NSW
GOVERNMENT

Implementing the Child Safe Standards

A guide for early childhood education and outside school hours care services

Implementing the Child Safe Standards: A guide for early childhood education and outside school hours care services

Contents

Introduction

A child safe culture is a set of values and practices that guide the attitudes and behaviour of all staff.

The following values should be at the heart of any approach that prioritises children's safety:

- The best interests of children and their protection from harm and hazard is paramount.
- Child abuse is not tolerated and must not happen.
- 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.

The Child Safe Standards recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) provide a framework for making organisations safer for children. The Standards provide tangible guidance for organisations to create a child safe culture, adopt strategies and act to put the interests of children in keeping them safe from harm.

The Child Safe Standards have been designed to:

- Help drive cultural change in organisations.
- Be principle-based and outcome-focused.
- Be 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.
- Be a benchmark against which organisations can assess their child safe capability and set performance targets.
- Be of equal importance and interrelated.

The aim of this document is to guide early childhood education and outside school hours care (education and care) services in implementing the requirements of the Child Safe Standards and the related National Principles for Child Safe Organisations.

This Guide provides education and care services with practical strategies and tips to consider when implementing the Standards, offers points for critical reflection, and promotes continued establishment of systems that prevent, detect and respond to child abuse.

This Guide applies to a range of children's age groups and roles in services, and is designed to be used to support all services types, including long day care, family day care, outside school hours care, and mobile and community preschools. Case studies are included as an example of practice and should be used as a supplement to the experiences, knowledge and research you have obtained to create a safe environment for the children attending your service. The examples of practice included in this Guide are suggestions for you to consider when thinking about your own individual context.

As you read this Guide, you may notice overlaps between the Child Safe Standards and the National Quality Standard. Practices that you have introduced or changed when implementing or reflecting on the Child Safe Standards can form part of the Quality Improvement Plan and self-assessment practices at your service.

This Guide supports the creation of 'communities of practice' so that learning from each other and pooling resources can drive a shared vision of continuous improvement. You may take this as an opportunity to network with other services and relevant organisations to develop your own 'communities of practice' advocating for child safe practices in your own organisation and local communities.

Quick note on terminology: As you work through the scenarios in this document, you may feel it necessary to adapt the scenarios to suit your service type, or use terminology relevant to your service. For example, instead of using the title 'Centre Director', you may choose to change this to 'Centre Manager', 'OSHC Coordinator' or other relevant positions at your service.

Trigger warning: Information included in this resource contains content on abuse and may cause distress for some people.

If you require support, it is recommended you speak to your GP or another allied health professional, or speak to a trusted adult.

The following support services are free and accessible online or over the phone:

- Lifeline provides Australians experiencing emotional distress with access to 24 hour crisis support and suicide prevention services. **Call 13 11 14**

- National Sexual Assault, Domestic Family Violence Counselling Service provides a counselling service 24/7 via phone or webchat for victims of sexual assault or domestic family violence. **Call 1800 737 732 (1800 RESPECT)**

- Bravehearts is a national information and support line that can be accessed by anyone wanting information or support relating to child sexual assault and exploitation. **Call 1800 272 831**

- For further information on counselling and support services, please visit the Contacts for support webpage on the department's website.

Responding to incidents, disclosures and suspicions of child abuse

As a staff member in an early childhood education and care and outside school hours care (ECEC) service, you must talk to someone if you are concerned or have a suspicion that a child is at risk of abuse, harm, neglect or ill-treatment.
You must make a report if you believe a child may be at risk, even if you have not seen the abuse occur.
This resource should be used as a guide, in conjunction with your service's policies and procedures.

1 Responding to an emergency

If there is no risk of immediate harm, go to Action 2.

If you are concerned that a child's immediate health or safety is compromised, **contact 000 for urgent medical or police assistance**.

Ensure the child feels safe and follow advice from emergency services.

2 Reporting to the relevant authorities

As soon as immediate health and safety concerns are addressed, you must report all incidents, allegations and complaints. Failure to report assault or child sexual abuse may amount to a criminal offence under the Crimes Act 1900. Depending on the circumstances, reports to multiple authorities may be required. Reporting requirements can differ based on where the alleged abuse occurred:

At an ECEC service

Report to management
You must report to your approved provider.

NSW Police
You must report all instances (alleged or witnessed) of child abuse, including assault or sexual abuse (including grooming).

NSW Department of Communities and Justice (Child Protection Helpline)
As a mandatory reporter*, you must report if a child is considered to be at risk of significant harm - reporter.childstory.nsw.gov.au/

NSW Department of Education
Services must report incidents, allegations or complaints to the department through NQA ITS** at acecqa.gov.au/national-quality-agenda-it-system

Services can use the National Decision Tree acecqa.gov.au/notify to help determine whether a notification is required and the timeframe in which that notification should be made.

NSW Office of the Children's Guardian (Reportable Conduct Scheme)
Any reportable allegation or conviction involving a staff member, volunteer or contractor must be reported within 7 business days.

At home or in the community

NSW Police
All adults in NSW are required to report information to police if they know, believe or reasonably ought to know that a child has been physically or sexually abused (including grooming) to NSW Police.

NSW Department of Communities and Justice (Child Protection Helpline)
As a mandatory reporter*, you must report if a child known to you is considered to be at risk of significant harm.

Report to management
If the child attends the ECEC service at which you work, you should notify the approved provider so your service can consider any follow up actions or relevant supports as needed.

*Educators working in early childhood education and care and outside school hours care services are 'mandatory reporters' under NSW child protection law. Mandatory reporters must make a report when they have concerns about the safety, welfare or wellbeing of a child. The Mandatory Reporter Guide should be used on each occasion where there are concerns for a child, as every circumstance is unique.
**Mobile and occasional care services should use the departments notification forms.

3 Contacting parents/carers

Always consult with the relevant authorities to understand what information can be shared and when, as this can impact any ongoing investigations.

You may be advised to:
- not contact the parent or carer (for example, in situations where they are alleged to have engaged in abuse); or
- to contact the parent or carer and provide agreed information as soon as possible.

4 Providing ongoing support

Often support will be required for children, families and staff following an incident.

Support might include counselling, access to community services or more information.

Scan the QR code for information on some available counselling and support organisations.

5 Debrief and critical reflection

After every critical incident, you should ensure staff are provided the support they need.

Critically reflecting on the incident in a manner that respects the privacy and confidentiality of the incident is recommended to inform required changes to policies, procedures, practices and risk assessments.

Contact

NSW Police
- Contact Triple Zero (000) in an emergency
- If not an emergency, make a report by calling or attending your local Police station
- For general enquiries, call the Police Assistance Line on 131 444
- If you are unsure if it is a criminal matter, speak with your supervisor. If in doubt, report the matter to your local Police.

NSW Department of Communities and Justice (Child Protection)
- Use the NSW Mandatory Reporter Guide at reporter.childstory.nsw.gov.au/s/mrg
- Call the Child Protection Helpline on 132 111

NSW Department of Education
- Make a report at acecqa.gov.au/national-quality-agenda-it-system
- If unsure call 1800 619 113 or email ececd@det.nsw.edu.au

NSW Office of the Children's Guardian (Reportable Conduct Scheme)
- Call (02) 8219 3800 or email reportableconduct@kidsguardian.nsw.gov.au

Disclaimer: this resource has been adapted from the Four Critical Actions resource developed by the Victorian Department of Education and Training.

A copy of this resource can be downloaded from the Reporting incidents and concerns webpage on the department's website.

Guide on the Child Safe Standards for early childhood education and outside school hours care services

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

Objective

Education and care services prioritise child safety in what they say and do.

How can education and care services and their organisations implement this Standard?

For all staff working directly with children

- Understand your important role in keeping children safe from abuse in your service, and that this is everyone's responsibility.
- Champion a child safe culture through your attitudes, behaviours and actions, for example, promoting and living the code of conduct, setting the standard of behaviour for your organisation.
- Remain up-to-date with your mandatory reporting requirements.
- Ensure you are confident communicating your service's commitment to child safety, and the ways you ensure children's safety on a day-to-day basis, with other staff, families and children.
- Celebrate National Child Protection Week, Safer Internet Day and other events with children that specifically promote child safety.

For leaders in education and care services and organisations

- Ensure a child safe culture is reflected in your organisation's mission statement/values and service's Statement of Philosophy.
- Ensure the policies and procedures of your service reflect your commitment to child safety.
- Remain up-to-date with your legislative and reporting requirements as a service provider (including approved providers and boards).
- Regularly communicate about the service and organisation's collective responsibility for child safety. For example, this can be promoted:
  - during meetings
  - during events
  - on social media
  - on noticeboards
  - in newsletters.
- Make child safety a standing agenda item at management, staff and committee meetings.
- Ensure staff across all levels of the organisation are familiar with mandatory reporting requirements and their role in keeping children safe.
- Consider how your recruitment strategies and induction processes ensure all staff understand what is expected of them in providing a child safe environment (further examples can be found under Standard 5).

- Ensure your HR processes are comprehensive.
- Develop relationships with other community organisations that support child safe practices to learn from each other and promote continuous improvement of services in the community.
- Consider developing a 'Statement of Intent' for approved providers, nominated supervisors, other leaders and staff in your organisation to sign to show your organisation's commitment to child safety and meeting the Child Safe Standards.

Note: Good leaders make sure there are clear rules and procedures. They make sure staff know what is expected of them. They identify and mitigate risk. They listen to children and parents, and consider diverse needs. They continually find things to improve. Good leaders act as role models in prioritising child safety, and make sure that this commitment is reinforced at every level of their organisation. This can be reflected in the kind of people they hire; the behaviour they reward, support and punish; the matters they focus their attention on; and the way they respond to challenging events. (Excerpt from NSW Office of the Children's Guardian's Guide to the Child Safe Standards, page 11).

Child Safety checklist (for policies and procedures)

✓ Are educators regularly involved in the development and review of your policies?

✓ Do your policies consider strategies for embedding child safety across all levels of the organisational structure?

✓ Have you consulted with children, families and relevant agencies on policies and practices that relate to child safety?

✓ Is your commitment to providing a child safe environment included as part of your service's statement of philosophy?

✓ Do you actively update your policies and procedures in relation to the changing profile of children and families using the service and staff turnover? For example, do you consider that new children may experience instances of vulnerability and may require additional safeguards in ensuring their safety?

✓ How do you ensure potential risks are mitigated and staff are supported to minimise risks of abuse (e.g. training, additional supervision)?

What you might hear children say...

- My educators talk to me and my family about my safety.
- I trust my educators.
- My educators ask me what I think and listen to what I say.
- I feel safe at all times.

Case study example

Scenario:

Sarah (educator) witnesses a staff member (educator) pull a child by the arm at the service but feels scared to report it in fear of possible retaliation by the accused staff member.

The accused staff member is a friend of the Centre Director (who is the nominated supervisor and responsible person at the service when the incident has occurred), and Sarah is concerned that the Centre Director might not take her reports seriously in order to protect the reputation of the service and the accused staff member.

As a first step, Sarah comforts the child and ensures the child's immediate physical safety and wellbeing within the service. Sarah then documents what she witnessed in an incident report.

However, Sarah is still not sure who to talk to about what she has seen. She reviews the service's policies, including the 'providing a child safe environment' policy, 'complaints handling' policy and any other related policies and procedures, to understand who she can talk to in her organisation and how to report the incident.

Sarah follows the service's policies and reports the incident to the Centre Director, and provides the Centre Director with a copy of the incident report. The Centre Director informs the child's family about the incident that has occurred.

Later on, when Sarah asks for an update from her Centre Director on any reports that have been made, the Centre Director responds saying that a report isn't required in this situation.

Sarah knows the Centre Director's response is not quite right. What should she do?

Immediate actions:

- Sarah knows that serious incidents need to be reported to the relevant authorities, so she follows the service's policies and procedures and notifies the approved provider of the incident that has occurred.

> Sarah could have called the relevant reporting authorities if she didn't feel comfortable going to the approved provider.

- The approved provider makes a report to the NSW Department of Education and the Reportable Conduct Scheme (NSW Office of the Children's Guardian), and uses the Mandatory Reporter Guide to get advice on next steps. Depending on the level of risk or harm that has occurred, the approved provider also notifies the NSW Police.
- The approved provider considers follow-up actions needed for both the Centre Director (who failed to report) and the accused staff member, such as suspending the staff member or placing them on alternate duties while the investigation takes place.
- The approved provider follows the service's policies and procedures to undertake any necessary disciplinary actions following the findings.
- The approved provider continues to liaise with the relevant authorities and follows their advice.
- The approved provider offers the child and the child's family ongoing support and counselling services.

Ongoing risk mitigation strategies:

- Ensure all staff are involved in regular training on mandatory reporting, child safe practices and respectful and appropriate interactions with children.
- Consider staff positioning so that staff are always within view of each other.
- Ensure supervision plans include staff positioning.
- Plan routines and staff rosters to minimise (or eliminate) times where staff are left alone with children during the day.
- Regularly review policies, procedures, risk management plans and environments to ensure children's safety.
- Consider developing a policy to address current and potential future conflicts of interest.

Reflection questions:

- What measures could be put in place to ensure this scenario does not occur in your organisation?
- What steps would you take and where would you go to find more information if you were in a situation similar to Sarah at your service?
- What can you do if you are concerned that an incident you reported to your supervisor or manager has not been addressed or followed up appropriately?

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

Objective

Children are encouraged and empowered to speak up and are believed.

How can education and care services and their organisations implement this Standard?

For all staff working with children

- Promote children's bodily integrity (respecting their physical space and only using touch when necessary and appropriate) and support children's early understanding of consent by acknowledging and respecting a child's right to refuse or say no.
- Empower children by listening and responding to their voices and respecting non-verbal cues.

> Note: Evidence shows when adults ignore non-verbal and verbal 'no's' from children it teaches children they have no control and reinforces learnt helplessness making them more vulnerable to abuse. This is particularly prevalent with children who have disabilities.

For educators working with children under 2 years old

- Support children's developing language skills so that they can begin to ask for help when they need it. For example, for under 2's this might look like supporting ways to communicate when they would like more food or a certain toy (through gestures or words).
- Teach children to point to body parts they know and support developing language to name them (i.e. nose, mouth, ears etc.). This supports children to develop an increased understanding of their bodies and correct language to label body parts.

For educators working with children 3 to 5 years old

- Educate children about how they can seek help and help them to identify safe adults in their life, i.e. a parent, grandparent, educator or doctor.
- Educate children on correct language to describe body parts and communicating when they feel unsafe. Developing this language will help to equip children with language to communicate or disclose information when something isn't right, and helps ensure disclosures won't be missed.
- Reassure children they won't be in trouble if they ask for help.
- Ask children for their input with the educational program, organising projects and planning events.
- Educate children about what is acceptable and unacceptable behaviour with each other, and between adults and children.
- Respect and support diversity, including LGBTIQA+ and gender diverse young people.

- Talk about emotions and how your body might feel when you are happy, sad, scared, excited etc. Support children's developing language skills to start to label how they might be feeling, for example, "That must have made you feel X" and point out in stories when a character is feeling a certain way. Using posters and mirrors can help children explore and identify the visual signs of their own and others' feelings in an age-appropriate way.

- Introduce the concept of safety during conversations about feelings. Talk about feelings and physical reactions associated with feeling safe or unsafe and talk about where, and with who, children feel safe or unsafe at the service. Create activities around this, for example "Lets paint pictures of the educators and friends that make you feel safe here". Children's feedback in these activities can inform your risk management planning and policies and procedures.

For educators working with children 5 to 12 years old

- Educate children to recognise safe environments, environments that are open and visible to other adults and children.

- Develop awareness amongst children and families of appropriate interactions between staff and children, and know who to report to if they see something outside of these behaviours. For example, you might do this by creating posters, visual charts, infographics or videos, by having conversations with children, and regularly including information in newsletters or other forms of regular communication.

- Provide children and their families with opportunities to talk about key issues affecting them, including their perceptions of safety. This can be done both formally and informally, for example through parent information nights, invitations to provide feedback through communication channels including newsletters or email signatures, or in conversations with children and families.

- Ensure you are responsive to any fears, concerns or complaints from children, even those that may appear 'minor'. It is important to be aware that this could be a partial disclosure of abuse and the child may be testing out your response.

- Create a Child-Centred Feedback Tool to assist children to provide feedback. For example, ask children about their preferences for providing feedback, i.e. whether it should be anonymous, and offer different options for providing feedback according to children's choices, such as in writing, through drawings, sending an email, or talking to their educators or families.

- Engage children in the creation of your risk management strategies.

- Create posters that promote discussions, including topics such as friends, listening, secrets, feelings, ideas, bullying and who to talk to about problems.

- Find ways to utilise community artwork, involving children to promote messages of child safety.

- Create posters and postcards which build an awareness of abuse and give information on how to seek help.

- Offer information sessions for families on healthy relationships in partnership with a community organisation skilled in this area.

For leaders in education and care services and organisations

- Promote a rights based, respectful, child safe culture where children's concerns are always responded to.

- Support staff, volunteers and students training on children's empowerment, participation and safety in services.

- Educate staff and volunteers/students on practical ways to identify, respond to and report disclosures of abuse.

Child Safety checklist (for policies and procedures)

- ✓ Do your policies and procedures support children's participation and empowerment?
- ✓ Is there a 'feedback loop' from children's input, to service response/action, then to report to children how you have acted on their feedback?
- ✓ Are children and parents aware of the Code of Conduct and what is appropriate behaviour from staff?
- ✓ Do your policies explain how children, educators and families can raise concerns?
- ✓ Have you asked children and families if they know how to raise a concern, complaint or allegation?
- ✓ Do your policies have links to support agencies including the eSafety Commissioner (eSafety), NSW Police, Kids Helpline, Headspace and Parentline?
- ✓ Has relevant information in your risk assessments been discussed with children? Have children had an opportunity to be involved in the development of the risk assessment, for example, through conversation about safety considerations from their perspective?
- ✓ Are your policies and procedures tailored to the diverse needs of children, families and circumstances of your service? For example, if a child's gender identity is different to their assigned sex, how is this considered as part of your risk management plan and educational program to ensure the child is safe while attending the service?

What you might hear children say...

- I can talk to my educators and my family if I feel unsafe.
- My educators listen to me and respect my decisions.
- My educators encourage me to share my thoughts.
- I know how to ask for help when I need it.
- I know I won't get into trouble for asking for help.
- I have friends here that I can talk to if I need help.

Case study example

Scenario 1:

Jessie (who is four years old) has been telling her educator (Sue) for a few weeks that she doesn't like another staff member there. Sue has observed that Jessie can be 'clingy' at times and 'complains a lot' so tries to keep her busy with activities.

A new educator (Josh) starts at the service and Jessie gravitates to Josh and tells him she doesn't like a particular staff member. Josh sits down with Jessie to do some activities and asks her why. Jessie repeats "I just don't like them". Josh keeps asking "what don't you like" as they are drawing pictures. Jessie says "I don't like it when people touch my flower". Josh continues asking open ended questions, "what is your flower" and Jessie points to her crotch and says "down there".

Josh reports this immediately to Sue. Sue states that it is "unlikely" and "can't understand when it could have happened" but knows they have to report it.

Immediate actions:

- Josh has enough information to report and understands it is not his responsibility to investigate or find evidence to support Jessie's allegation.
- Josh reassures Jessie, tells her he will tell someone about what she said and thanks her for telling him why she didn't like that other staff member.
- Josh reports exactly what Jessie said to him while keeping Jessie in his line of sight.
- Sue and Josh inform the nominated supervisor at the service, who calls NSW Police and makes a report to NSW Department of Education through the NQA ITS portal. The nominated supervisor also calls the Reportable Conduct Scheme (NSW Office of the Children's Guardian) and Child Protection Helpline (NSW Department of Communities and Justice) for advice.

- The nominated supervisor informs the family of the allegation and offers Jessie and her family continued support.
- The nominated supervisor follows the service policies to manage actions relating to the accused staff member and considers options such as placing the staff member on alternate duties or suspension in consultation with the relevant authorities involved in the investigation.
- The nominated supervisor continues to liaise with the relevant authorities and follows their advice, including what and how they are communicating information to the child, family and accused staff member.

Ongoing risk mitigation strategies:

- Regularly review policies and procedures in relation to risk management, supervision and training.
- Regularly review your complaints handling process.
- Review physical environments – where did the alleged abuse take place? Are there other high risk spaces and activities in your service where abuse could take place, for example, sleep times, toileting and nappy change times.
- Discuss how to be responsive to children and identify and respond to abuse during team meetings. Ensure all staff are involved in these conversations.
- Provide opportunities for staff to refresh their child protection and child safety training via e-learning modules from the NSW Department of Communities and Justice and the NSW Office of the Children's Guardian.
- Ensure your educational program incorporates activities to support children's developing understanding and awareness of protective behaviours.

Reflection questions:

- What do you think of Sue's observation of Jessie?
- How do you think attitudes or responses towards children, similar to Sue's response, become part of a culture?
- Can you think of why and how Jessie's disclosure could have been missed in the past?
- Do your staff know how to identify a potential disclosure and how to respond?
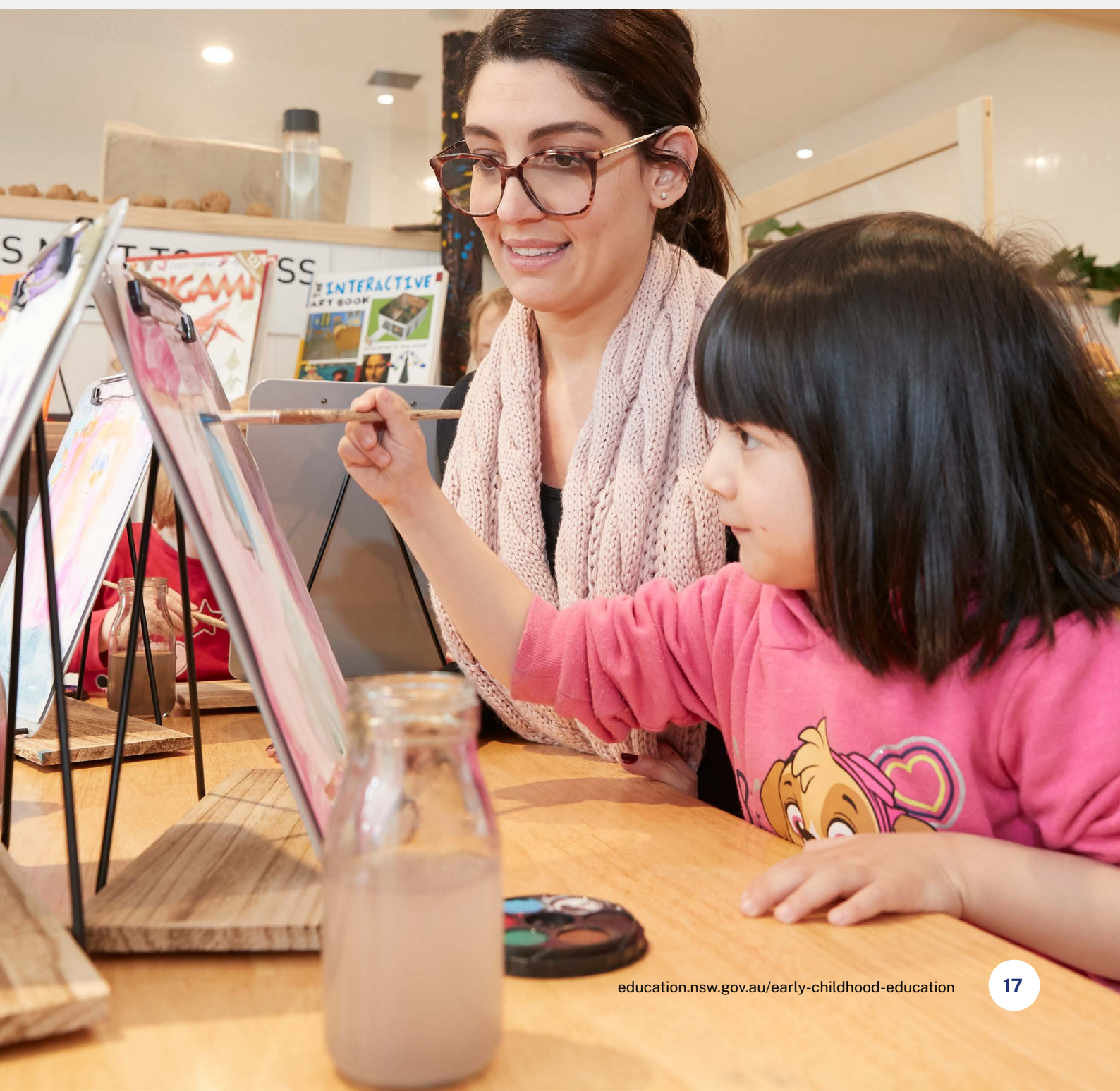
Scenario 2:

Maria is a 45 year old educator who has been working at an outside school hours care (OSHC) service for 10 years. Maria is well-liked by the families at the service and has a lot of experience with developing interactive OSHC programs for the children enrolled at the service. Some of the other staff have noticed that Maria can be abrupt with some children and even a little rough in the way she handles children when there is a dispute between children. The staff respect Maria and don't challenge her and they don't feel comfortable mentioning any concerns to the OSHC Coordinator due to their friendship.

One afternoon, two kindergarten children, Max and Zoe, have a physical altercation and Max bites down on Zoe's hand hard for several seconds. Maria intervenes and yells at Max to stop biting, and forcefully pushes the children apart, causing Max to fall to the ground. Maria immediately tells Max to sit in the time out chair. Max cries for 30 minutes, and when other staff tried to comfort him, Maria yells at them for talking to him while he is in time out. Meanwhile, another educator comforts Zoe and administers first aid for her injury.

Max calms down but continues to nurse his arm the rest of the day. Both Max and Zoe's parents are informed of the incident at pick up time and are provided with incident forms about the biting incident.

The next day, Max's parents call to inform the OSHC Coordinator that Max had a dislocated elbow and required medical attention. They wanted to lodge a complaint. The parents reportedly noticed Max avoiding using his arm and he cried while changing for bedtime. They were very upset the centre did not disclose more details from the incident or notice that Max required medical attention.

Immediate actions:

- The OSHC Coordinator informs the approved provider, who makes a report to the Reportable Conduct Scheme (NSW Office of the Children's Guardian), and the NQA ITS portal to the NSW Department of Education. The approved provider also uses the Mandatory Reporter Guide to get advice on next steps.

- In this situation, the approved provider reported both the incident and the complaint to the NSW Department of Education as they relate to different parts of the legislation. The approved provider reports to the NSW Department of Education to notify about the serious incident, and the concerns of the parents that relate to matters beyond the actual incident itself (i.e. providing an accurate account of the incident and first aid).

- The approved provider continues to liaise with the relevant authorities involved in investigating the matter and follows their advice.

- The approved provider follows the service's policies and procedures to undertake any necessary actions, and considers options such as placing Maria on alternate duties or suspension while the investigation takes place, in consultation with the relevant authorities.

- The approved provider offers Max and Max's family ongoing support and counselling services. The approved provider ensures the staff have access to relevant support as needed.

- When Max returns to the service, Max's educators support his interactions with the other children, and provide him with strategies to deal with conflict.

- The OSHC Coordinator continues to liaise with Zoe's family about the actions that have been taken in response to the biting incident, including the extra strategies that have been introduced to support children managing social conflicts. The OSHC Coordinator takes care to maintain confidentiality when discussing the incident with Zoe's family.

Ongoing risk mitigation strategies:

- Ensure all staff are involved in regular training on mandatory reporting, child safe practices and respectful and appropriate interactions with children.
- Provide opportunities for children and staff to discuss appropriate interactions between staff and children, and children and children, and who to report to if they see something outside of these behaviours.
- Ensure the educational program incorporates activities to support children's developing understanding of managing social conflicts with peers.
- Regularly review policies and procedures in relation to risk management, supervision, providing a child safe environment and training.
- Regularly review complaints handling processes, and ensure children, staff and families know how to raise concerns, and to manage potential conflicts of interest in the reporting process.

Reflection questions:

- Why do you think the staff responded to Maria's actions in the way that they did?
- In what ways could you ensure the staff at your service feel confident to raise their concerns regarding children's safety?
- What measures could you put in place to mitigate risks of a similar scenario occurring at your service?
- How would you continue to ensure that Max felt safe at the service following this incident?

Standard 3: Families and communities are informed and involved

Objective

Education and care services actively engage with families and communities to support children.

How can education and care services and their organisations implement this Standard?

For all staff working with children

- Engage in regular and open communication with families about their child with respect to the expertise, culture, values and beliefs of families.
- Provide families with opportunities for shared decision-making about their child's learning and wellbeing, inviting contribution to the educational program delivered for their child.
- Ensure current information about how the service promotes child safety is available to families, as well as relevant community services and resources.
- Provide families with opportunities to be actively involved at the service, with meaningful opportunities to provide input in service decisions.

For leaders in education and care services and organisations

- Ensure families are aware of management teams within the organisation and their roles (if the service is part of a larger organisation), as well as the roles and responsibilities of the staff at the service.
- Send regular, strong, child safe messages via your online platforms.
- Have a dedicated 'child protection and safety' section on your website, social media, and newsletters.

- On your different platforms, provide links to information and resources so families can learn more about what it means to be a child safe organisation. By role modelling this at your service for families, it will also support their knowledge of child safety in other organisations their child is involved in, and what they should look out for and expect.
- Ensure families and carers are aware of the code of conduct at your service and agree to abide by it at all times.
- Use practical strategies to foster communication, such as providing information about your commitment to child safety during centre tours and orientations for children and families.
- Ensure your policies and procedures are accessible to families and they know where to find them.
- Ensure families know and understand their rights and ways in which to make a complaint.
- Assess risks to child safety as part of your risk assessment for any event or excursion you hold and communicate this with families.
- Work in partnership with families, local schools and the wider community to support children's access, inclusion and participation at the service.

What you might hear children say...

- The adults here talk to my family about me.
- My family is welcome here.
- We celebrate special events here that my family celebrates at home too.
- My family can communicate with people here even if they don't speak English.

Child Safety checklist
(for policies and procedures)

✓ Do you have a parent-engagement strategy to communicate child safety information with families?

✓ Are there processes in place to ensure children and families who speak languages other than English understand your policies?

✓ Does your policy outline appropriate ways for families to communicate and raise concerns?

✓ Have families and members of your local community been involved in the development and review of your policies and your Quality Improvement Plan or self-assessment processes?

Case study example

Scenario 1:

Luke is a new child to the service and is from Wiradjuri country. His younger cousin Noah also attends the service. Luke is a happy and active child, engaging well with all the children. He is very close and protective of Noah, and actively goes to play with him during play times outside. While educators allow Luke to check in on Noah, they often redirect him to play with his own age group because Noah is several years younger and in a different play area of the service.

Luke has settled well into the service. Educators have proactively made efforts to engage with him and have seen some progress, however, educators are concerned that Luke is taking a long time to form strong relationships with them.

In what ways could you ensure that Luke feels safe at the service to develop strong relationships with those around him?

Immediate actions:

- Engage with Luke's family to get more information about what is important to Luke, and to understand more about the relationship dynamic and responsibility between Luke and his cousin Noah.

- Ensure Luke feels culturally safe when he enters the service. Learn more about Luke's culture by seeking guidance on the use of Wiradjuri language in the educational program, or researching local artists to create an artwork or mural at the service.

- Consider options to facilitate more time for Luke to spend with Noah.

- Ask Luke's family and extended family if they would like to be involved in the service, for example, through participating in, or facilitating, activities.

- Invite Luke's family and extended family to share about their culture with the staff and children at the service.
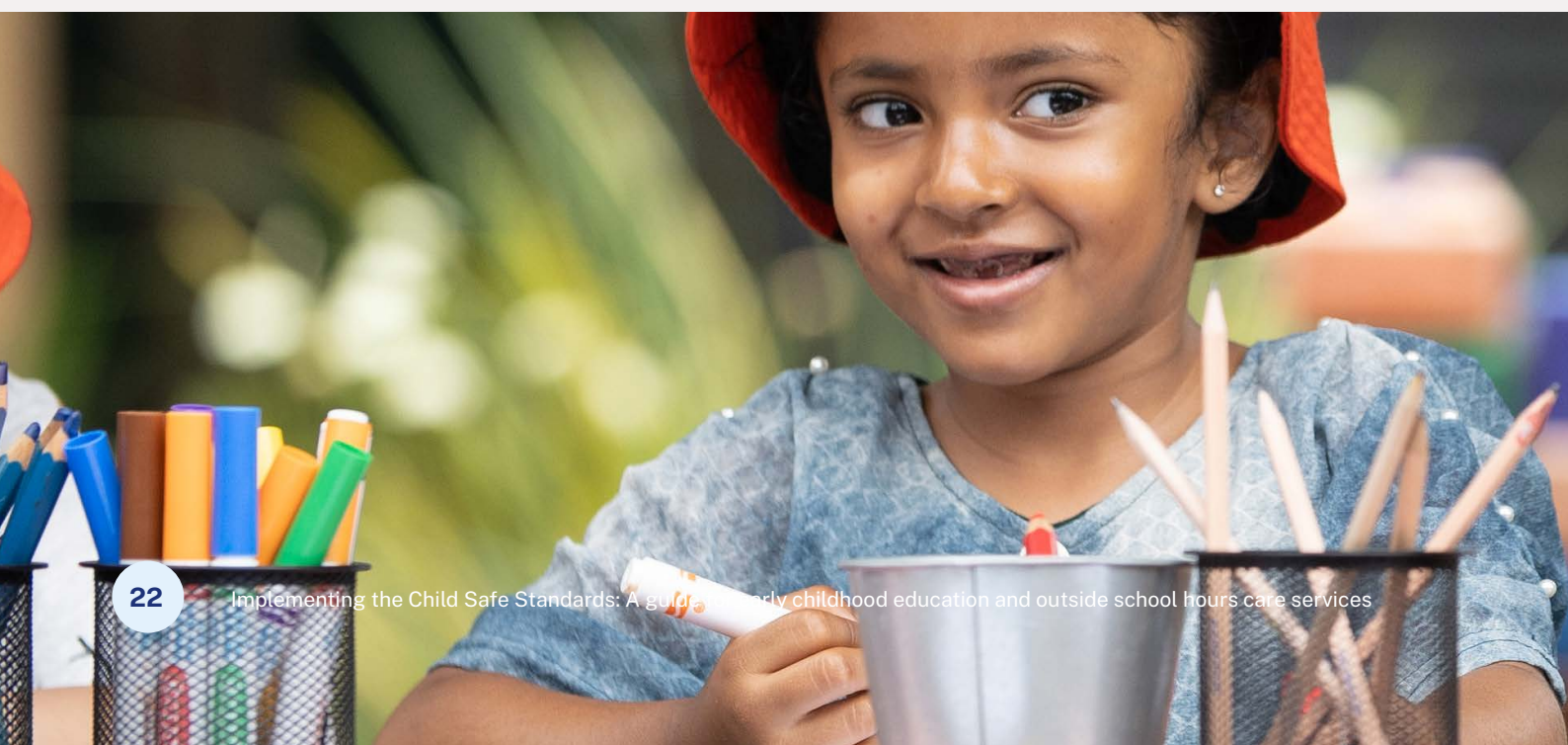
Ongoing risk mitigation strategies:

- Review your physical environment, staff's cultural awareness levels and educational programs. Do you think all children see and feel their culture is respected and supported at your service?
- Incorporate children's first and spoken languages into your service.
- Review your staffing profile to ensure staffing reflects the community that the service serves. If it doesn't, ensure your staff know what cultural safety is and how to create culturally safe relationships.

Note: Evidence shows children from Aboriginal and Torres Strait Islander backgrounds are more likely to disclose abuse to someone they see as culturally safe. This stems from recent and ongoing history of fear of removal from families if they disclose.

Reflection questions:

- Why do you think educators have not connected well or as quickly with Luke as they would like?
- How can staff at the service better facilitate opportunities to build a meaningful relationship with Luke?
- What would you do differently if Luke is from Wiradjuri country, and attending your service elsewhere in NSW, for example, on Eora land? In what ways could you ensure that Luke's Wiradjuri background is acknowledged and represented at the service? Are there any children in a similar position at your service?
- What measures can you put in place at your service to create culturally safe environments for children and families?
- What actions would you take if this situation occurred at your service?
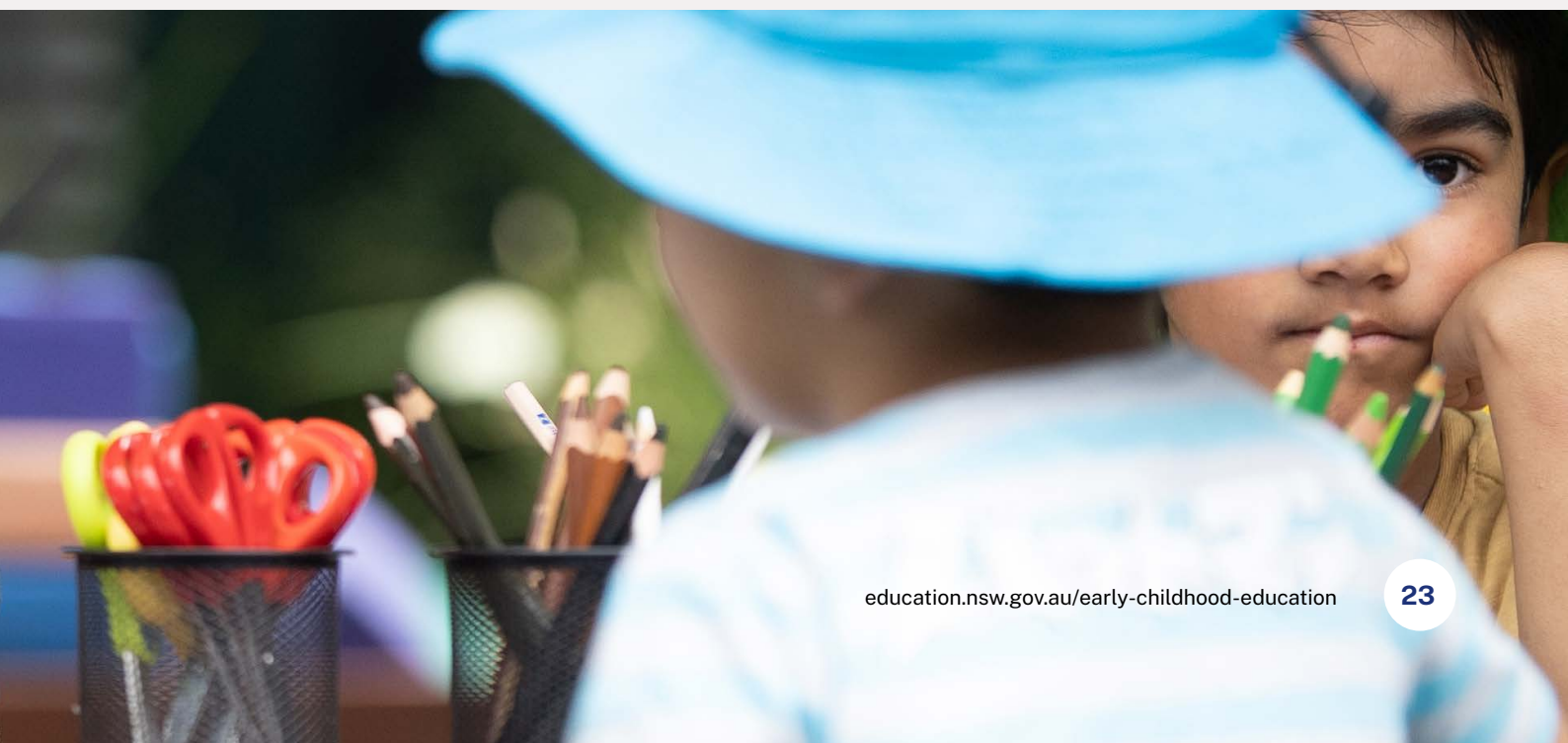
Scenario 2:

Jodie is an educator at a family day care service. At the end of the day, the phone rings after all the children in her care have been picked up.

On the other end of the call is a parent of a 3 year old child, Zayn. Zayn is a new child at Jodie's family day care service, who only started attending the service 2 months ago when his family moved to the area. The parent sounds distressed and explains that Zayn has come home saying that the assistant educator at the service "touches my penis" and that this educator "likes me the best". The parent has decided to keep Zayn home until the matter has been investigated further.

Jodie knows that Zayn has been having some difficulties with toileting independently in the new environment, and it's possible this could be a misunderstanding from when the assistant educator has been assisting Zayn in the bathroom. However, the complaint is a serious allegation and Jodie knows it needs to be managed and investigated appropriately.

What should Jodie do?

Immediate actions:

- Jodie contacts her approved provider to notify them of the complaint and allegation from the parent, and to seek advice on next steps.
- Jodie documents the conversation she had with the parent.
- Jodie collects any relevant evidence, including records of children's attendance, staff working with children, staff rosters, and case notes from the conversation with the parent.
- Jodie refers to and follows the service's complaints handling policies and procedures to help guide her on what other steps might be required specific to her family day care scheme.
- In consultation with her coordinator, Jodie decides to not engage the assistant educator to work at the service while the investigation takes place given the nature of the allegation.
- The approved provider notifies the NSW Department of Education of the complaint through the NQA ITS portal.
- The approved provider also contacts the NSW Police, the NSW Office of the Children's Guardian's Reportable Conduct Scheme, and the Child Protection Helpline (NSW Department of Communities and Justice) and follows their advice.
- The approved provider continues to liaise with the relevant agencies to ensure the service does not impede on any investigations.
- Jodie proactively keeps Zayn's family informed. If Zayn continued attending the service, Zayn should also be kept updated with age appropriate information.
- The approved provider ensures that Jodie and the assistant educator are provided with support as required, and refers Zayn and Zayn's family to ongoing support and counselling services.

Ongoing risk mitigation strategies:

- Review physical environments – where did the alleged abuse take place? Are there other high-risk spaces and activities at the service where abuse could take place, for example, sleep times, toileting and nappy change times.
- Consider strategies in consultation with the approved provider, family day care coordinator and/or nominated supervisor to mitigate risks and develop strategies for specific service contexts, particularly for services operating with a single educator model (i.e. family day care).
- As a family day care coordinator, ensure regular visits are made to the family day care services in the scheme.
- Where possible, consider staff positioning so that staff are always within view of each other.
- Where possible, plan routines and staff rosters to minimise (or eliminate) times where staff are left alone with children during the day.

Reflection questions:

- What measures could be put in place to mitigate risks of this scenario occurring in your organisation?
- What actions would you take if you were the staff member that the parent spoke to? Consider what actions should be taken from a variety of different roles staff undertake specific to your service type and involve all staff in these conversations, for example, educators, centre director, cook, administrative staff.
- How would you continue to ensure Zayn felt safe at the service if the parent continued to bring Zayn in after making this complaint?
- In what ways would you ensure the parent is kept informed of appropriate updates during an ongoing investigation, without impeding on any ongoing investigations?
- What actions would you take if the parent or grandparent making the complaint was not confident speaking English?

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

Objective

Children are provided opportunities to participate to their full potential based on their individual needs.

How can education and care services and their organisations implement this Standard?

For all staff working with children

- Ensure you are aware of and discuss the range of diversity at your service.
- Ensure the physical environment contains positive images representative of a range of cultures and abilities.
- Celebrate events to highlight Aboriginal culture and history, for example, National Apology Day, Reconciliation Week and NAIDOC Week. Invite people from your local community to provide education that is relevant for the country your service is on, for example, Gadigal land, Wiradjuri land etc.
- Celebrate diversity and significant cultural festivals such as International Day of Persons with Disabilities, Chinese New Year, Ramadan, Rosh Hashanah. Incorporate celebrations, recognition of events and festivals that are relevant to your children and families.
- Seek input from children with disability and their families about the design and delivery of your service and the best ways to encourage children or families to voice their concerns.
- Create culturally safe environments for children from Aboriginal and Torres Strait Islander and culturally and linguistically diverse backgrounds.
- Ensure curriculum decisions uphold all children's rights, including their right to have their identities, knowledge, strengths, ideas, culture, abilities and interests acknowledged and valued.

For leaders in education and care services and organisations

- Ensure staff are aware of the groups of children who may experience vulnerability to organisational abuse.
- Develop and implement a Reconciliation Action Plan (RAP).
- Display resources such as posters that show respect for Aboriginal culture.
- Find out about Aboriginal and Torres Strait Islander traditional owner groups in your local area and seek their involvement.
- Embed community engagement processes with Aboriginal and Torres Strait Islander community groups into your program for ongoing service improvement.
- Support your service to provide culturally safe practices through their programming, educational resources and toys, meal preparation, respect and acknowledgement of significant religious or cultural days and events.
- Provide families with easy access to professional interpreters, where required, especially during a complaints process.
- Consider inviting speakers to deliver parenting courses and programs for parents and carers that address cultural and intergenerational issues.
- Consider if your service is accessible to children with disabilities (physical disabilities, intellectual disabilities, developmental delay, mental health concerns).
- Consider LGBTIQA+ Inclusive Practice training for staff interacting with families.
- Display posters that welcome and demonstrate inclusion for LGBTIQA+ families.
- Consider signing up to the Welcome Here Project.

Note: Your risk management strategies and educational programming should reflect the diversity of children and families who make up your service's community. This means your educational programming and safety considerations and risk management should be personalised to your individual service. For example, if you have children who have same sex parents, foster children in your service, children from Orthodox religious families, children with additional support needs, and a range of other backgrounds, consider how you support each child to feel included and safe through your education (books, activities, conversations with children), and accessible complaint handling processes.

Child Safety checklist (for policies and procedures)

✓ Do your policies and procedures reflect the diversity in your service?

✓ Does your programming take into account the diverse support needs of all your children and families? For example, are your protective behaviour programs accessible for children with intellectual disabilities, or children of Aboriginal or Torres Strait Islander or culturally and linguistically diverse backgrounds?

✓ Do your staff and leadership team know what cultural safety is and how to provide a culturally safe environment, activities and conversations?

✓ Have you consulted with stakeholders from a range of diverse backgrounds and with the necessary expertise (including children, families and communities) in developing and reviewing your policies and procedures, for example, the Inclusion Support Program?

✓ Do your translation services and bicultural staff have knowledge of child abuse issues, particularly responding to disclosure, reporting and complaints handling?

✓ Is information about support and complaints processes provided in multiple accessible formats for families with different levels of English literacy and proficiency, languages and cognitive abilities?

What you might hear children say...

- My educators talk about different cultures, including my own.
- I feel included.
- I am treated fairly.
- I am proud of my background.
- I feel safe to talk about my differences.

Case study example

Scenario:

Joe recently started accessing ECEC services for the first time. Joe is 5 years old, and has been diagnosed with a global developmental delay with no known cause. He is non-verbal and has some sensory processing difficulties (doesn't like loud noises, bright lights or soft touch). He uses a communication system of exchanging pictures to communicate his needs but requires a lot of support from educators to encourage this communication method.

The other children welcomed Joe but are unsure of how to interact with him once they realised he doesn't communicate like they do. Educators tend to set Joe up with activities near the other children but try to keep him in quiet spaces to manage his sensitivity to noise. When Joe gets upset he can hit others and bite. To manage these behaviours, educators put Joe on the other side of the room where there is a low gate that separates him from others if he is upset. Educators maintain line of sight and invite Joe back in when he is calm. Joe's mum has expressed concern that he is separated from the other children too often and wants him to be interacting with others.

Joe also has private therapists who visit the service twice a week and they take Joe into another room to provide therapy. Some educators have asked the Centre Director if they are responsible for Joe when therapists are with him. Educators have also told his mum and the Centre Director that Joe is always unsettled after therapy sessions.

In response to this scenario, how would you ensure the safety of:

1. The other children at the service while facilitating opportunities for Joe to engage in social interactions?

2. Joe while he is engaged in therapy sessions when attending the service?

Immediate actions:

- In consultation with Joe's mum, develop an inclusion plan specific to Joe's needs, interests, and strengths and including his mum's goal of increasing his interactions with other children. Consult with Joe's therapists to ensure the strategies are informed and effective.

- Implement the plan, maintaining communication with Joe's mum. Regularly adjust the plan as required.

- Design activities that Joe and other children can participate in together, incorporating the use of pictures to communicate and keeping his sensory needs in mind.

- Request the therapists provide further training for educators to support Joe's communication and equip them with tools and strategies to manage Joe's behaviours. Ensure Joe's mum is aware of and involved in these conversations.

- Centre Director to observe Joe's therapy sessions and discuss his behaviour support plan with therapists so that educators can use similar strategies to support Joe.

- Ensure the space where Joe is provided therapy is within view of other staff, and where possible, consider if an educator at the service can be present in the room.

Ongoing risk mitigation strategies:

- Review policies and procedures to see if they are supportive of Joe and how educators facilitate effective early childhood education for Joe. Update as required.
- Review training and support needs of educators, for example, disability awareness training, training by Joe's therapists.
- Utilise the knowledge from Joe's therapists to gain a better understanding of how educators can provide inclusive activities to support Joe's social and emotional development, including developing relationships with educators and children.
- Consider if the service could source an additional support worker to facilitate Joe's communication and interactions with children.
- Review the service's risk management plan, to consider educators' abilities to monitor and/or view the therapist's interactions with Joe.
- Seek advice from Joe's mother, therapists and possibly an external consultant to assess how educators can safely manage Joe's behaviours.

Reflection questions:

- What are some of the strategies you would use to increase Joe's participation with the other children?
- What support could you provide educators for a child who has additional support needs?
- How do you support children in your service to teach them that everyone is different and has different strengths?
- What are your views on the educators separating Joe from the other children by using of a gate in this scenario? What other strategies could be used to support Joe's self-regulation?
- How would you respond if the following scenarios occurred at your service? For example, would your service record an incident report and report to any relevant authorities if:

  - A child hit or bit another child? Would you do anything differently if the child was older and attending an OSHC service, and did not have a diagnosis?
  - You used a similar behaviour management practice, such as the use of a gate to separate children?
  - You were concerned about a therapist's actions during a therapy session at the service?

- How do you manage the safety of children when private therapists or contractors visit children in your service?
- How would you assess how Joe is feeling and if he was having a positive experience in your service?
- Are there additional supports and meetings you would have with Joe's mum? If so, how often would you meet and what would you be discussing?
- Do you know who to call if you have concerns or need to make a report about an NDIS provider?

> Note: For more information, visit ndiscommission.gov.au/about/complaints

Standard 5: People working with children are suitable and supported

Objective
Education and care services attract, recruit, supervise and support staff to keep children safe.

How can education and care services and their organisations implement this Standard?

For all staff working with children

- Ensure you maintain an up to date Working With Children Check.
- Ensure you receive an appropriate induction to the service prior to beginning working with children.
- Ensure children and families are informed about staff changes.
- Ensure you are aware of your reporting requirements and how to raise concerns related to child safety.
- Seek support and clarification in understanding the service's policies and procedures.

For leaders in education and care services and organisations

- Ensure all staff have a verified Working With Children Check (WWCC).
- Ensure new staff receive an induction that familiarises them with relevant policies, gives formal child safe education and offers other relevant information on child safety.
- Provide regular mandatory reporting and child safe practice refreshers for all staff and ensure they understand their obligations.
- Ensure that all staff feel comfortable reporting any behaviour of other staff members that they feel is of concern to child safety.

- Encourage a culturally diverse workforce to nurture and support children's cultural safety.
- Provide mechanisms for staff and families to formally or informally raise concerns about harm or risk of harm to children.
- Ensure job descriptions and job advertisements set clear expectations about child safety, as well as subsequent inductions and training.
- Ensure interviews during recruitment processes for new staff working with children:
    - Provide clear information to applicants about the service's commitment to child safety.
    - Assess applicants values, motives and attitudes towards working with children.
    - Establish why the applicant is leaving their current job.
    - Assess the applicant's professional experience, qualifications and competence to work with children (for example, including behavioural questions/scenarios for the applicant to describe child safe practices).
- Ensure reference checks are undertaken that:
    - Involve direct conversations with at least 2 referees.
    - Including, where possible, the applicant's current or most recent employer.
    - Ascertaining, where possible, the applicant's attitudes and behaviours in previous child-related roles.
    - Ascertaining whether the applicant has ever been the subject of complaints.
- Ensure inductions occur before work with children begins, and include information on:
    - children's rights
    - respect for children
    - codes of conduct
    - child safe policies and procedures
    - strategies that identify, assess and minimise risks to children

– how to respond to a disclosure from a child

– complaints processes (including complaints about behaviour towards children)

– reporting obligations (including mandatory reporting).

Child Safety checklist (for policies and procedures)

✓ Does your policy outline the recruitment process for staff (including job descriptions, interview processes, referee checks, and qualification checks and verifications), and checks conducted for visitors (i.e. performers, specialists etc.)?

✓ Does your recruitment policy outline how conflicts of interest will be managed for people responsible for verifying probity checks?

✓ Does your service have thorough induction processes in place to ensure all staff are aware of their child safety responsibilities, including reporting obligations, and that staff feel comfortable in reporting behaviour of concern?

✓ Does your service or organisation have a system in place for checking the validity and currency of the WWCC of all staff and anyone else interacting with children at your service?

✓ Do all staff understand the service's policies on providing a child safe environment and the Code of Conduct?

✓ Do staff performance reviews include an opportunity to discuss and reflect on staff's understanding of and adherence to the Code of Conduct and child safe policies and procedures?

✓ Is your induction process for all staff and volunteers/students documented and tracked?

What you might hear children say...

- My educators show concern for me.

- I am told when there is a new educator working here.

- I can talk to my educators about things that upset me.

- I feel safe with the adults here.

- All the adults here say the same things about how I should behave and how they should behave.

Case study example

Scenario 1:

Vickie is the nominated supervisor and approved provider of an outside school hours care service.

Recently, an incident occurred at the service where an educator inappropriately disciplined a child. Following this incident, Vickie reported it to the NSW Department of Education and the NSW Office of the Children's Guardian's Reportable Conduct Scheme. She also contacted the Child Protection Helpline (NSW Department of Communities and Justice) and NSW Police for advice.

Vickie receives a call from the NSW Department of Education informing her that the staff member involved in the incident is being given an enforceable undertaking not to work at the service.

What are Vickie's next steps?

Immediate actions:

- Vickie liaises with the NSW Department of Education for advice.
- Vickie follows the service policies to take the necessary disciplinary actions.
- Vickie continues to liaise with the relevant authorities involved and follows their advice.
- Vickie offers support and counselling services to the family, child and staff, following advice from the agencies involved.
- Vickie ensures the child and family are updated, after consulting with the relevant authorities. She also ensures that the child's updates are age appropriate.

Ongoing risk mitigation strategies:

- Provide regular child safety training on child safe practices, reporting obligations, child protection, positive interactions with children and positive behaviour guidance.
- Promote cultures of reporting concerns within teams.
- Minimise or eliminate times where educators are left alone with children.
- Ensure supervision plans consider staff positioning so staff are always within line-of-sight of each other.

- Review physical environments to identify high-risk spaces and activities in your service where abuse could take place.
- Staff code of conduct documents include information on expectations and appropriate adult-to-child interactions.

Reflection questions:

- What measures could be put in place to prevent this situation occurring at your service?
- What actions would you take if you witnessed the incident taking place at your service? Consider from a range of perspectives including if you are an educator or a leader at a service.
- How can staffing rosters be developed to ensure adequate supervision at all times and to avoid situations where staff are left alone with children?

Scenario 2:

You are recruiting for new educators. You interview a candidate who has worked in several services but has only given you a referee from one from 5 years ago. They are reluctant to provide additional referees. What would you do?

Immediate actions:

- Request more references from the candidate, including their current or most recent employer (ensure you have at least two recent references).
- Ensure the reference checks include questions about the candidate's attitude and behaviours towards child safety and child protection, any concerns about their behaviours (no matter how minor) and if they received any complaints about the candidate.
- If no additional references are provided, then do not proceed with the candidate.
- Contact the NSW Department of Education to check if the candidate is prohibited in NSW or any other jurisdiction.

- Based on the findings from your reference checks, consider if a report to the NSW Office of the Children's Guardian Reportable Conduct Scheme or any other relevant agency is needed.

Ongoing risk mitigation strategies:

- As part of the recruiting or on-boarding process, ensure job ads, interviews and inductions include a focus on child safety and the staff member's responsibility in regards to child safety.
- Include specific questions relating to child safety in interviews to get an understanding of the levels of awareness of new staff members, for example, ask how they would respond to a child protection concern in response to one of the scenarios in this document.

Reflection questions:

- In what ways can you improve your recruitment processes to have a stronger focus on child safety?
- If you are a new educator in a service, reflect on your recent experiences through the recruitment process. Was there a focus on child safety in the job description and interview questions? Are there ways this could have been made clearer to you or improved? Share this with the management team of your service.

Scenario 3:

Upon checking the references of a candidate, one organisation discloses that a number of complaints were made by parents about this educator, with allegations around them 'being too close' with children. However, no complaint was ever substantiated and the educator left that organisation. What would you do?

Immediate actions:

- Check the validity of the candidate's Working With Children Check, and other qualifications.
- Contact the NSW Department of Education to check if the candidate is prohibited or if any complaints have been received about this person in NSW or any other states/territories they have been employed in.
- Contact the NSW Office of the Children's Guardian's Reportable Conduct Scheme for advice.
- Based on your findings from the reference check, consider if a report to a relevant agency is needed (Reportable Conduct Scheme, NSW Department of Education, NSW Police).

Ongoing risk mitigation strategies:

- Ensure interviews include questions about
  – Child safety and child protection scenarios.
  – Why the applicant is leaving their current job.
  – To assess the values, motives and attitudes of candidates working with children.
- Ensure at least two reference checks are conducted for every candidate, and reference checks are used to ascertain the candidate's attitudes and behaviours in previous child-related roles.
- Ensure staff responsible for conducting interviews and reference checks during the recruitment and on-boarding process have the appropriate education and training to identify appropriate candidates for child-related roles.

Reflection questions:

- In what ways can interviews and reference checks be enhanced at your service to ensure a focus on children's safety, and to assess applicants' values, motives and attitudes regarding working with children?
- How can probationary periods be used to help assess the suitability of new staff, and are there any ways this process can be enhanced to better monitor staff performance during this time?
- In what ways are staff supervised and supported at your service to encourage child safe practices?
- How would you manage an allegation about a staff member 'being too close' with children at your service?

Standard 6: Processes to respond to complaints or concerns are child-focused

Objective

Children are the priority when responding to complaints.

How can education and care services and their organisations implement this Standard?

For all staff working with children

- Ensure children's needs are prioritised when responding to complaints.

For educators working with children under 2 years old

- Support children's developing verbal and non-verbal communication to indicate to others when something is wrong, for example, if they are hurt. This will lay the foundations for children to begin to communicate when things are not right in other situations.
- Pay attention to changes in a child's behaviour and reactions to different staff members – this can indicate the child's preferences or that there could be something wrong.

For educators working with children 3 to 5 years old

- Provide child friendly ways to make a complaint, for example, through drawing or small group discussions immediately following an incident, i.e. after a social altercation. Providing children with opportunities to engage in these conversations will also help support their developing understandings of social justice and advocacy for others.
- Ensure children know who they can go to for help or with a concern when they need to, and that they won't get in trouble for doing so.

For educators working with children 5 to 12 years old

- Consult children in the ways they would feel most comfortable if they had to make a complaint, and offer a variety of avenues including written and verbal complaints.

For leaders in education and care services and organisations

- Ensure your complaints handling process is documented and accessible to families, staff, students/volunteers or anyone otherwise associated with the service.
- Develop a complaints handling process that is focused on the best interests of the child and is not subject to bias due to concern about the organisation's reputation.
- Provide information about your complaints handling process or grievance procedures in a variety of forms, for example, posters, social media, website or in newsletters.
- Include a feedback link on your website and email signature.
- Facilitate opportunities for verbal complaints as well as written ones. For example, ensure children know they can talk to their educators about anything that concerns them.
- Keep up-to-date with technology to find new ways of receiving and handling complaints that can be included in your complaints handling process.
- Have a child friendly version of your reporting policy.
- Promote a culture that encourages feedback, including voicing concerns, and share this with families.
- Ensure staff and volunteers/students know about their obligations as mandatory reporters.

Child Safety checklist
(for policies and procedures)

✓ Is your complaints handling process communicated in accessible and meaningful formats to families who use the service, mindful of diverse needs, cultural backgrounds and abilities?

✓ Does your complaints handling process include:

- Information about how to make a complaint and what to expect?
- Consideration for how children and families are supported throughout the complaint process?
- Approaches to dealing with different types of complaints, including concerns, suspicions, disclosures, allegations and breaches?
- Links to the Code of Conduct?
- Definitions of various forms of abuse?
- Actions to be taken where the subject of a complaint is a staff member, volunteer/student, parent, another child or person otherwise associated with the organisation (for example, actions might include supervision, removal of contact with children or being stood down)?
- Detailed guidance for how the organisation should respond to allegations, including steps for reporting externally as required by law?
- Communication, referral and support mechanisms for staff, volunteers/students, children and their families?
- Approaches to dealing with situations in which a child may cause abuse-related harm to another child?
- A clear commitment that no-one will be penalised or suffer adverse consequences for making a complaint?

✓ When a complaint is made, do you have processes in place to ensure:

- Responses are quick and thorough, and relevant people are kept informed of the progress, outcomes and resolution of the complaint?
- Cooperation with investigating authorities, including police?
- Personal information arising from complaints is treated in accordance with the law?
- Effective record-keeping practices are used in accordance with the law?
- All complaints are documented regardless of whether the complaint meets statutory reporting thresholds?

What you might hear children say...

- I know who to talk to if I feel uncomfortable, unsafe or unhappy.
- I know who to talk to if someone asks me to do something I don't want to do.
- I will be believed if I speak up about something that is concerning me, and action will be taken because of it.
- I will not get in trouble if I speak up.

Case study example

Scenario 1:

Adriana has been attending long day care for several months, twice a week. Her mum has noticed that over the last two weeks she has come home with bruising on her upper arms but her mum has not been asked to sign any incident reports at pick up time. Adriana is 2 ½ years old and has some language but when mum asks what has been happening, Adriana does not answer.

After the second week of bruising on Adriana's arms, mum reports the bruising to the Centre Director (who is also the nominated supervisor).

The Centre Director says she will look into it and reports back to Adriana's mum that the bruising was likely from playing in the yard with the older children on the equipment.

Adriana again came home with bruising the next week, so her mum called the NSW Department of Education to report her concerns and dissatisfaction with the Centre Director's response.

Immediate actions:

- Centre Director to meet with Adriana and her mum to check on their welfare and offer support.
- Centre Director and staff to review the notes, photos and activities of the last few days Adriana had attended.
- Centre Director to interview staff members that worked on the days that Adriana attended.
- Centre Director to inform Adriana's mum about the review/investigation and keep her updated.

- Centre Director reports the complaint to the NSW Department of Education through the NQA ITS portal, and continue to liaise with the NSW Department of Education to provide any new information and next steps.
- The Centre Director to consider if reports to other agencies (NSW Police, the NSW Office of the Children's Guardian's Reportable Conduct Scheme, or the NSW Department of Communities and Justice) are required as the review/investigation takes place.

Ongoing risk mitigation strategies:

- Review file notes for the days Adriana attended, review the environment, staffing roster of who works the days Adriana attends, children in attendance on days Adriana attends, and activities typically done each day, to assess any patterns or potential risks.
- When Adriana attends the centre again, closely monitor her activities and interactions with staff and children.
- Update policies and procedures based on any notable findings during the review/investigation.

Reflection questions:

- How would you have managed the mum's concerns when she first called?
- Was the Centre Director's initial response reasonable or appropriate?
- What support would you offer Adriana and her mum while you reviewed/investigated the bruising?
- Would you consider engaging an external investigator in this scenario?
- What would your response be if you established the injuries were:

  – Due to an environmental cause?
  – Caused by another child(ren)?
  – Staff inflicted?

- Pending the findings of the review/investigation, what agencies might you need to report to?
- Pending the findings, what sort of training might you consider for the Centre Director and staff?

Scenario 2:

Nick and Anne are a husband and wife team that operate a large, long day care service. Nick manages all the administrative tasks and Anne splits her time between the office work and being on the floor with the children.

A TAFE student, Kate, has just started her placement there, during her final year of study. Kate has been there for a week when she first witnesses Anne smack one of the toddlers in reaction to the child's challenging behaviour. Kate is shocked and looks at other educators to gauge their reaction, however the educators looked away and continued engaging with the other children. Kate wasn't sure what to do and called one of her peers that night to debrief. The following week Kate again observed Anne smacking another child. Kate was concerned about the children, the lack of reaction from other staff and was also worried about reporting what she saw and the impact it would have on her placement. Kate decided to go to her TAFE teacher for advice who supported her to call the NSW Department of Education and the Reportable Conduct Scheme enquiries line.

The service is contacted by the NSW Department of Education and the Reportable Conduct team at the NSW Office of the Children's Guardian.

Immediate actions:

- Ensure the safety and wellbeing of children: Anne steps down from frontline work while the investigation takes place and Nick continues to run the service.
- The children who have been smacked by Anne are identified and offered support. Nick informs the children's families and offers them support.
- Due to the significant conflict of interest, an external investigator is hired to review the incidents, interview staff and make recommendations. Nick, Anne and the other staff members participate in this process as required, as part of the external investigation.

- Nick keeps the children and families informed about the investigation and findings. The NSW Department of Education also communicates with the families to keep them updated on the progress of their investigation.
- Nick informs the children and families about the immediate risk mitigation strategies that will be used to keep their children safe at the centre.

Ongoing risk mitigation strategies:

- Meet with educators and other staff to review Code of Conduct, reportable behaviours, debrief on the current incident and allegation.
- Review notes, incidents and complaints to see if there is a pattern or previously missed reports against Anne.
- Talk to the children about their rights, and include safety programs and/or protective behaviours with the children.
- Ensure staff are aware of how to identify any disclosures from children after running these activities, and know how to respond.

Reflection questions:

- Why do you think other staff that were witnessing Anne smacking children did not do anything about it?
- What do you think constitutes a conflict of interest, and have you identified any at your service?
- When there are conflicts of interest in your service, how do you actively manage them?
- If there is a complaint or incident in your service and there is a conflict of interest, have you documented how you plan to manage it?
- What would you do if you couldn't engage an external investigator? Where could you seek support?
- What support and training would you offer educators after these sorts of incidents?
- Do your staff know how to confidentially report concerns if there are conflicts of interest at your service?

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

Objective

Education and care services invest in building staff skills, abilities and confidence.

How can education and care services and their organisations implement this Standard?

For all staff working with children

- Sign up to newsletters and websites to build your awareness of child safety, such as the NSW Office of the Children's Guardian and the eSafety Commissioner.
- Ensure you understand your mandatory reporting obligations and adhere to these.
- Report any concerns about child safety within your service to management.

For leaders in education and care services and organisations

- Keep up-to-date with legislative changes, and ensure staff are informed of changes relating to their work.
- Consider engaging an external expert to work with your organisation to deliver child safety training that is appropriate for your needs and individual service context.
- Use staff meetings as an opportunity to help staff develop practical skills such as how to respond to a disclosure of abuse.
- Find ways to include the voices and perspectives of children in staff training.
- Develop a simple flow-chart of instructions to support staff and volunteers/students to appropriately respond to child abuse.
- Consider multi-modal training where different forms of delivery (face-to-face, electronic, printed) are used to ensure the diverse needs of different learners are supported.
- Consider language and cultural issues when planning training.
- Keep a training register that includes dates, names of participants and when training content should be reviewed.
- Ask for feedback from participants about the quality and usefulness of the training.

> Please note: Child safe training content may be confronting and trigger various emotions. Consider what support measures need to be in place.

Child Safety checklist (for policies and procedures)

✓ Have all staff received training on your service's policies and procedures:

  – Through their induction and refresher training (i.e. annually)?

  – With a record of their participation to ensure all staff have received this training?

  – With particular regard to risk management, Code of Conduct, child safe policies and procedures, including specific information on reporting obligations, complaints handling processes and protections?

✓ Has your organisation created a safe environment where staff feel supported in expressing any concerns about child safety?

What you might hear children say...

- My educators understand how to keep me safe.
- My educators know how to behave around me.
- Sometimes the staff here tell me about what they have been learning and how that keeps me safe.
- My educators notice when I feel sad.

Case study example

Scenario:

Tom (educator) works in the 3-5s room with 2 other educators. He notices one of the other educators in the room appears to spend far more time with 2 specific children, Aarav and Yuan, more than any of the other children in the 3-5s room.

Tom notices that the educator is often whispering closely with Aarav and Yuan, and on one occasion Tom thought he overheard the educator telling Aarav and Yuan, "You're my favourites".

One morning when Tom arrives at the service, he notices this educator is alone with Aarav and Yuan outside. When Tom asks the educator why, the educator replies saying "it is because they have challenging behaviour and they need my attention". This sounds reasonable, but Tom still has a feeling that something is not quite right.

Immediate actions:

- Tom documents his concerns and discusses them with the Centre Director (who is the nominated supervisor and approved provider at the service).
- The Centre Director speaks to the educator about their practices, and registers the educator for training on child safety and interactions with children.
- The Centre Director contacts the NSW Department of Education and the NSW Office of the Children's Guardian's Reportable Conduct Scheme to seek further advice. Tom knows that he can also reach out to these agencies for advice if he felt the Centre Director did not adequately address his concerns.
- Tom reads back over the service's child safe and child protection policies, code of conduct and other related documents, to understand his reporting obligations and appropriate staff behaviour.

- Tom and the Centre Director continue to monitor the situation and document any concerns, and the Centre Director continues to liaise with the NSW Department of Education and Reportable Conduct Scheme and follows their advice.

Ongoing risk mitigation strategies:

- Ensure all staff receive training on the nature and indicators of child maltreatment, particularly in education and care settings.
- Through induction and regular training, ensure all staff understand and follow the service's policies, procedures and codes of conduct.
- Support staff in developing practical skills such as raising concerns.
- Ensure staff understand positive behaviours and environments that keep children safe and deter abuse.
- Regularly review policies and procedures relating to guiding children's behaviour, and where possible, ensure procedures enable responsibilities to be shared across staff at the service.
- Where relevant, ensure inclusion plans are in place that support staff interactions with children and are reviewed regularly.
- Where possible, consider staff positioning so that staff are always within view of each other.
- Where possible, organise environments and staffing across the environments to minimise (or eliminate) times where educators are left alone with children.

Note: Despite commonly held misconceptions and persistent stereotypes, there is no typical profile of a perpetrator. They use a wide range of tactics and strategies – including grooming. Perpetrators can groom children, families and other adults, including their work colleagues. This is often difficult to identify as the behaviour is not necessarily explicitly sexual or directly abusive. Leaders should provide staff with training and resources so they can identify conduct that, on its own, does not constitute grooming or abuse. However, repeated instances of this conduct may reveal a pattern of behaviour that indicates there is a risk to children. Examples can include:

- Being alone with a child when there is no professional reason for doing so.
- Spending time with a child outside an organisation.
- Sharing stories of sexual experiences with a child.
- Sharing inappropriate images.
- Offering children gifts, benefits and favouritism.

(Excerpt from NSW Office of the Children's Guardian's Guide to the Child Safe Standards, page 35).

Reflection questions:

- What would you do if the situation continues after you have raised your concerns with management?
- Are staff confident to ask for help with reporting inappropriate conduct?
- How do you ensure that all staff, including casual educators, are properly inducted and know the child safe expectations of your service?

Standard 8: Physical and online environments minimise the opportunity for abuse or other kinds of harm to occur

Objective

Risks to children in physical and online environments are identified and minimised.

How can education and care services and their organisations implement this Standard?

For all staff working with children

- Where possible, ensure you remain in line-of-sight of other staff members when working with children. Discuss child safe strategies with your family day care coordinator, nominated supervisor and/or approved provider for times when this is not possible.
- Consult with children about physical and online environments to understand what makes them feel safe.
- Conduct regular roll call checks of children, particularly when moving between environments.
- When using multiple spaces in a building, ensure doors are left open where possible, windows are unobstructed, and unused spaces are locked.

For educators working with children 3 to 5 years old

- Remind children you are there if they need anything, including while they are using online devices. For example, if they encounter anything unexpected, or that makes them feel uncomfortable, scared or upset.
- Identify who 'safe people' are, like family and friends, to develop children's understanding of engaging with others safely, in both physical and online environments.

- Teach children to "ask before they tap" or do anything new on a device, such as before they watch a new program, play a new game, explore a new website or download anything onto a device.
- Begin discussing concepts about 'being online' or 'the internet' with children so that they continue to develop their understanding of online safety.
- Ask permission before taking photos of children so children begin to develop an understanding of how photos of them can be used and where they will be published.

For educators working with children 5 to 12 years old

- Educate children on ways to recognise safe physical and online environments.
- Engage in regular discussions about what makes children feel safe.
- Encourage positive peer-to-peer and online behaviour, and talk to children about the risks associated with online activity (including strangers, personal information and cyberbullying).
- Discuss online behaviour as part of discussions and activities promoting respectful relationships.
- Set up devices safely, ensuring they:
  - Have controls, filters and safe search settings activated including on apps and online accounts.
  - Are password protected with access for staff only.
  - Are only used in open areas of the service where staff can monitor children's use.
  - Online sessions are ended so children aren't left unattended and able to access social media etc.

For leaders in education and care services and organisations

- Perform regular audits of physical environments to identify risks to children's safety and changes in room set-ups that could indicate areas of higher-risk and become supervision 'blind spots'.

- Ensure policies and supervision plans consider both the physical and online environments (where applicable).
- Ensure risk assessments are carried out for all physical and online activities, and identify areas where adults may have opportunities to interact with children unsupervised.
- Risk management strategies are established for activities including transportation, excursions, events, regular visitors who attend the service, and nappy change/toileting areas.
- Supervision plans are designed so that staff are not alone with a child (where possible).
- Consider policies and procedures on staff using personal devices while working with children.

Child Safety checklist (for policies and procedures)

✓ How have you reflected on your service's physical environment, layout and design, to ensure it is child safe and supports child safe practices?

✓ How do your policies, procedures and risk assessments consider the balance of children's privacy with the need to provide a safe environment for children?

✓ Does your policy describe safe online expectations for children and educators? These might include:
  - Age-appropriate access to technology.
  - The taking of photos and videos.
  - The use of service name/location on social media.
  - Personal and professional use of social media by employees.

✓ Does your policy detail procedures and processes around the capturing, storing and sharing of children's images and videos?

✓ Does your privacy and confidentiality policy include terms about the sharing of personal data online?

✓ If your service uses an online parent communication tool, does its data storage and sharing procedure comply with relevant legislation, including the Privacy Act 1988 (Cth) or relevant state and territory legislation?

✓ Does your policy require signed parent/carer consent to collect and share personal information, images or videos of their children online?

✓ Does your policy explain how children, educators and parents can raise concerns about digital technologies?

✓ Do you have appropriate filtering and monitoring in place for online devices?

✓ Are your device settings at a level of privacy that reflects data protection laws?

✓ Do your educators provide appropriate supervision when young children are using digital technology? Do your supervision plans consider managing supervision of children accessing technology?

✓ Have your educators engaged in professional learning about online safety (such as eSafety's professional learning modules), enabling them to identify and mitigate the risks associated with being online?

What you might hear children say...

- I know there are some areas here that I am not allowed to go.
- My educators ask about what makes me feel safe.
- I know what to do if I feel unsafe online.
- I can talk to someone I trust about anything I have seen or done online.
- My educators teach me how to recognise safe environments.

Case study example

Scenario 1:

Raphaella (educator) is returning from her lunch break and witnesses an educator working in the birth-2s room taking photos of a child on their personal phone.

Raphaella is surprised but is unsure if what she has witnessed is that serious, and if it needs to be reported. What should Raphaella do?

Immediate actions:

- Raphaella documents what she saw in an incident report.
- Raphaella discusses this with her Room Leader who reports it to the Centre Director (who is the nominated supervisor).
- The Centre Director discusses the incident with the educator to establish whether inappropriate photographs were taken. The Centre Director has concerns about the photographs and requests a copy of the photographs to provide to the relevant authorities.
- The Centre Director notifies the child's family and informs them that an investigation is underway.
- The Centre Director reports the incident to the NSW Department of Education and the NSW Office of the Children's Guardian's Reportable Conduct Scheme.
- The Centre Director considers if a report to the NSW Police and the Child Protection Helpline (NSW Department of Communities and Justice) is required. This is dependent on the level of risk and nature of the photographs taken.
- The Centre Director continues to liaise with these agencies to ensure the service does not impede on any external investigations.
- The Centre Director continues to keep the family updated, and offers ongoing support to the family and child, following advice from the agencies involved in investigating.

- The Centre Director follows the requirements and advice provided by the relevant authorities involved with investigating (for example, in the case a prohibition notice was issued to the educator) and undertakes any required disciplinary actions in line with the service's policies and procedures.

Ongoing risk mitigation strategies:

- Consider your service's policies on staff personal phone use whilst providing education and care to children.
- Consider the need for a policy on storage of personal items such as mobile phones.
- Consider the need for the service to have a social media policy.
- Ensure regular training for all staff on reporting obligations (including mandatory reporting) and child safe practices.
- Ensure your supervision plans include staff positioning.
- Consider staff positioning so that staff are always within view of each other.
- Consider the induction process to ensure these matters are covered to mitigate risk.
- Consider whether the environment set up is open plan and allows for adequate supervision. Consider removing or replacing frosted glass or barriers that could be an impediment.

Reflection questions:

- What measures could be put in place to prevent this situation occurring at your service?
- What actions would you take if you were the staff member that witnessed this incident?
- As a leader in a service, how can you ensure that all staff are aware of their roles and responsibilities relating to child safety?
- As a staff member, how can you ensure you remain up-to-date and informed with your own child safe practices?
- How can staffing rosters be developed to ensure adequate supervision at all times including high-risk situations such as nappy changing and sleep and rest times, where children may be alone with educators?

- Is the supervision of children included in your 'providing a child safe environment' policy? Is your policy and any related risk assessments tailored to your individual service context, taking into consideration individual children's needs?

Scenario 2:

Maya and Lucy take a group of children from the service on excursion to visit their local library every Wednesday afternoon.

One afternoon as they walk through the library to the children's book area, one of the children points out a graphic image on one of the public computers that a member of the community is using. What would you do?

Immediate actions:

- Maya sits down with the children that witnessed the image and discusses the incident, reminding them that they can talk to her if they are feeling uncomfortable, scared or upset.
- Lucy reports the incident to the library staff.
- Upon returning to the service, Maya informs the Centre Director (who is the nominated supervisor) and the Centre Director reports this incident to the NSW Department of Education through the NQA ITS portal. Depending on the level of risk and nature of the image witnessed, the Centre Director considers if a report to NSW Police is needed.
- The Centre Director calls the children's families to inform them about the incident and to work together to ensure the children's wellbeing.
- Continued support is offered to the families and children that were involved.
- Maya and Lucy review their policies and procedures relating to providing a child safe environment and excursions, and relevant risk assessments, to manage risks of this situation occurring again.

Ongoing risk mitigation strategies:

- Work together with staff or community members at excursion locations to create a child safe environment. For example, in this particular scenario, Maya and Lucy may work with the staff at their local library to discuss prohibiting certain content on public computers.
- Plan excursions to ensure adequate supervision at all times, and review excursion policies and procedures and risk assessments regularly, and after critical incidents, to mitigate risks.

Reflection questions:

- What are the child safety risks in your excursion environments?
- How can your service work with your community to create safe physical environments that reduce risks to children's safety or wellbeing from occurring?

Scenario 3:

John is 57 years old and a part owner of an outside school hours care (OSHC) service. His daughter is also part owner of the OSHC service, and looks after the administrative work. John has a number of small jobs at the centre such as maintenance, toy repairs, and cooking. He is not responsible for the care of the children at the service, but he often invites the children to help him with serving breakfast or afternoon tea during before and after school care, and plays with the children in the outdoor areas.

An allegation of sexual assault is made against John. Sarah, who is 7 years old, made a series of disclosures to her mother and father that John kisses her and gives her massages and tickles that are a 'secret'. Sarah reported this often happens when she helps John bring the food from the kitchen area. Sarah's family have also noticed some sexualised behaviours that were not age appropriate. This included Sarah trying to kiss her parents with an open mouth and tongue, trying to 'tickle' her mother's groin area and showing her vagina to other family members.

Sarah's mother mentioned the sexualised behaviours to the nominated supervisor and asked if John had ever kissed Sarah. The mother informed the nominated supervisor what Sarah had disclosed to her. The mother stated that she did not want to make a complaint but thought she should raise it as she was concerned about her child's behaviour.

Immediate actions:

- The nominated supervisor notifies NSW Police, the Reportable Conduct Scheme (NSW Office of the Children's Guardian), and makes a report through the NQA ITS portal to notify the NSW Department of Education.
- The nominated supervisor also completes the Mandatory Reporter Guide for advice on next steps.
- The nominated supervisor liaises with the relevant authorities for advice on talking to John and his daughter, and navigating appropriate actions such as organising alternate options for catering and urgent maintenance and repairs while the investigation is underway.
- The nominated supervisor continues to liaise with the relevant authorities, and follows their advice, including what information can be shared with whom and when.
- The nominated supervisor offers Sarah and Sarah's family ongoing support and counselling services.
- The nominated supervisor ensures the other staff have access to relevant support as needed.

Ongoing risk mitigation strategies:

- Ensure all staff interacting with children have the required certifications and qualifications, for example Working With Children Checks.
- Ensure all staff receive training on the nature and indicators of child maltreatment, particularly in education and care settings.
- Through induction and regular training, ensure all staff understand and follow the service's policies, procedures and codes of conduct, including how to raise concerns and complaints handling processes.
- Provide ongoing support to staff in developing practical skills, such as responding to disclosures and raising concerns.
- Ensure routines and environments are set up in ways that keep children safe and deter abuse.
- Regularly review complaints handling policies and consider how any potential conflicts of interest can be managed.

- Where possible, consider staff positioning so that staff are always within view of each other.
- Where possible, organise environments and staffing across the environments to minimise (or eliminate) times where staff are left alone with children.

Reflection questions:

- As a staff member in a service, how would you respond if you had concerns that a similar situation could be occurring at your service? How would you raise your concerns and who could you talk to?
- What measures could be put in place to mitigate risks of this scenario occurring in your organisation?
- What actions would you take if you were the staff member that the parent spoke to? Consider this from the perspective of the different roles staff undertake at your service, and ensure all staff are involved in these conversations.

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

Objective

Education and care services continuously improve their child safe practices.

How can education and care services and their organisations implement this Standard?

For leaders in education and care services and organisations

- Regularly review (at least annually) child safe policies, procedures and practices and after critical incidents.
- Ensure your policies and procedures are informed by best practice, relevant legislation and consider the needs of the children in your care.
- Network with other education and care services or organisations to share knowledge, experience and good practice ideas.
- Seek feedback from families, staff, volunteers/students and children about their experience of the complaints handling process, or their views more generally about your child safe practices, and how this work is communicated – and then act on this feedback where necessary.
- For services where there may be staff working alone with children (for example, family day care services) – give particular attention to the review and continuous improvement process in relation to effective risk management in these contexts.

Child Safety checklist (for policies and procedures)

✓ Do your policies have timelines for reviews?
✓ Are staff, educators, families, children and other relevant bodies involved in reviews of your policies and procedures, including risk assessments?
✓ Are staff provided with time during work hours to read and consider how policies and procedures can be improved when they are being reviewed?
✓ Is child safety embedded in your Quality Improvement Plan and/or self-assessment processes?

What you might hear children say...

- The adults here often ask me what I think.
- The adults ask my opinion if something unusual happens.
- The adults here ask my family for feedback to make improvements.
- The activities here keep getting better.

Case study example

Scenario:

You have recently joined the service as the nominated supervisor. When reading through the folder of policies and procedures, you see a 'providing a child safe environment' policy that was last updated over 2 years ago.

Immediate actions:

- Prioritise updating the policy, procedures and practices to align with current guidelines and advice from recognised authorities, such as the Child Safe Standards.
- Consult with staff, volunteers/students, families and children about the service's child safe practices, including areas for improvement.
- Revise the documents and support staff in implementing the updated procedures and practices.
- Consider engaging a child safety expert to perform an external review of the service's policies and procedures.

Ongoing risk mitigation strategies:

- Ensure your updated child safe policy and procedures specifies a next review date and person responsible. Mark this date in your calendar or planner. Consider what systems can be put in place to ensure regular reviews of policies and procedures, for example a log book to document updates and schedule review dates, discussions in staff meetings, etc.
- Remember to also revisit policies, procedures and practices following any incidents, complaints or changes to requirements/guidelines.
- Maintain a culture of continuous improvement to ensure policies and procedures are implemented and routinely reviewed.

Reflection questions:

- How does your service ensure that child safe practices are continuously reviewed and improved?
- Who are the key stakeholders to help with reviewing and improving your service's child safe practices and how can they be engaged?

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

Objective

Policies and procedures are championed by leaders, localised, understood by staff and clearly communicated.

How can education and care services and their organisations implement this Standard?

For leaders in education and care services and organisations

- Ensure your existing policies and procedures are regularly reviewed to ensure they comply with the Child Safe Standards, reflect current best practice and incorporate stakeholder feedback. Consider engaging a child safety expert to assist with an external review.
- Ask different people, for example, staff, children, parents, speakers of languages other than English, whether they find your policies and procedures accessible and easy to understand.
- Consolidate all child safety policies and procedures into one overarching 'framework' so that they are easy to locate.
- Ensure policies are made available to as many different audiences via as many different methods as possible, for example, on your website, on notice boards, in welcome/induction packs.
- Ensure staff, volunteers/students, visitors, families and community members know who to contact if they have questions about your child safe policies and procedures.
- Survey staff about child safe policies and procedures to identify any gaps in knowledge and target training and support.

Child Safety checklist (for policies and procedures)

- ✓ Is there a clear process for recording breaches of policies?
- ✓ Have all staff been provided a copy of the service's policies and procedures, and is there a system to record that staff have read and understood the policies and procedures (including when they are updated)?

What you might hear children say...

- Adults have rules to keep me safe.
- My family and I know where to find the rules that keep me safe.
- I understand what the rules mean.

Case study example

Scenario:

Sally has a concern about a child and is looking for information about how and where to report her concerns. However, when going through the service's policies and procedures she finds conflicting information, and some information contained in the policies and procedures isn't relevant to the service. What would you do?

Immediate actions:

- Sally raises her concerns about the child with the Centre Director, and discusses her findings about the policies and procedures.
- Sally knows that if she felt the Centre Director has not adequately followed up on her concerns about the child, she can contact a relevant agency (such as NSW Department of Education, NSW Office of the Children's Guardian Reportable Conduct Scheme, NSW Department of Communities and Justice or NSW Police).
- The Centre Director and Sally use the Mandatory Reporter Guide to receive a decision report on whether a report to the Child Protection Helpline (NSW Department of Communities and Justice) is needed.
- The Centre Director immediately puts strategies in place to consult with the team to review policies and procedures to ensure their currency and relevance to the service.

Ongoing risk mitigation strategies:

- Ensure your service has a system in place for regularly reviewing policies and procedures.
- Refer to the Child Safe Standards when reviewing or evaluating child safe policies and procedures.
- Involve all staff, families and relevant agencies in your policy and procedure reviews.
- If you are using policy and procedure templates, ensure they are reviewed thoroughly and adapted according to your service's individual context and needs.
- Consider including staff roles and responsibilities as a separate section in your policies, and review your policies from different perspectives, i.e. a parent, community member, student/volunteer, educator, nominated supervisor.

Reflection questions:

- What can you do to ensure this situation does not occur in your service?
- What system is in place at your service for regular reviews of policies and procedures that involves input from all stakeholders? Are there any ways this system can be improved?

Safety considerations identified in the 'Royal Commission into Institutional Responses to Child Sexual Abuse'

While the 'Royal Commission into Institutional Responses to Child Sexual Abuse' (the Royal Commission) focused on sexual abuse, this Guide aims to prevent all kinds of abuse children may be subject to.

The Royal Commission identified specific groups of children that can be more vulnerable to child sexual abuse. This includes children with chronic illness or disability, children in out-of-home care, children who cannot speak English, and those who live in remote communities, including Aboriginal and Torres Strait Islander communities.

Risks differ across each organisational context, and can change over time. Risks can also be influenced by the community in which the organisation operates. The Royal Commission highlights that there are risk factors present in every organisation, and children are exposed to higher levels of risk when organisations take no action to address risk factors. Cultural, operational and environmental factors within organisations can affect the likelihood of children being sexually abused, and the prospect of abuse being identified, reported and responded to appropriately.

Factors that can enable abuse include:

- Cultural factors: including leadership and organisational culture, influencing how individuals behave when interacting with children, what is understood to be appropriate and inappropriate behaviour, and how children's wellbeing and safety is prioritised.
- Operational factors: including governance, internal structure, day-to-day practices, child safe policies and recruitment, screening and training of staff and volunteers.
- Environmental factors: including characteristics of physical and online spaces that enable access to victims.

The Child Safe Standards provide a framework to address factors enabling abuse in organisations. Some of the other key findings from the Royal Commission on making organisations child safe are summarised here.

For more information, please see the Royal Commission's final report on child safe organisations.

1. Creating child safe communities through prevention

The Royal Commission findings revealed that there are misperceptions, attitudes, beliefs and behaviours in all Australian communities that can enable, encourage or normalise abusive behaviour towards children. Such attitudes and misunderstandings can discourage victims from disclosing abuse or seeking help.

2. What makes institutions safer for children

The Royal Commission examined the elements that define a child safe organisation, noting the reasons that they fail, and considered what standards could be applied to make them safer places for children. From this work, the 10 Child Safe Standards have been designed to improve the safety of children in organisations. Consistent with Article 3 of the United Nations Convention on the Rights of the Child, all organisations should act with the best interests of the child as a primary consideration.

The Child Safe Standards are a benchmark against which organisations can assess their child safe capacity and set performance targets. The standards work together to articulate what makes a child safe organisation. All the Standards are of equal importance and are interrelated, and should be read holistically.

3. Improving child safe approaches

Everyone has a role to play to better protect children in organisations – including the Australian Government and state and territory governments, other sectors, organisations, communities, families and individuals.

The Royal Commission revealed stories of leaders that felt their primary responsibility was to protect their organisation's reputation, and the person accused or other adults involved, without recognising the impact this had on the children. Poor practices, such as inadequate governance structures, failing to record and report complaints, or understanding the seriousness of complaints, were evident in the case studies.

A lack of understanding about abuse, particularly misperceptions about child sex offenders and grooming behaviours, continues. People have tended to believe adults over children, and to be afraid of falsely accusing someone in fear of retaliation. The case studies also reveal many examples where abuse was reported but the perpetrators denied the abuse and were believed over the child.

Driving cultural change and practice in valuing children, respecting their rights and promoting a child safe environment helps to keep children safe in organisations and the broader community. Supporting cultural change through leadership and capacity building should be a key focus for organisations in implementing the Child Safe Standards.

Promoting the best interests of children, valuing children and their rights, enables organisations to better prevent, identify and respond to abuse, and create environments where the community, families and children can expect this.

4. Preventing and responding to online child sexual abuse in institutions

Ensuring children are safe online is a growing area of concern in communities and organisations. It is important to acknowledge that most online interactions for children are positive and helps to support their social development, relationships and education. However, the rapidly evolving nature of the online environment is changing in ways where it creates risks that need to be identified, considered and minimised to protect children from harm. A balanced approach is needed, that acknowledges the positive role played by online technologies and children's advanced digital skills and fluency online.

It is important not to create environments that are so risk adverse that they prevent the development of healthy and positive relationships between adults and children.

Key words

Child safe institutions / organisations

'Child safe institutions' (or organisations) are commonly referred to in the Royal Commission or the Guide to the Child Safe Standards. This language is used to describe institutions that create cultures, adopt strategies and take action to prevent harm to children, including child sexual abuse.

Child Safe Standards

A list of 10 Standards that organisations can use to keep children safe from harm and abuse. They are:

- **Standard 1:** Child safety is embedded in organisational leadership, governance and culture.
- **Standard 2:** Children participate in decisions affecting them and are taken seriously.
- **Standard 3:** Families and communities are informed and involved.
- **Standard 4:** Equity is upheld and diverse needs are taken into account.
- **Standard 5:** People working with children are suitable and supported.
- **Standard 6:** Processes to respond to complaints of child sexual abuse are child focused.
- **Standard 7:** Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.
- **Standard 8:** Physical and online environments minimise the opportunity for abuse to occur.
- **Standard 9:** Implementation of the Child Safe Standards is continuously reviewed and improved.
- **Standard 10:** Policies and procedures document how the organisation is child safe.

Codes of Conduct

Lists of dos and don'ts which describe acceptable and non-acceptable behaviour.

Disclosure

'Disclosure' is the process where a child conveys or attempts to convey that they are being or have been abused. This may take many forms, including verbal or non-verbal. Children, in particular, may also seek to disclose abuse through emotional and behavioural cues, such as heightened anxiety, withdrawal or aggression.

Guide to the Child Safe Standards

Companion to this document providing guidance for all organisations on reflective questions on how they have incorporated the Child Safe Standards to keep children safe from abuse. Available from the OCG website.

Information sharing / information exchange

'Information sharing' or 'information exchange' refers to sharing or exchanging information, including personal information about, or related to, abuse in organisational contexts. The terms refer to sharing information between (or within) organisations, as well as sharing information with professionals who provide key services for children.

Mandatory reporter / mandatory reporting

A 'mandatory reporter' is a person who is required to report known and suspected cases of child abuse and neglect to a nominated government department or agency (i.e. child protection authority).

'Mandatory reporting' refers to where a legislative requirement is placed on an individual to report known and suspected cases of child abuse and neglect.

Reportable conduct

'Reportable conduct' refers to conduct
(i.e. allegations of child abuse) that must be reported
to an independent statutory body.

The Royal Commission into Institutional Responses

Established by then Prime Minister Julia Gillard,
the Royal Commission inquired into the responses
of institutions to instances and allegations of child
sexual abuse in Australia. The commission examined
the history of abuse in educational institutions,
religious groups, sporting organisations, state
institutions and youth organisations and delivered
350 recommendations to prevent it happening.
One recommendation was the introduction
of the Child Safe Standards.

Resources

General resources:

- United Nations Convention on the Rights of the Child
An international framework that commits to protect and fulfil the rights of every child.
- NSW Department of Education
Information and resources to assist services in understanding their reporting obligations and guidance on where to seek additional information and support relating to child safety.
- NSW Office of the Children's Guardian
Free resources, training and webinars on responding to reportable allegations and keeping children safe in organisations.

Codes of Conduct:

- NSW Office of the Children's Guardian Codes of Conduct
Resource providing best practice guidance to organisations on developing their own codes of conduct.

Complaints handling:

- Complaint handling for children and young people
Guidelines for implementing an effective complaint management system that upholds the rights of children and young people, including practical tips, advice and other tools.
- Child-centred complaints handling
Best practice guide with principles on essential elements to consider for a child-centred approach to handling complaints.

Child protection:

- Mandatory Reporting Guide (NSW)
Mandatory reporters should use the Mandatory Reporting Guide if they have concerns that a child or young person is at risk of being neglected or physically, sexually or emotionally abused.

Child safe organisations:

- National Principles for Child Safe Organisations
The National Principles reflect the 10 Child Safe Standards recommended by the Royal Commission.
- Introductory self-assessment tool for organisations
Tool to assist organisations to identify priority areas for improvement with child safety policies, procedures and practices, committing to future action and monitoring improvements.

Child Safe Standards:

- Guide to the Child Safe Standards
Guide to assist all organisations to build or strengthen their child safe practices.

Children's Empowerment and Participation:

- Empowerment and Participation Guide
The NSW Office of the Children's Guardian has developed a guide on ways organisations can empower children and foster their participation as an important measure to prevent abuse, as well as responding effectively when it does occur.
- Engaging Children and Young People in your organisation
The Office of the Advocate for Children and Young People has released a resource on running events, tips for participation, and checklists for engaging children and young people.

Inclusion:

- Preventing abuse and promoting personal safety in children with disability
Access reports relating to the Southern Cross University's Centre for Children and Young People current research investigating what helps young people feel and be safe.

- Working with gender diverse young people and their families
Webinar and resources providing information for those working with gender diverse young people to deepen understandings of gender, and working in inclusive and affirmative ways.

- Cultural Safety for Aboriginal and Torres Strait Islander Children and Young People
A background paper to inform work on Child Safe Organisations developed by the Australian Human Rights Commission.

- Safe for our Kids: A guide to family violence response and prevention for Aboriginal and Torres Strait Islander children and families
The Guide includes a set of evidence-based good practice principles to improve outcomes for Aboriginal and Torres Strait Islander children, families and communities.

National Quality Framework:

- Guide to the National Quality Framework
The Guide to the National Quality Framework (NQF) is designed to help education and care providers, educators and authorised officers understand and apply the requirements of the NQF.

Online safety:

- eSafety Early Years program for educators
Information and resources to support and promote online safety for children. This includes songs, posters and games for children and learning modules for professionals.

Royal Commission:

- Final report: Making institutions child safe (Royal Commission into Institutional Responses to Child Sexual Abuse)
Findings from the Royal Commission relating to child safety in organisations.

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