


Policy

Early Years Policy - Child Safe Environment and Wellbeing

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Director Signature	Signed by:  <small>A4566C08D5B4450...</small>		Date 06-09-2024
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Macedon Ranges Shire Council acknowledges the Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Peoples as the Traditional Owners and Custodians of this land and waterways. Council recognises their living cultures and ongoing connection to Country and pays respect to their Elders past, present and emerging. Council also acknowledges local Aboriginal and/or Torres Strait Islander residents of Macedon Ranges for their ongoing contribution to the diverse culture of our community.

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Contents

Purpose/Objective	3
Scope	4
Background/Reasons for Policy	4
Gender Impact Assessment	7
Definitions	8
References	17
Related Policies	18
Related Legislation	19
Responsibilities	21
Evaluation	36
Attachment 1	37
Attachment 2	37
Attachment 3	37

Purpose/Objective

This policy provides a clear set of guidelines and procedures for Council kindergartens to:

- provide a safe environment for all children, which ensures their health and wellbeing
- promote the cultural safety of all children
- identify, reduce and remove risks of child abuse
- intervene when a child may be at risk of abuse or neglect
- involve children in child safety, including listening to children and incorporating their views about how to provide a safe environment
- make staff aware of their legal and duty of care obligations to report child abuse and neglect
- respond to requests, share and request information to promote child wellbeing or safety, and/or manage risk of family violence.

Macedon Ranges Shire Council:

- is committed to the rights of all children to feel safe, and be safe at all times, including:
 - promoting the cultural safety of Aboriginal children
 - promoting the cultural safety of children from culturally and linguistically diverse backgrounds
 - promoting the safety of children with a disability
 - promoting the (right to) safety and wellbeing of trans and gender diverse children and their families in early childhood education and care (ECEC) settings
 - ensuring that LGBTIQ+ children and families feel included
 - promoting a culture of child safety and wellbeing within the service
 - valuing, respecting and caring for children

- fosters opportunities for each child to participate, express their views, and to learn and develop
- always acts in the best interest of each child and has zero tolerance of child abuse
- takes all reasonable steps to ensure the health, safety and wellbeing of children at all times, whilst also promoting their learning and development
- actively manages the risk of abuse or harm to each child, including fulfilling our duty of care (refer to Definitions) and legal obligations to protect children and prevent any reasonable, foreseeable risk of injury or harm
- continuously improves the way our service identifies risks of and responds to child abuse, and encourages reporting and improved responses to allegations of abuse
- proactively shares information with relevant authorities to promote the wellbeing and/or safety of a child or a group of children, consistent with their best interests.

Vision statement

The Macedon Ranges is a place where childhood is valued and where every child can thrive, reach their potential and actively participate in the community, now and in the future.

Scope

This policy sits under the overarching Council *Child Safety and Wellbeing Policy*. This policy outlines Council's key responsibilities to comply with the Child Safe Standards (Standards), introduced by the Victorian Government as specified under the *Child Wellbeing and Safety Act 2005*.

The policy applies to the approved provider, persons with management or control, nominated supervisors, persons in day-to-day charge, early childhood teachers, educators, staff, students on placement at kindergartens, volunteers, parents/guardians, children and others attending the programs and activities of Council kindergartens.

Background/Reasons for Policy

A key requirement of the *Education and Care Services National Law Act 2010* is to ensure every reasonable precaution is taken to protect children being educated and cared for by the service

from harm and from any hazard likely to cause injury (National Law: Section 167). The approved provider or person with management or control must also ensure that each nominated supervisor and each person in day-to-day charge of the service has successfully completed the child protection training required by the Department of Education (National Law Section 162A).

Under the *Education and Care Services National Regulations 2011*, the approved provider of an education and care service must ensure that staff members at the service who work with children are advised of:

- The existence and application of the current child protection law
- Any obligations that they may have under that law (Regulation 84)

Under the National Quality Standards, management and staff are required to be aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect (element 2.2.3). At all times, reasonable precautions and adequate supervision must be provided, to ensure children are protected from harm and hazard (element 2.2.1).

The approved provider, persons with management control, nominated supervisor, persons in day-to-day charge, staff, contractors and volunteers of early childhood services have a legal and duty of care obligation to protect children under their supervision and care.

Duty of care obligations require the approved provider, person with management or control, nominated supervisor, persons in day-to-day charge, and staff to take reasonable steps to protect children from injury that is reasonably foreseeable.

In addition, organisations have a duty of care to take reasonable precautions to prevent the abuse of a child by an individual associated with the organisation while the child is under its care, supervision or authority. The Victorian Reportable Conduct Scheme (refer to Definitions) seeks to improve organisations' responses to allegations of child abuse and neglect by their workers. A key requirement of the Education and Care Services National Law Act 2010 is to ensure every reasonable precaution is taken to protect children being educated and cared for by the service from harm and from any hazard likely to cause injury (National Law: Section 167).

The *Children, Youth and Families Act 2005* provides the legislative basis for the provision of services to vulnerable children, young people and their families, and places children's best interests at the heart of decision-making and service delivery.

In line with the Victorian Government's Roadmap for Reform, Education State reforms and broader child safety initiatives, Part 6A of the Child Wellbeing and Safety Act 2005 was proclaimed in

September 2018. The Act established the Child Information Sharing Scheme (CISS) (refer to Definitions), which enables sharing of confidential information between prescribed Information Sharing Entities (refer to Definitions) in a timely and effective manner in order to promote the wellbeing and safety of children. Alongside the CISS, the *Family Violence Protection Act 2008* includes the Family Violence Information Sharing (FVIS) Scheme and the Family Violence Multi-Agency Risk Assessment and Management (MARAM) Framework, which enables information to be shared between prescribed entities to assess and manage family violence risk to children and adults. It will allow professionals working with children to gain a complete view of the children they work with, making it easier to identify wellbeing or safety needs earlier, and to act on them sooner.

Any person who forms a reasonable belief (refer to Definitions), that a child is in need of protection may report their concerns to the Child Protection Service (refer to Definitions).

Early childhood teachers are required to be registered with the Victorian Institute of Teaching and are mandatory reporters (refer to Definitions). In addition, all educators with post-secondary qualifications in the care, education or minding of children and employed or engaged in education and care service, approved providers and nominated supervisors of an education and care service, are mandatory reporters.

All mandatory reporters must make a report to Victoria Police and/or the Child Protection Service as soon as practicable if, during the course of their roles and responsibilities, they form a reasonable belief that:

- A child is likely to suffer, or has suffered, significant harm as a result of physical abuse and/or sexual abuse, and
- The child's parents have not protected, or are unlikely to protect, the child from harm of that type.

Victorian organisations that provide services to children are required under the Child Safety and Wellbeing Act 2005 to ensure that they implement compulsory minimum Child Safe Standards to protect children from harm. The standards aim to drive continuous improvement in the way services prevent and report child abuse and respond to allegations of child abuse. National Quality Standard 2 requires services to have a child safety and wellbeing policy or statement of commitment to child safety and wellbeing.

Three criminal offences in the *Crimes Act 1958* protect children from child abuse:

- Failure to disclose: All adults (not just those working with children) have a legal duty to report information about child sexual abuse to Victoria Police. The offence applies to any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 and fails to report that information to the Victoria Police.
- Failure to protect: The offence applies to people within organisations who hold positions of authority within an education and care service, such as the approved provider, person with management or control, the nominated supervisor or the person in day-to-day charge, and who know of the substantial risk that another adult associated with the organisation may commit a sex offence and they have the power or responsibility to remove or reduce the risk but negligently fail to do so.
- Grooming offence: The offence targets predatory conduct by an adult with the intent of committing child sexual abuse. Conduct may include communication, including online communication, with a child under the age of 16 or their parents.

Gender Impact Assessment

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this policy.

Definitions

Term	Definition
Abuse	See Child abuse definition below.
Child	A child or young person is a person under 18 years of age.
Child abuse	<p>(In the context of this policy) refers to an act or omission by an adult that endangers or impairs a child's physical and/or emotional health or development. Child abuse can be a single incident but often takes place over time. Abuse, neglect and maltreatment (refer to Definitions) are generic terms used to describe situations in which a child may need protection. Child abuse includes any and all of the following:</p> <ul style="list-style-type: none"> Physical abuse: When a child suffers or is likely to suffer significant harm from an injury inflicted by a parent/guardian, caregiver or other adult. The injury may be inflicted intentionally, or be the consequence of physical punishment or the physically aggressive treatment of a child. Physical injury and significant harm to a child can also result from neglect by a parent/guardian, caregiver or other adult. The injury may take the form of bruises, cuts, burns or fractures, poisoning, internal injuries, shaking injuries or strangulation. Sexual abuse: When a person uses power or authority over a child, or inducements such as money or special attention, to involve the child in sexual activity. It includes a wide range of sexual behaviour from inappropriate touching/fondling of a child or exposing a child to pornography, to having sex with a child and grooming with the intent of committing child sexual abuse. Emotional and psychological abuse: When a child's parent or caregiver repeatedly rejects the child or uses threats to frighten the child. This may involve name calling, put downs or continual coldness from the parent or caregiver, to the

	<p>extent that it significantly damages the child's physical, social, intellectual or emotional development.</p> <ul style="list-style-type: none"> ● Neglect: The failure to provide a child with the basic necessities of life, such as food, clothing, shelter, medical attention or supervision, to the extent that the child's health and development is, or is likely to be, significantly harmed. ● Family violence: When children and young people witness or experience the chronic, repeated domination, coercion, intimidation and victimisation of one person by another through physical, sexual and/or emotional means within intimate relationships. Contrary to popular belief, witnessing episodes of violence between people they love can affect young children as much as if they were the victims of the violence. Children who witness regular acts of violence have greater emotional and behavioural problems than other children. ● Racial, cultural, religious abuse: Conduct that demonstrates contempt, ridicule, hatred or negativity towards a child because of their race, culture or religion. It may be overt, such as direct racial vilification or discrimination, or covert, such as demonstrating a lack of cultural respect (attitude and values) and awareness (knowledge and understanding) or failing to provide positive images about another culture. ● Bullying: Repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Bullying occurs when one or more people deliberately and repeatedly upset or hurt another person, damage their property, reputation or social acceptance.

Child Information Sharing Scheme (CISS)	Enables Information Sharing Entities to share confidential information about any person to promote the wellbeing and/or safety of a child or group of children. The CISS works in conjunction with existing information sharing legislative provisions. All Victorian children from birth to 18 years of age are covered. Unborn children are only captured when there has been a report to The Orange Door or Child Protection. Consent is not required from any person when sharing under CISS. The CISS does not affect reporting obligations created under other legislation, such as mandatory reporting obligations under the Children, Youth and Families Act 2005.
Child protection	The term used to describe the whole-of-community approach to the prevention of harm to children. It includes strategic action for early intervention, for the protection of those considered most vulnerable and for responses to all forms of abuse.
Child protection notification	A notification to the Child Protection Service by a person who believes that a child is in need of protection.
Child Protection Service (also referred to as Child Protection)	The statutory child protection service provided by the Victorian Department of Health and Human Services, to protect children and young people at risk of abuse and neglect. This service also works closely with Family Services (including The Orange Door) to support the assessment and engagement of vulnerable children and families in community-based services.
Child Safe Standards	Promotes the safety of children, prevents child abuse and ensures organisations have effective processes in place to respond to and report all allegations of child abuse.
Child Safety Person	Is the Council appointed Officer to report child safety concerns to (refer to Council's Child Safety and Wellbeing Policy).
Child sex offender	Someone who sexually abuses children, and who may or may not have prior convictions.

Code of conduct	A set of rules or practices that establish a standard of behaviour to be followed by individuals and organisations. A code of conduct defines how individuals should behave towards each other and towards other organisations and individuals in the community (refer to Staff Code of Conduct and Early Years Code of Conduct).
Contractor	A person or company that undertakes a contract to provide materials or labour to perform a service or do a job. Examples include photographer, tradesperson, people contracted to provide an incursion.
Disclosure	(In the context of this policy) refers to a statement that a child or young person makes to another person that describes or reveals abuse.
Duty of Care	A common law concept that refers to the responsibilities of organisations and staff to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury. In the context of this policy, duty of care refers to the responsibility of education and care services and their staff to provide children with an adequate level of care and protection against foreseeable harm and injury.
Family Violence Information Sharing Scheme (FVISS)	Enables the sharing of relevant information between authorised organisations to assess or manage risk of family violence.
Head of organisation	The heads of organisations under the Reportable Conduct Scheme are required to have systems in place to prevent reportable conduct within their organisation, and systems to enable staff to make reportable allegations. The head of organisation has the powers of the employer. A CEO or Principle Officer is a head of organisation. For stand-alone kindergartens, the head of organisation will usually be the president or another office bearer who consents to nomination.
Information Sharing Entities (ISE)	Are authorised to share and request relevant information under the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme (the Schemes), and required to respond to requests

	from other ISE's. All ISE's are mandated to respond to all requests for information.
Maltreatment	(In the context of this policy) refers to physical and/or emotional mistreatment, and/or lack of care of the child. Examples include sexual abuse, the witnessing of family violence and any non-accidental injury to a child.
Mandatory reporting	<p>The legal obligation of certain professionals and community members to report when they believe, on reasonable grounds, that a child is in need of protection from harm.</p> <p>A broad range of professional groups are identified in the Children, Youth and Families Act 2005 as 'mandatory reporters' including:</p> <ul style="list-style-type: none"> • All educators with post-secondary qualifications in the care, education or minding of children and employed or engaged in an education and care service or a children's service • All proprietors, nominees of a children's service, approved providers and nominated supervisors of an education and care service • Educators registered with the Victorian Institute of Teaching (VIT) <p>Mandated staff members must make a report to Victoria Police and/or Child Protection as soon as is practicable if, during the course of acting out their professional roles and responsibilities, they form a belief on reasonable grounds that:</p> <ul style="list-style-type: none"> • a child has suffered, or is likely to suffer, significant harm as a result of physical and/or sexual abuse and • The child's parents/guardians have not protected, or are unlikely to protect, the child from harm of that type.

	Mandatory reporters must also follow processes for responding to incidents, disclosures or suspicions of child abuse to fulfil all their legal obligations (refer to Attachment 2: Processes for responding to and reporting suspected child abuse).
Neglect	see Child abuse definition above.
Negligence	Doing, or failing to do something that a reasonable person would, or would not do in a certain situation, and which causes another person damage, injury or loss as a result.
Notifiable complaint	<p>A complaint that alleges a breach of the Act or Regulation, or alleges that the safety, health or wellbeing of a child at the service may have been compromised. Any complaint of this nature must be reported by the approved provider to the secretary of the Department of Education (DE) within 24 hours of the complaint being made (Section 174(2) (b), Regulation 176(2) (b)).</p> <p>Written notification of complaints must be submitted via the Australian Children's Education and Care Quality Authority (ACECQA) portal National Quality Agenda (NQA) IT system. If the approved provider is unsure whether the matter is a notifiable complaint, it is good practice to contact the DE for confirmation.</p>
Offender	A person who mistreats and/or harms a child or young person.
Organisational duty of care	The statutory duty organisations have to take reasonable precautions to prevent sexual and/or physical abuse of a child.
Perpetrator	A person who mistreats and/or harms a child or young person.
Reasonable belief/reasonable grounds	A person may form a belief on reasonable grounds that a child or young person is in need of protection after becoming aware that the child or young person's safety, health or wellbeing is at risk and the child's parents/guardians are unwilling or unable to protect them. There may be reasonable grounds for forming such a belief if:

	<ul style="list-style-type: none"> • a child or young person states that they have been physically or sexually abused • a child or young person states that they know someone who has been physically or sexually abused (sometimes the child may be referring to themselves) • someone who knows the child or young person states that the child or young person has been physically or sexually abused • a child shows signs of being physically or sexually abused • the person is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability or other factors that are impacting on the child or young person's safety, stability or development • the person observes signs or indicators of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision • A child's/young person's actions or behaviour may place them at risk of significant harm and the parents/guardians are unwilling or unable to protect the child.
Reportable allegation	Any allegation that an employee, volunteer or student has committed child abuse.
Reportable Conduct Scheme	<p>Aims to improve oversight of how organisations respond to allegations of child abuse and child related misconduct by their staff and volunteers. There are five types of reportable conduct:</p> <ul style="list-style-type: none"> • Sexual offences committed against, with, or in the presence of a child

	<ul style="list-style-type: none"> ● Sexual misconduct committed against, with, or in the presence of a child ● Physical violence against, with, or in the presence of a child ● Any behaviour that causes significant emotional or psychological harm to a child ● Significant neglect of a child.
Serious incident	<p>A serious incident (Regulation 12) is defined as any of the following:</p> <ul style="list-style-type: none"> ● the death of a child while being educated and cared for at the service or following an incident at the service ● any incident involving serious injury or trauma while the child is being educated and cared for, which <ul style="list-style-type: none"> ○ a reasonable person would consider required urgent medical attention from a registered medical practitioner; or ○ the child attended or ought reasonably to have attended a hospital e.g. a broken limb* ● any incident involving serious illness of a child while that child is being educated and cared for by a service for which the child attended, or ought reasonably to have attended, a hospital e.g. severe asthma attack, seizure or anaphylaxis*. <p>*NOTE: In some cases (for example rural and remote locations) a General Practitioner conducts consultation from the hospital site. Only treatment related to serious injury or illness or trauma are required to be notified, not other health matters.</p> <ul style="list-style-type: none"> ● Any emergency for which emergency services attended. <p>NOTE: This means an incident, situation or event where</p>

	<p>there is an imminent or severe risk to the health, safety or wellbeing of a person/s at an education and care service. It does not mean an incident where emergency services attended as a precaution.</p> <ul style="list-style-type: none"> • a child appears to be missing or cannot be accounted for at the service • a child appears to have been taken or removed from the service in a manner that contravenes the National Regulations • A child was mistakenly locked in or out of the service premises or any part of the premises. <p>Examples of serious incidents include amputation (e.g. removal of fingers), anaphylactic reaction requiring hospitalisation, asthma requiring hospitalisation, broken bone/fractures, bronchiolitis, burns, diarrhoea requiring hospitalisation, epileptic seizures, head injuries, measles, meningococcal infection, sexual assault, witnessing violence or a frightening event.</p> <p>If the approved provider is not aware that the incident was serious until sometime after the incident, they must notify the regulatory authority within 24 hours of becoming aware that the incident was serious.</p> <p>Notifications of serious incidents should be made through the NQA IT system portal (www.acecqa.gov.au). If this is not practicable, the notification can be made initially in whatever way is best in the circumstances.</p>
The Orange Door	<p>A Victorian community-based intake and referral service linked with Family Services. Formerly known as Child FIRST, The Orange Door ensures that vulnerable children, young people and their families are effectively linked to relevant services, including Child Protection.</p>

Volunteer	Parent/guardian, family member or community member who attends the service to assist the service in some capacity.
Working with Children (WWC)	<p>A legal requirement under the <i>Worker Screening Act 2020</i> for those undertaking paid or voluntary child related work in Victoria.</p> <p>A WWC Clearance is granted to a person under working with children legislation if:</p> <ul style="list-style-type: none"> • they have been assessed as suitable to work with children • there has been no information that, if the person worked with children, they would pose a risk to those children • They are not prohibited from attempting to obtain, undertake or remain in child related employment.
Young person	In Victoria, under the Children, Youth and Families Act 2005, a child or young person is a person under 18 years of age.

References

- > Australian Human Rights Commission: <https://www.humanrights.gov.au>
- > Betrayal of Trust Implementation: <https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/betrayal-of-trust-implementation>
- > *Charter of Human Rights and Responsibilities Act 2006* (Vic): www.legislation.vic.gov.au
- > Child Information Sharing Scheme Ministerial Guidelines: www.vic.gov.au/guides-templates-tools-for-information-sharing
- > Choose With Care: Child Protection – an information and training program: <https://www.childwise.org.au>
- > Commission for Children and Young People (CCYP): www.ccyp.vic.gov.au
- > DE Mandatory Reporting eLearning Module – online portal

- > Department of Education Mandatory Reporting eLearning Module:
<https://www.education.vic.gov.au/childhood/professionals/health/childprotection>
- > Keeping Our Kids Safe: Cultural Safety and the National Principles for Child Safe Organisations: Keeping our kids safe: Understanding cultural safety in Child Safe Organisations
- > Ministerial Guidelines for the Family Violence Information Sharing Scheme:
<https://www.vic.gov.au/family-violence-information-sharing-scheme>
- > National Children's Commissioner: www.humanrights.gov.au
- > Risk Assessment and Management Tool, ACECQA: www.acecqa.gov.au
- > Safe Supportive Schools Community Working Group: www.bullyingnoway.gov.au
- > Service Agreement Information Kit for Funded Organisations:
https://fac.dffh.vic.gov.au/sites/default/files/2019-05/Service-Agreement-Information-Kit-May2019_0.docx
- > Star Health's 'Being Equal' model for change in early childhood services: Gender Equality and Respect in Early Learning Services
- > The United Nations Convention on the Rights of the Child: www.unicef.org
- > Victorian Institute of Teaching: www.vit.vic.edu.au
- > Working with Children (WWC) Check: www.workingwithchildren.vic.gov.au

Related Policies

- > Child Safety and Wellbeing Policy (Council)
- > Complaint and Unreasonable Behaviour Policy (Council)
- > Customer Service Charter
- > Early Years Policy - Acceptance and Refusal of Authorisation for a Child to Leave the Service

- > Early Years Policy - Delivery and Collection of Children
- > Early Years Policy - Incident, Injury, Trauma and Illness
- > Early Years Policy - Inclusion and Equity
- > Early Years Policy - Interactions with Children
- > Early Years Policy - Staffing Requirements
- > Early Years Policy - Supervision of Children
- > Early Years Policy and Procedure - Participation of Volunteers and Students
- > Employee Code of Conduct (Council)
- > ICT Acceptable Use Policy and Procedure (Council)
- > Information Security Policy and Procedure (Council)
- > Information Services Password Policy (Council)
- > Occupational Health and Safety Policy (Council)
- > Privacy Policy (Council)

Related Legislation

Relevant legislation and standards include but are not limited to:

- > *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- > *Child Safe Standards (Vic)*
- > *Child Wellbeing and Safety Act 2005 (Vic)*
- > *Children, Youth and Families Act 2005 (Vic)*
- > *Crimes Act 1958 (Vic)*

- > *Education and Care Services National Law Act 2010 (Vic): including but not limited to Sections 165, 166, 167*
- > *Education and Care Services National Regulations 2011 (Vic): including but not limited to Regulations 84, 85, 86, 99, 100, 101, 102, 168(2)(h), 145, 146, 149, 150*
- > *Education Training and Reform Act 2006 (Vic)*
- > *Family Law Act 1975 (Cth)*
- > *Family Violence Protection Act 2008*
- > *Gender Equality Act 2020*
- > *National Quality Standard, including Quality Area 2: Children's Health and Safety*
- > *Reportable Conduct Scheme administered by the Commission for Children and Young People (Vic)*
- > *Worker Screen Regulations 2021 (Vic)*
- > *Worker Screening Act 2020*
- > *Working with Children Act 2005 (Vic)*
- > *Working with Children Regulations 2006 (Vic)*
- > *Wrongs Act 1958 (Vic)*

The most current listed legislation can be found at:

- > *Victorian Legislation www.legislation.vic.gov.au*
- > *Commonwealth Legislation – Federal Register of Legislation: www.legislation.gov.au*

Policy

Responsibilities

Mandatory – Quality Area 2

Refer to the following table which outlines the key responsibilities and who it applies to:

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
R indicates legislation requirement, and should not be deleted					
Ensuring that obligations under the Education and Care Services National Law and National Regulations are met	R	R	✓		✓
Ensuring that the Early Years Policy - Child Safe Environment and Wellbeing is implemented, the appropriate risk assessments and action plans are completed, and all identified actions are taken to minimise the risks to children's health and safety (also known as a risk minimisation plan)	R	R	✓		✓
Taking reasonable steps to ensure that nominated supervisors, early childhood teachers/educators and staff follow the Child Safe	R				

Responsibilities	Contractors, volunteers and students	Parents/guardians	Early childhood teacher, educators and all other staff	Nominated supervisor and persons in day-to-day charge	Approved provider and persons with management or control
R indicates legislation requirement, and should not be deleted					
Environment and Wellbeing Policy and procedures					
Ensuring the learning environment provided considers appropriate child groupings, sufficient space, and includes carefully chosen and well-maintained resources and equipment (Regulations 103) (refer to Early Years Policy - Incident, Injury, Trauma and Illness)					
Creating a culturally safe environment for Aboriginal children					
Ensuring public commitment to the cultural safety of Aboriginal children is available and displayed for public access (refer to Attachment 3)					
Supporting and encouraging a child's ability to express their culture and enjoy their cultural rights					
Understanding children's diverse circumstances, and providing					

Responsibilities	Contractors, volunteers and students	Parents/guardians	Early childhood teacher, educators and all other staff	Nominated supervisor and persons in day-to-day charge	Approved provider and persons with management or control
R indicates legislation requirement, and should not be deleted					
support and responding to those who are vulnerable					
Implement risk assessments of the service environment, equipment and online environment (National Law: Sections 167) (refer to Council's Occupational Health and Safety Policy and Early Years Policy - Incident, Injury, Trauma and Illness)			✓	R	R
Implementing risk management plans, considering risks posed by service setting, activities, and the physical environment			✓	R	R
Complying with the legislated ECT/educator-to-child ratios at all times (National Law: Sections 169, Regulations 123) (refer to Early Years Policy - Supervision of Children)			✓	R	R
Ensuring children are actively always supervised (Regulations 122) (refer to Early Years Policy - Supervision of Children)			✓	R	R

Responsibilities	Contractors, volunteers and students	Parents/guardians	Early childhood teacher, educators and all other staff	Nominated supervisor and persons in day-to-day charge	Approved provider and persons with management or control
R indicates legislation requirement, and should not be deleted					
Ensuring all staff, contractors, volunteers and students do not consume or are under the influence of alcohol or be affected by drugs (Regulations 82, 83)	✓		✓	✓	R
Providing leadership for an organisational culture of accountability for child safety which is open to scrutiny and is continuously reviewed and improved				✓	R
Ensuring there is a child safe champion/s who can lead discussions, answer questions and support child safety and wellbeing				✓	R
Advising staff of current legislation, and their legal and duty of care obligations (Regulation 84)				✓	R
Undertaking child safety reviews and developing an action plan to maintain Child Safe Standards (refer to Definitions) at the service	✓	✓	✓	✓	R
Keeping up to date and complying with any relevant changes in			✓	✓	R

Responsibilities	Contractors, volunteers and students	Parents/guardians	Early childhood teacher, educators and all other staff	Nominated supervisor and persons in day-to-day charge	Approved provider and persons with management or control
R indicates legislation requirement, and should not be deleted					
legislation and practices in relation to this policy					
Contributing to an organisational culture of child safety	✓	✓	✓	✓	R
Ensuring continuous improvement in the implementation of the Child Safe Standards in the service, promoting an organisational culture of accountability for child safety which is open to scrutiny and is continuously reviewed and improved	✓	✓	✓	R	R
Conducting recruitment and induction processes for staff in line with in line with Council's Recruitment and Selection Policy and Procedure					R
Screening contractors, volunteers and students in line with their role					R
Ensuring the safety and wellbeing of children attending the service by keeping a visitors' record, including	✓		✓	✓	R

Responsibilities	Contractors, volunteers and students	Parents/guardians	Early childhood teacher, educators and all other staff	Nominated supervisor and persons in day-to-day charge	Approved provider and persons with management or control
R indicates legislation requirement, and should not be deleted					
contact details, signatures and arrival/departure times					
Ensuring that contractors, volunteers, students, parents/guardians and other visitors to the service are not left with sole supervision of individual children or groups of children			✓	R	R
Ensuring that contact is prevented or responding if it has occurred, when the service has been notified of a court order prohibiting an adult from contacting an enrolled child			✓	R	R
Validating Working with Children Clearance (refer to Definitions) or Victorian Institute of Teaching Registration before staff, contractors, volunteers and students commence working with children (refer to Early Years Policy - Staffing Requirements)				✓	R
Ensuring all early childhood teachers/educators and staff, volunteers and students, are			✓	R	R

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
R indicates legislation requirement, and should not be deleted					
aware of current child protection legislation, including mandatory reporting requirements and obligations					
Identifying the potential for child abuse at the service, and developing and implementing effective prevention strategies	R	R	R		
Following processes for responding to and reporting suspected child abuse (refer to Attachment 3)	R	R	R	✓	✓
Ensuring appropriate annual training on child safety, including recognising the signs and symptoms of child abuse, knowing how to respond, and understanding responsibilities and processes for reporting (refer to Attachment 3)	R	R	R		R
Ensuring systems are in place that cover all aspects of child protection training each year (refer to <i>References</i>). This includes	R	R	R		R

Responsibilities	Contractors, volunteers and students	Parents/guardians	Early childhood teacher, educators and all other staff	Nominated supervisor and persons in day-to-day charge	Approved provider and persons with management or control
R indicates legislation requirement, and should not be deleted					
<p>refresher training and additional professional development where needed. Different roles in the service require specific training:</p> <ul style="list-style-type: none"> • New staff, volunteers and students on placement will need comprehensive induction and training • Leadership group needs training on their specific responsibilities in the service • Governance bodies such as committees will also need training on their responsibilities 					
Ensuring procedures for reporting and responding to suspected child abuse or neglect are promoted across the service and regularly reviewed in partnership with all stakeholders (refer to Attachment 3	R	✓	✓	✓	✓

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
R indicates legislation requirement, and should not be deleted					
Fulfilling legal obligations, including mandatory reporting and duty of care obligations (refer to Attachment 3)	R	R	R		R
Communicating to staff about their obligations under the Information Sharing Schemes, and ensure they have read and understood the Privacy Policy	R	R	✓		
Promoting awareness and compliance with the Child Safe Standards when disclosing information to promote the wellbeing and safety of a child or group of children	R	✓	✓		
Ensuring information sharing procedures abide by the CISS Ministerial Guidelines (refer to <i>References</i>) and exercising professional judgment when determining whether the threshold for sharing is met, what information to share and with whom to share it (refer to Council's Privacy Policy).	R	R	R		

Responsibilities	Contractors, volunteers and students	Parents/guardians	Early childhood teacher, educators and all other staff	Nominated supervisor and persons in day-to-day charge	Approved provider and persons with management or control
R indicates legislation requirement, and should not be deleted					
Ensuring confidential information is only shared with relevant authorities to the extent necessary to promote the wellbeing or safety of a child or group of children, consistent with the best interests of that child or those children			R	R	R
Maintaining cooperative relationships with appropriate services and/or professionals (including The Orange Door (refer to Definitions)) in the best interests of children and their families			✓	✓	✓
Offering support to the child and their family, and to staff in response to concerns or reports relating to the safety, health and wellbeing of a child at the service			✓	✓	✓
Ensuring processes for responding to and reporting are followed when there are significant concerns for the safety, health or wellbeing of a child at the service (refer to Attachment 3)			R	R	R

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
R indicates legislation requirement, and should not be deleted					
Notifying DE within 24 hours of a serious incident (refer to Definitions) occurring at the service	R	✓			
Notifying DE within 24 hours of becoming aware of a notifiable complaint (refer to Definitions) or allegation regarding the safety, health and/or welfare of a child at the service	R				
Notifying the nominated head of organisation (refer to Definitions) to the Commission for Children and Young People and maintaining the currency of the information	R				
Notifying the Commission for Children and Young People within three business days of becoming aware of a reportable allegation (refer to Definitions), under the Reportable Conduct Scheme (refer to Attachment 3)	R				
Investigating an allegation (subject to police clearance on criminal	R				

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
R indicates legislation requirement, and should not be deleted					
matters or matters involving family violence), advising the Commission for Children and Young People who is undertaking the investigation					
Managing the risks to children whilst undertaking the investigation	R	✓	✓		
Updating the Commission for Children and Young People within 30 calendar days with detailed information about the reportable allegation and any action	R				
Notifying the Commission for Children and Young People of the investigation findings and any disciplinary action taken (or the reasons no action was taken)	R				
Notifying the approved provider or person with management or control immediately on becoming aware of a concern, complaint or allegation regarding the safety, health and welfare of a child at the service		R	R	✓	✓

Responsibilities	Contractors, volunteers and students	Parents/guardians	Early childhood teacher, educators and all other staff	Nominated supervisor and persons in day-to-day charge	Approved provider and persons with management or control
R indicates legislation requirement, and should not be deleted					
Maintaining confidentiality at all times (refer to Council's Privacy Policy)	R		R		
Providing appropriate resources and training to assist staff, contractors, volunteers and students to implement this policy (refer to <i>References</i>)	R				
Protecting the rights of children and families, and encouraging their participation in decision-making	R		✓	✓	✓
Abiding by Council's Code of Conduct	R		✓	✓	✓
Ensuring an explicit statement of Council's commitment to child safety is included in all advertising promotion for the organisation	R				
Being aware of this policy, Council's Code of Conduct and Privacy Policy, the Early Years' Interactions with Children Policy and their ongoing obligations to	R		R		R

Responsibilities	Contractors, volunteers and students	Parents/guardians	Early childhood teacher, educators and all other staff	Nominated supervisor and persons in day-to-day charge	Approved provider and persons with management or control
R indicates legislation requirement, and should not be deleted					
behave in accordance with the policies					
Ensuring when sharing information, giving precedence to the wellbeing and safety of a child or group of children over the right to privacy when sharing information under the CISS and the FVISS (refer to Definitions) (refer to Council's Privacy Policy)			R	R	R
Seeking and taking into account the views of the child and the child's relevant family members, if it is appropriate, safe and reasonable to do so when sharing information under the CISS and the FVISS			✓	✓	✓
Being respectful of and having regard to a child's social, individual and cultural identity, the child's strengths and abilities and any vulnerability relevant to the child's safety or wellbeing when sharing			✓	✓	✓

Responsibilities	Contractors, volunteers and students	Parents/guardians	Early childhood teacher, educators and all other staff	Nominated supervisor and persons in day-to-day charge	Approved provider and persons with management or control
R indicates legislation requirement, and should not be deleted					
information under the CISS and FVISS					
Promoting a child's cultural safety and recognising the cultural rights and familial and community connections of children who are Aboriginal, Torres Strait Islander or both when sharing information under the CISS and FVISS	✓	✓	✓		
Educating and empowering children to talk about events and situations that make them feel uncomfortable	✓	✓	✓	✓	✓
Providing support to staff who disclose harm	R	✓			
Ensuring that children have access to information, support and handling complaints through processes that are culturally safe, accessible and easy to understand (refer to Council's Complaint and Unreasonable Behaviour Policy)	✓	✓			
Identifying and mitigating risks in the online and physical	R	✓	✓		✓

Responsibilities	Contractors, volunteers and students	Parents/guardians	Early childhood teacher, educators and all other staff	Nominated supervisor and persons in day-to-day charge	Approved provider and persons with management or control
R indicates legislation requirement, and should not be deleted					
environments without compromising a child's right to privacy, access to information, social connections and learning opportunities (Refer Council's Privacy Policy)					
Reviewing this policy in consultation with stakeholders		✓	✓	✓	✓

Evaluation

In order to assess whether the values and purposes of the policy have been achieved, the approved provider or persons with management or control will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness, particularly in relation to identifying and responding to child safety concerns
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required.

Attachments

- Attachment 1: Processes for responding to incidents discloser and suspicions of child abuse (D23-130368)
- Attachment 2: Responding to suspected child abuse: Template for all Victorian Early Childhood Services (D23-130372)
- Attachment 3: Public Commitment to the Cultural Safety of Aboriginal Children Template (D23-130388)