



Child Protection Policy

Policy Statement

Castle Hill Pre-School is committed to providing an environment that is free from violence and exploitation, in accordance with the *Children and Young Persons (Care and Protection) Act 1998*. All Educators of Castle Hill Pre-School are Mandatory Reporters and will fulfil their legal responsibilities to all children attending the pre-school, and their families, by ensuring that their safety, welfare and wellbeing is being maintained.

Goals

- Ensure that every reasonable precaution is taken to protect children and their families, being educated and cared for by our service from harm.
- Provide Educators, staff and management with guidelines and current information relating to their role and legal responsibilities, in relation to child protection.
- Provide a safe, secure and nurturing environment for the children in our care.

Definitions

At risk of significant harm – in relation to a child or young person means that there are current concerns for their safety, welfare or wellbeing because of the presence to a **significant extent** of any of the following circumstances:-

- The child or young person'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 or young person to receive medical care.
- In the case of a child or young person who is required to attend school in accordance with the *Education Act 1990* – the parents or caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education in accordance with the Act.
- The child or young person has been, or is at risk of being, physically or sexually abused or ill-treated.
- The child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm.
- A parent or caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm.
- The child was the subject of a pre-natal report under section 25 of the *Children and Young Person (Care and Protection) Act, 1998* and the birth mother did not engage successfully with the support services to eliminate, or minimise the risk factors that gave rise to the report.

Reasonable Grounds – means that you suspect a child may be at risk of significant harm based on:-

- Your observations of the child, young person or family.
- Disclosures made by the child, young person, parent or another person.



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NOTE: You are not required to confirm your suspicions or have clear proof before making a report.

Child – is any person who is under the age of 16 years.

Young Person – is a person who is aged 16 years or above but who is under the age of 18 years.

NOTE: You do not require consent from a **child** before making a report.

Strategies

- Ensure that any adult working directly with children signs a *Prohibited Employment Declaration Form* and a *Consent to a Working with Children Check*, and ensure their clearance, prior to employment.
- Provide staff with clear guidelines in relation to their responsibilities surrounding child protection.
- IN addition to this, the Nominated Supervisor will ensure that all staff receive adequate training in Child Protection, Mandatory Reporting, *Keep Them Safe: A shared approach to Child Wellbeing* and *Child Wellbeing and Child Protection NSW Interagency Guidelines*.
- Display numbers and websites related to child protection in the staff room.

Educators will:

- Conduct themselves in a professional manner, in accordance with the *ECA Code of Ethics* (displayed in our foyer).
- Develop trusting and secure relationships with all children in our care.
- Document and make reports of current concerns for any child at risk of significant harm to the Child Protection Mandated Reporter Line. (Phone: 133 627)
- Respond appropriately to all disclosures of abuse and any allegations of abuse against staff members of the service.
- Be advocates of the United Nations, *Convention of the Rights of the Child*.



Castle Hill Pre-School Kindergarten Inc. Mandatory Reporting Procedure

In an emergency, where there are immediate or urgent concerns, contact Police – 000.

1. In the instance of any team member becoming aware of or concerned of any child being at risk of harm, the incidents and concerns will be documented, noting the date, clear description of any markings on the child and information voluntarily provided by the child or parent/caregiver. Documented evidence must be objective, that is, exactly what is seen and heard.
2. The Educator who has documented the incident will notify the Nominated Supervisor, where possible, before using the *NSW Mandatory Reporter Guide (decision tree)*. www.keepthemsafe.nsw.gov.au
3. The Educator will use and follow the *Mandatory Reporter Guide*, remaining objective throughout the process. The Nominated Supervisor will make themselves available for this process, if the Educator requires assistance. (support line 1800 772 479)
4. The “decision report” will guide the Educator as to what action is to be taken.
 - a. The Mandatory Reporter Guide determines that there are grounds to suspect risk of significant harm – **Educator will immediately phone Family and Community Services (FaCS) helpline (Helpline 133 627)**
 - b. The Mandatory Reporter Guide determines that the Educators concerns do not meet the risk of significant harm threshold – No report to FaCS is required, however, they should discuss the matter with the Nominated Supervisor to determine whether the child or family would benefit from the assistance of another agency. NOTE: in the event you feel there IS a risk of significant harm you can still contact FaCS.
 - c. The Educator should continue to monitor the situation and if additional information arises, steps 1-4 should be repeated.

Responding to disclosure of abuse

Educators and staff will:

- React calmly to the child making the disclosure.
- Listen attentively and later write down the child’s **exact words**.
- Provide comfort and care to the child.
- Follow the steps for reporting, as above.
- Reassure the child or young person that:
 - a. It is not their fault;
 - b. It was right to tell;
 - c. It is not ok for adults to hurt children
 - d. Explain what will happen – who can help them.



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Educators will NOT:

- Prompt the child for further details or ask leading questions.

NSW Interagency Guidelines – Chapter 16A

Prescribed bodies (see appendix) may request information concerning the safety, welfare or wellbeing of children, young people and/or their families.

The information requested must be for the purpose of making a decision, assessment or plan; initiate or conduct an investigation; provide a service or manage a risk that might arise.

The Nominated Supervisor will:

- Respond to all requests and exchange of information relating to children in our care, after validating the reasons for exchange and ensuring that information is only exchanged between prescribed bodies.
- Seek the consent of the parent/caregiver before exchanging information. This is considered “best practise” but is not essential for the process to occur.
- Request information from other agencies using the “letter requesting information” template (see appendix) ensuring all information entered is true and correct and the request for exchange is justified.

Staff and Management recruitment

Committee

All Management Committee Members will sign a *Prohibited Employment Declaration and Consent Form* (download off <http://check.kids.nsw.gov.au>) when they join the committee. Failure to do so will result in the relinquishing of their position on the committee.

Staff

After initial employment checks, all staff may be requested to sign a *Prohibited Employment Declaration and Consent Form* (download off <http://check.kids.nsw.gov.au>) throughout their employment, for the purpose of maintain and updating the service records.

When recruiting a new staff member, the Nominated Supervisor will request successful candidates sign a *Prohibited Employment Declaration and Consent Form* (see appendix), to ensure the check is completed before employment.

The Nominated Supervisor will complete the *Working with Children Background Check Request* (download off <http://check.kids.nsw.gov.au>) and send paper work to NSW Commission for Children and Young People. (Fax: 9286 7201)



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Allegations of misconduct against staff members

If a team member of Castle Hill Pre-School Kindergarten Inc is the subject of an allegation of reportable conduct (*Ombudsman's Act, 1974*) the following will occur:

1. The person making the allegation must notify the Nominated Supervisor promptly.
2. The Nominated Supervisor will immediately assess the safety of the child/children to whom the alleged incident relates and the safety of the other children in that staff's care. Where needed, immediate action will be taken to ensure the child/children's safety.
3. The Nominated Supervisor will request written documentation of the alleged incident from the person reporting the misconduct.
4. The Nominated Supervisor will immediately notify the President of the Management Committee (approved provider) and one other member of the executive committee.
5. The Nominated Supervisor, in conjunction with the President, will assess whether the employee's current duties are appropriate whilst an investigation is being conducted. Suspension may result if team member is deemed unfit.
6. The Nominated Supervisor will complete a risk assessment and notify Family and Community Services (FaCS) and the police if necessary.
7. The President or Nominated Supervisor will notify the NSW Ombudsman's Office and complete the relevant paperwork **within 30 days**.
8. If a report was made to police, complete a *S101 Notification of Serious Incident Form* and submit to the Department of Education and Communities (DEC) **within 24 hours**. If police were not informed, complete a *NL01 Notification of Complaints and Incidents Form* and submit to the Department of Education and Communities **within 7 days**.
9. If the allegation is made in relation to the Nominated Supervisor, two members of the executive committee will be responsible for the investigation to avoid any conflict of interest.

When informing the staff member, the Nominated Supervisor and the President will:

- Treat the staff member with fairness at all times and uphold their employee rights at all times.
- Arrange for the person against whom the allegation has been made to have a support person present in meetings. The support person may not participate in the discussion.
- Offer counselling or support.
- After all investigations are completed, provide the staff member with verbal and written notification of the outcome of the investigation, including disciplinary action or the decision for dismissal.

Confidentiality – Castle Hill Pre-School Kindergarten Inc. will handle any allegations of child abuse in a confidential manner.



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Child Protection and the Pre-School Community

Parent information brochures and posters, relevant to child protection are displayed around the pre-school and a community handbook is available in the parent library.

If parents need support in their parenting practices, staff will provide them with professional support where possible, and/or provide them with the following contact numbers:

- NSW Department of Family and Community Services-24hr (FaCS) 132 111
- Domestic Violence Line-24hr (FaCS) 1800 656 463 (TTY: 1800 671 442)
- Parent line 1300 1300 52. www.parentline.org.au (free professional help 24/7 for parents and carers of children 0-18yrs in NSW)
- Tresillian Parent's Helpline 1800 637 357. www.tresillian.net
- Hills Parenting Centre 0412 597 760. www.hillsparentingcentre.com (mobile home visiting service)
- National Domestic Violence Number 1800 200 526.
- Mt Druitt Family Referral Service (9am-6pm Mon-Fri) 1300 403 373
- Human Services Net: www.hsnet.nsw.gov.au

Evaluation

Castle Hill Pre-School is a caring and protective environment where every child feels safe and secure and supported. All Educators and Staff understand their responsibilities as Mandatory Reporters and are supported in fulfilling these.

Education and Care Services National Regulations 2011: 82, 84, 99, 157, 168(2)h, 171, 172, 173, 177, 181

Law Section: 12, 13, 21, 109, 166

Link to National Quality Standard: 2.3, 2.3.4, 5.1.1, 5.2, 6.1, 6.2, 6.2.2, 6.3, 7.1.5, 7.3.3

Links to the EYLF: Outcomes 1.1

Relevant Legislation:

- *Children and Young Persons (Care and Protection) Act, 1998*
- *Commission for Children and Young People (UN) Act, 1998*
- *Ombudsman's (Amendment) Act, 1974*
- *Child Protection (Prohibited Employment) Act, 1998*
- *Education and Care Services National Law Act, 2010*



Child Protection Policy Appendix

1) Generally Prescribed bodies

- New South Wales Police Force
- New South Wales Government Departments and Public Authorities
- Organisations that arrange the provision of out-of-home care
- Government Schools
- Registered Non-Government Schools and TAFE
- Public Health Organisation or Private Hospitals
- Private fostering or adoption agencies
- Child Care Centres
- Any Organisation responsible for the direct supervision or provision of healthcare, welfare, education, children's services, residential services, or law enforcement wholly or partly to children.



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2) Letter Requesting Information

Chapter 16A of the Children and Young Person (Care and Protection) Act 1998 provides for the exchange of information regarding the safety, welfare or wellbeing of a particular child or young person or class of children or young persons.

To: *(name/position)*

At: *(organisation)*

From: *(name/position)*

At: *(organisation)*

Ref: *(insert)*

Date: *(insert)*

This request is made in regard to: *(name of child or young person)*

Date of Birth: *---- / ---- / ----*

Gender: Male / Female

Information is also sought regarding the following persons:

Name	Gender	Relationship to child/young person	Date of birth	Other identifying information
	<i>Male / Female</i>			
	<i>Male / Female</i>			

This information is sought in relation to the following issues of concern held for the above mentioned child/young person or class of children or young persons:

(Insert how the information is relevant to the safety, welfare or wellbeing of the Unborn Child/Child/Class of Children/Young Person/Class of Young People)

This information is sought because it relates to the safety, welfare or wellbeing of the child or young person (or class of children or young persons) and will assist with:

- making a decision, assessment or plan
- initiating or conducting an investigation
- providing a service and/or
- managing a risk, to a child or young person that might arise in this agency's capacity as an employer or designated agency.

Specific information is requested in regard to:

- relevant current and/or historical concerns about safety, welfare or wellbeing of the child, young person or family
- current and/or past history of involvement with the child, young person and/or their family
- family/relationship dynamics (if known)
- attitude of the child, young person and/or family to agency/service involvement
- other details required

(Insert)



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(Chapter 16A continued)

Please provide the requested information

- by phone
- by email
- by fax*
- by mail

**Care should be taken in providing sensitive information via fax. This procedure must be negotiated with and agreed to by the organisation providing the information.*

The information is required by: *(date)*

Consent should be sought in regard to the exchange of information, where appropriate, and the person should be given adequate information in a manner and language they can understand. However, the Act authorises the exchange of information under Chapter 16A without consent.

- The child/young person/family has consented to the release of information requested in form by mail.
OR
- The child/young person/family has not consented to the release of information requested in this form by mail. The reason for this is:
(Insert)

- The child/young person/family has been informed of this request for information.
OR
- The child/young person/family has not been informed of this request for information. The reason for this is:
(Insert)

Contact details of the person making the request:

Name:

Title:



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3) Some examples of indicators:

Basic Physical or Psychological Needs Not Being Met

- Poor standards of hygiene leading to social isolation
- Scavenging or stealing food
- Being focused on basic survival
- Loss of “skin bloom”
- Poor hair texture
- Delay in developmental milestones
- Non-organic failure to thrive
- Extended stays at school, public places, others homes
- Extreme longing for adult affection
- A flat and superficial way of relating, lacking a sense of genuine interaction
- Self-comforting behaviour eg., rocking, sucking
- Anxiety about being dropped or abandoned
- Child or young person left alone for long periods
- Parent/Caregiver depriving or withholding physical contact or stimulation for prolonged periods.

Necessary Medical Care

- Untreated injuries
- Symptoms of illness or poor health where child is likely to suffer harm without treatment
- Failure to thrive
- Parents or caregivers comments or behaviour indicate that they are either unable or unwilling to arrange necessary medical care

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Physical Abuse and Ill-treatment

- Facial, head and neck bruising
- Lacerations and welts from excessive discipline or physical restraint
- Explanation offered by the child or young person not consistent with the injury
- Other bruising and marks which may show the shape of the object
- Bite marks and scratches where the bruise might show a print of teeth
- Multiple injuries or bruises
- Ingestions of poisonous substances, alcohol, drugs or major trauma
- Dislocations, sprains, twisting fracture of bones
- Burns and scalds
- Head injuries
- Crouching or physical withdrawal in response to sharp movement



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Sexual Abuse or Ill-treatment

- Describes sexual acts
- Direct or indirect disclosures
- Age inappropriate behaviour and/or persistent sexual behaviour
- Self-destructive behaviour
- Persistent running away from home
- Eating disorders
- Going to bed fully clothed
- Regression in developmental achievements in younger children
- Child or young person being in contact with a known or suspected perpetrator of sexual assault
- Unexplained accumulation of money and gifts
- Injuries such as tears or bruising in the genitalia, anus or perineal region
- Sexually transmitted diseases
- Adolescent pregnancy
- Sexually provocative
- Art work or creative writing with obsessively sexual themes

Indicators in parents, caregiver, siblings, relatives, acquaintances and strangers

- Exposing a child or young person to prostitution or child pornography or using a child or young person for pornographic purposes

Domestic Violence

Serious psychological harm should be assumed in the presence of:

- The repetition or an escalation in frequency or severity of violence in the household
- Where a child or young person has been physically harmed
- If a partner has required medical attention
- Where weapons have been used
- If police officers have attended the house, or where an apprehended violence order has been issued, and/or breached
- Where a parent or caregiver's level of victimisation is such that they are unable to act protectively toward the child
- Presence of other factors, such as use of alcohol or other drugs, mental health issues or disability
- Parent/Caregiver depriving or withholding monetary funds



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Serious Psychological Harm

- Feelings of worthlessness about life and themselves
- Inability to value others
- Lack of trust in people and expectations
- Lack of Interpersonal skills necessary for adequate functioning
- Extreme attention seeking or risk taking behaviour
- Other behaviour disorders (eg disruptiveness, aggressiveness, bullying)

Indicators in parents and children

- Constant criticism, belittling, teasing of a child or young person, or ignoring or withholding praise and affection
- Excessive or unreasonable demands
- Persistent hostility and severe verbal abuse, rejection and scapegoating
- Belief that a particular child or young person is bad or evil
- Using inappropriate physical or social isolation as punishment