing children and keeping them safe. This is in reference to:

- Disclosures.
- Incidents of inappropriate behaviour around children.
- Suspicion of harm or neglect.
- Potential grooming.
- Serious physical assault of a child.

Through this process the organisation will:

- Protect the privacy of the employees.
- Notify the NSW Office of Children's Guardian about relevant employment proceedings within 7 days.
- Notify the "The Office of the Children's Guardian" at 30 days, of the actions it has taken since the matter was notified and the actions it intends to take in investigating the matter.
- When the investigation is complete, the organisation will submit an "Entity Report Form" with all investigation documentation.
- Report allegations even if they are believed to be false, vexatious, or misconceived.
- Investigate reportable allegations against their employees.
- Maintain confidentiality in respect to any investigation or other disciplinary process involving an employee.
- Ensure that any investigation or process involving an employee is conducted in a fair way.
- Ensure that any decision to terminate an employee as a consequence of a disciplinary process is fair and substantiated.
- Ensure that Working with Children checks and Criminal Record Checks are completed appropriately and documentation kept.
- Ensure that all policies and procedures are adhered to.
- As "Mandatory Reporters", if the incident meets the requirements of a report to the "Office of the Children's Guardian" in relation to harm, abuse or neglect, legal obligations of staff will be met and a report completed.
- If the incident is of potential criminal conduct, a report will be made to the NSW Police.

Actions Following an Allegation

All allegations of abuse will be reported to the Child Safety Contact Officer/Nominated Supervisor and will be taken seriously. If a child is "at risk of significant harm", a report will be made to the Child Protection Helpline. A determination will also be made in reference to contacting the police. This will be done by undertaking a risk management approach following an allegation to ensure the protection and safety of children, staff, and visitors to the service. Based on this risk assessment, decisions will be made in order to manage the risks that have been identified. (Refer to the "Reportable Conduct Policy" for further information along with "Action Plan 1" at the conclusion of this policy).

This will be through a meeting with the Nominated Supervisor and Licensee and under instruction from the Reporting agency, when necessary. The staff member against whom an allegation has been made will be:

- Made aware of the allegation against her / him and advised that a response is not required at this stage.
- Entitled to have a support person present during any interviews with the Licensee. Fellow staff members are excluded from this support role.
- Informed of the ongoing investigatory procedures, and of his / her right to contact the Department of Education and Communities and the police, if applicable.

- Encouraged to contact support services/people.
- Offered counselling or support.
- Advised about his / her employment status during the period of investigation.
- Informed of the outcome of the investigation itself, in writing.
- Informed of the substance of final report sent to the Ombudsman.
- Made aware of his / her right to include a dissenting statement in the final report to the Ombudsman.
- Made aware of appeal mechanisms.
- Made aware of their right to appeal.

Records and Informing Workers

- It is important that records are kept of any allegation raised in the organisation. The Office of the Children's Guardian has developed a Complaint Record Form that shows the information to be kept. A copy of the form and other resources can be found on the OCG website.
- A reporting body must keep records of all allegations, investigations, and findings of misconduct for at least 30 years unless the records are given to the Children's guardian.
- If a reporting body ceases to trade and there is no successor body, the records need to be lodged with the Children's Guardian before the reporting body ceases to exist.
- In certain circumstances, including changes of findings or the rectification of errors, a reporting body may have to alter a notification made to the Children's Guardian.
- A reporting body must also – as soon as practicable after making a notification or amending or withdrawing a notification – give written notice to the child-related worker who is the subject of the notification, amendment, or withdrawal.

The Educator/individual, will be advised of the outcome of the investigation in writing. Advice will be provided about the investigation finding and any follow up action that may be required. Advice will also be provided about any rights of appeal and the person will be advised that the Office of the Children's Guardian has been notified.

Exchange of information

The Children and Young Person (Care and Protection) Regulation 2012 allows information to be exchanged between specified people and agencies without the consent of an individual, where there is significant risk of harm to a child. Information can also be shared without an individual's consent if there is a serious and imminent threat to any person's health or safety.

A "prescribed body" is any organisation specified in The Children and Young Person (Care and Protection) Regulation 2012.

"Prescribed bodies" under the legislation are:

- NSW Police;
- A government department or a public authority;
- A government school or a registered non-government school or a TAFE;
- A public health organisation or a private hospital;
- A private fostering agency or a private adoption agency;
- Agencies that provide residential child care or a child care service under the Act;
- Any other organisations that have direct responsibility for, or supervision of, the provision of healthcare, welfare, education, children's services, residential services, or law enforcement, to children;
- The Family Court of Australia (for the purposes of section 248 but not Chapter 16A);
- Centrelink (for the purposes of section 248 but not Chapter 16A);
- Commonwealth Department of Immigration and Multicultural and Aboriginal Affairs (for the purposes of section 248 but not Chapter 16A).

The information shared must relate to safety, welfare or wellbeing of a child or young person, and can only be shared with a "prescribed body" if it relates to:

- A child's history or circumstances
- A parent or other family member
- People having a significant or relevant relationship with a child
- The other agencies' dealings with the child, including past support or service arrangements

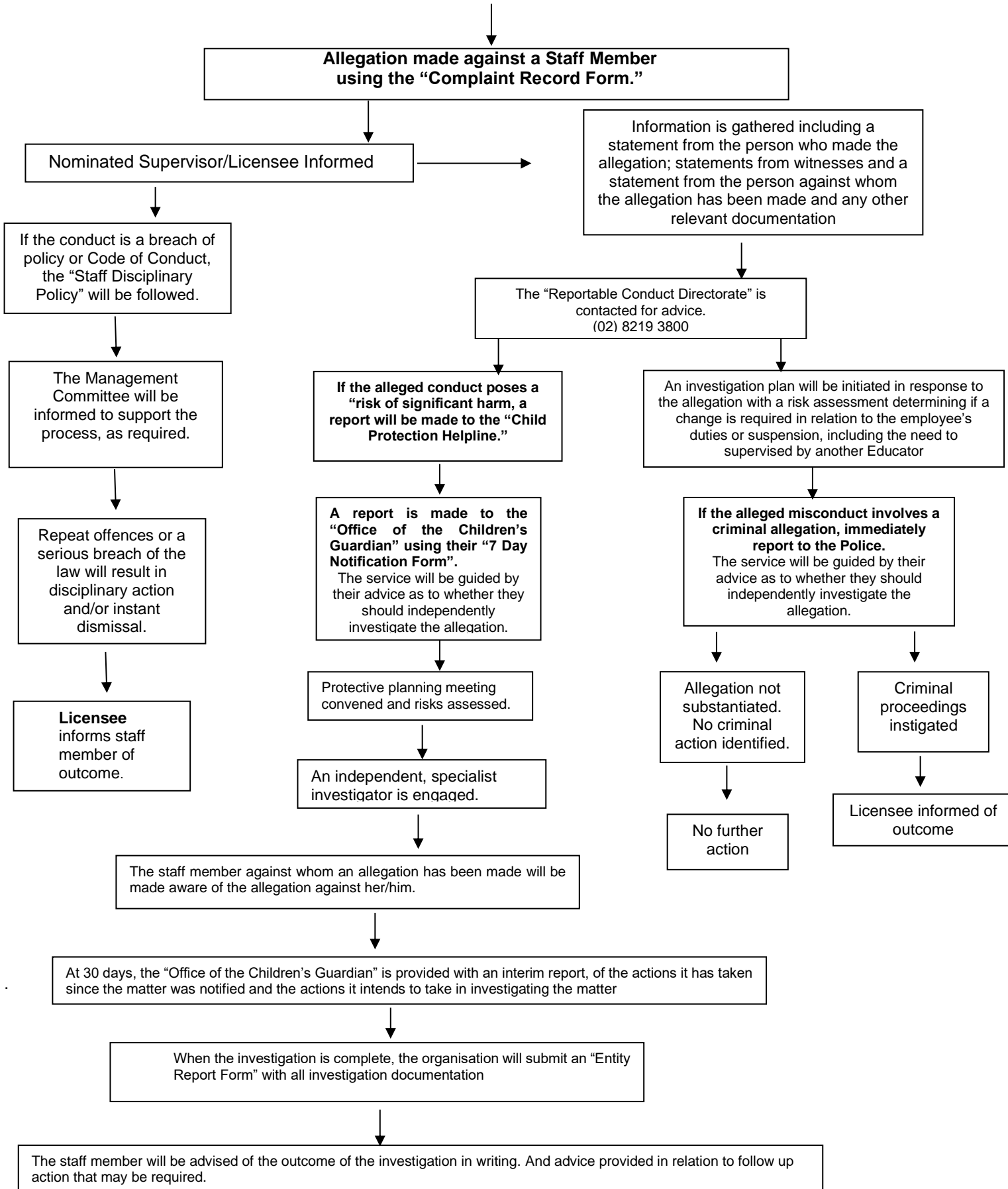
An agency is not required to disclose information if they believe it would prejudice a criminal investigation or inquest, endanger a life of it is not in the public interest.

It is recommended the information is to be exchanged in written form however, it may be exchanged verbally where there is an established arrangement between agencies. However, a written record of the verbal exchange is required and will be stored securely on the premises.

ACTION PLAN 1



Process of Investigation Following Allegation against Staff



CONTACT LIST

The Child Protection Helpline
Telephone: 132111
(Mandatory Reporters)

Lifeline
(24 hours)
Telephone: 131114

N.S.W. Ombudsman
Telephone: 1800 451 524

Kids Helpline
Freecall: 1800 551 800 (24 hrs)

NSW Parent Line
Telephone: 1300 130 052

Domestic Violence Line
Telephone: 1800 656 463

Singleton Family Support
Telephone: 6572 4288

Victims Support Line
Telephone: 1800 633 063

Sexual Assault Centres,
Department of Health
Listed in white pages under "H"
For Hunter New England Health

Child Abuse Prevention Service (CAPS)
Freecall: 1800 424 017 or within

Singleton Community Health Service
Telephone: 6571 9248

Benevolent Society / Family Referral Service
Telephone: 1300 006 480

NSW Mental Health Line
Telephone: 131114

Rape Crisis Centre
Freecall: 1800 424 017

Translating & Interpreter Services
Telephone: 131450