

Policy Statement

Our Child protection and child safe environment policies (Reg 168) help keep children safe. As the safety and welfare of all children is of paramount importance. Our Out of School Hours Care (OSHC) service, Fun 4 U Helensburgh, believes that it is every child's right to be safe and protected from all forms of abuse, violence, neglect or exploitation. It is the legal and moral obligation of all adults who work within our service to ensure the safety and wellbeing of all children in our care. This policy applies to children, young people, staff, including casual staff, educators, approved providers, nominated supervisors, students, volunteers and visitors, whom all have a duty of care to ensure the safety and protection to all children who access the service's facilities and/ or programs.

Background

All educators, staff, visitors, volunteers and management have a legal responsibility, as Mandatory Reporters, to identify and take action to protect and support children they suspect may be at risk of significant harm (ROSH). At Fun 4 U, we are deeply committed to creating a safe and supportive environment where every child feels protected, respected, and empowered to reach their full potential. We actively implement the National Principles for Child Safe Organisations, embedding a strong culture of safety and wellbeing throughout our service. Our goal is to reduce the risk of harm or abuse and ensure every child in our care feels secure and a strong sense of belonging.

Our service will carry out the responsibilities of Mandatory Reporters as indicated under legislation and implement effective strategies to ensure the safety and wellbeing of all children. This responsibility involves following the procedures as outlined by Community Services and the NSW Commission for Children and Young People. In addition, Fun 4 U aligns with the National Model Code and Guidelines (released by ACECQA on 1 July 2024) when capturing and using images or videos of children and embeds the [NSW Child Safe Standards](#) and National

Principles for Child Safe Organisations to promote children’s sense of security and belonging (NQF October 2023). We are committed to empowering and forming educational and positive rapport with children and young people regardless of their abilities, sex, gender or social economic or cultural background (Reg 155). Our OSHC adheres to the Education and Care Services (Supply, Authorisation and Use of Devices) Order 2025 for taking images or videos of children.

Legislative Requirements and links to the National Quality Framework

QUALITY AREA 2: CHILDREN’S HEALTH AND SAFETY		
2.2	Safety	Each child is respected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
2.2.3	Child Protection	Management, educators and staff are aware of their roles and responsibilities regarding child safety, including the need to identify and respond to every child at risk of abuse or neglect.
QUALITY AREA 5: RELATIONSHIPS WITH CHILDREN		
5.1.1	Positive educator to child interactions	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.
QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision making and operation of the service.
7.2.3	Development of professionals	Educators, coordinators and staff members’ performance is regularly evaluated, and individual plans are in place to support learning and development.

EDUCATION AND CARE SERVICES NATIONAL LAW AND NATIONAL REGULATIONS	
S. 2A	Paramount consideration—safety, rights and best interests of children
S. 3A	Paramount consideration [NSW]

S. 4	How functions to be exercised
S. 5	Meaning of serious incident
S. 5AA	Meaning of inappropriate conduct [NSW]
S. 162A	Child protection training
S. 162B	Child safety training
S. 165	Offence to inadequately supervise children
S. 166	Offence to use inappropriate discipline
S. 166A	Offence to subject child to inappropriate conduct [NSW] Offences relating to inappropriate conduct.
S. 167	Offence relating to protection of children from harm and hazard
S. 174	Offence to fail to notify certain information to Regulatory Authority
S. 174AA	Educators and other staff members of education and care services to notify certain information [NSW]
S. 174AB	Approved provider must notify Regulatory Authority of event under section 174AA [NSW]
S. 175	Offence relating to requirement to keep enrolment and other documents
S. 188A	False or misleading information about certain notices [NSW]
S. 269B	National Early Childhood Worker Register
S. 269E	Approved provider must give information to the National Authority for the National Early Childhood Worker Register
12	Meaning of serious incident
82	Tobacco, drug, and alcohol-free environment
84	Awareness of child protection law
86	Notification to parents of incident, injury, trauma and illness
87	Incident, injury, trauma and illness record
115	Premises designed to facilitate supervision
122	Educators must be working directly with children to be included in ratios
123	Educator to child ratios – center-based services
145	Staff records

149	Volunteers and students
155	Interactions with children
165	Record of visitors
166	Children not to be alone with visitors
167	Record of service's compliance
168	Education and care service must have policies and procedures
170	Policies and procedures to be followed
171	Policies and procedures to be kept available
172	Notification of change to policies or procedures
175	Prescribed information to be notified to Regulatory Authority
176	Time to notify certain information to Regulatory Authority
181	Confidentiality of records kept by approved provider

Legislation

- [Children's Guardian Act 2019](#)
- [Child Protection \(Working with Children\) Act 2012](#)
- [Children Legislation Amendment \(Wood Inquiry Recommendations\) Act 2009 No 13](#)
- [Child Protection \(Prohibited Employment\) Act 1998](#)
- [Children and Young Persons \(Care and Protection\) Act 1998 \(The Care Act\)](#)
- [NSW Children and Young Person \(Care and Protection\) Act 1998](#)
- [Crimes Act 1900](#)
- [Ombudsman Act 1974](#) (with relevant Child Protection Amendments)

Definitions of Key Terms used in the Policy

TERM	MEANING	SOURCE
ACECQA – Australian Children's Education and Care Quality Authority	The independent national authority that works with all regulatory authorities to administer the National Quality Framework, including the provision of guidance, resources, and services to support the sector to improve outcomes for children.	ACEQA
Inappropriate conduct to a child:	Any behaviour that a reasonable person would consider to be inappropriate in an education and care service, taking into account the child's age, development, safety, wellbeing and the context of the interaction.	

Mandatory Reporting	The legislative requirement for selected classes of people to report suspected child abuse and neglect to government authorities.	Department of Communities and Justice
Mandatory Reporters	A mandatory reporter is anybody who delivers services to children as part of their paid or professional work. In OSHC services mandatory reporters are: <ul style="list-style-type: none"> - Staff that deliver services to/works directly with children - Management, either paid or voluntary, whose duties include direct responsibility or direct supervision for the provision of these services. 	Children and Young Persons (Care and Protection) Act 1998 (The Care Act)
Maltreatment	Maltreatment refers to any non-accidental behaviour toward another person that falls outside acceptable standards and poses a serious risk of causing physical or emotional harm. These actions can be either intentional or unintentional and may involve both doing something harmful (<i>acts of commission</i>) or failing to do something necessary (<i>acts of omission</i>). More commonly, the terms child abuse (active harm) and child neglect (failure to provide care or protection) are used instead of “maltreatment.”	NSW Children and Young Person (Care and Protection) Act 1998
Risk of Significant Harm (ROSH)	ROSH refers to circumstances causing concern for the safety, welfare and wellbeing of a child or young person are present to a significant extent. This means it is sufficiently serious to warrant a response by a statutory authority irrespective of the family’s consent. Mandatory reporters should report their concern to the Child Protection Helpline within 24 hours.	Mandatory Reporter Guide
Immediate Risk of Significant Harm (IROSH)	IROSH is a term used in the Mandatory Report Guide to tell reporters that they must report <i>immediately</i> to Department of Communities & Justice and NSW Police	Mandatory Reporter Guide
Reasonable Grounds	Suspect that a child may be at risk of significant harm based on; your observations of the child or what has been reported to you about a child.	NSW Children and Young Person (Care and Protection) Act 1998
Wellbeing	Sound wellbeing results from the satisfaction of basic needs – the need for tenderness and affection; security and clarity; social recognition; to feel competent; physical needs and for meaning in life. It includes happiness and satisfaction, effective social functioning and the dispositions of optimism, openness, curiosity, and resilience.	Guide to the NQF
Working directly with children	A person is working directly with children at any given time if at that time the person; <ul style="list-style-type: none"> - Is physically present with the children and/or - Is directly engaging in providing education and care to the children. 	Child Protection (Working with Children) Act 2012

Principles that inform the policy

What is Child Abuse?

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


[Health Organisation \(\(WHO\), 2006, p. 9\)](#) defines child abuse and neglect as:
“All forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child’s health, survival, development or dignity in the context of a relationship of responsibility, trust or power.”

NSW Communities and Justice identify seven different forms of child abuse which include;

- 1) Emotional Abuse and Psychological Harm
- 2) Sexual Abuse
- 3) Physical Abuse
- 4) Neglect, incorporates;
 - a. Supervision,
 - b. Shelter/environment,
 - c. Food,
 - d. Hygiene/clothing,
 - e. Medical and mental health care
 - f. Education – not enrolled/habitual absence
5. Circumcision, including female circumcision
6. Domestic and Family Violence
7. Forced Marriage and Underage Forced Marriage

There are certain physical and behavioural signs that may suggest a child is experiencing abuse or neglect. These signs—called **indicators**—do not always confirm harm on their own, but they can help identify when a child may be at risk.

While one indicator alone may not mean abuse or neglect is occurring, it can still be just as significant as multiple indicators, especially when considered alongside the child’s overall situation. Children under stress often show changes in behaviour, and it's important to understand the cause of that stress. Abuse or neglect can happen once or continue over time



and may be intentional or unintentional. For more details, the **Department of Communities and Justice** provides further guidance on [Recognising Child Abuse](#)

Child Safe Standards?

The [Child Safe Standards](#), developed in response to recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse, provide a nationally recognised framework for creating safer environments for children. Endorsed by the NSW Government, these standards offer practical guidance for organisations to build child-safe cultures, implement protective strategies, and prioritise children's best interests to prevent harm.


Grounded in extensive research and consultation, the 10 Child Safe Standards aim to ensure that all aspects of an organisation's operations are designed to protect children from abuse and neglect. These standards are:

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

To support implementation, the **Office of the Children's Guardian** provides a risk management resource that helps organisations adopt a structured approach to embedding the Child Safe Standards in their services.

Considerations for Supervision

Children's safety is a fundamental part of our everyday operations at Fun 4 U. We provide effective and consistent supervision of all children and young people, ensuring educator-to-



child ratios are always maintained. At Fun 4 U we operate under strict guidelines of 1 educator providing active supervision to 15 children (Reg 122 & 123). Educators use 'active supervision' strategies both within the service environment and during excursions or transport, whilst considering the varying ages, abilities, and needs of children, as well as the level of supervision required for specific activities (Reg 115).

To comply with regulatory requirements, only educators who are actively working with children will be counted in ratio calculations and therefore no child or young person is left alone with visitors to the centre (Reg 166). Up-to-date rosters and accurate sign-in/sign-out records are maintained to verify staffing and ensure appropriate supervision is consistently provided throughout the day. On top of this Fun 4 U actively records all visitors that attend our OSHC (Reg 165) and ensures Fun 4 U remains a tobacco, drug and alcohol-free environment (Reg 82) . Please refer to our Code of Conduct, Providing a Safe Environment, Supervision and Excursion and Incursion Policies for further detailed information surrounding supervision at Fun 4 U.

Reporting

Dial **000** if a child is at immediate risk and Police or medical assistance is required

How to Complete Mandatory Reporting – CHILDSTORY REPORTER COMMUNITY

Mandatory reporters in NSW should use the [Mandatory Reporter Guide](#) (MRG) if they have concerns that a child or young person is at risk of being abused as per the identified forms highlighted by the NSW Communities and Justice. This MRG is available on the [Child Story Reporter Community](#) website. This website is available for staff and educators when responding to and reporting risk of abuse and neglect. The MRG assists in providing mandatory reporters with the most appropriate reporting decision. It is NOT designed to determine whether the matter constitutes a risk of significant harm (ROSH) or immediate risk of significant harm (IROSH). This is done at the Child Protection Helpline through the Screening and Response Priority (SCRPT) tool.

The MRG supports mandatory reporters to:

- determine whether a report to the Department of Communities and Justice: [Child Protection Helpline](#) is needed for concerns about possible abuse or neglect of a child (including unborn) or young person
- identify alternative ways to support vulnerable children, young people and their families where a mandatory reporter's response is better served outside the statutory child protection system

It is recommended that mandatory reporters complete the MRG on each occasion they have risk concerns, regardless of their level of experience or expertise. It is also highlighted if new information presents concerning the same child or young person, then mandatory reporters are to complete the MRG process again. Each circumstance is different, and every child and young person is unique. From here helpline caseworkers will make determinations on reports received from mandatory reporters using SCRPT in conjunction with additional information which may not be available to mandatory reporters.

Where concerns do not meet the significant harm threshold, the MRG tool may guide you to 'Document and continue the relationship'. This requires the service to continue to support, provide services, and coordinate assistance and referral for the child and their family. Our OSHC Service will ensure all educators and staff have access to the MRG and reporting decision tree via Service-supplied electronic devices.



The report page from the MRG should be printed and placed in the child/family file for future reference regardless of whether further action is recommended. Mandatory reporters can call the NSW Child Protection Helpline on 132 111 (24 hours a day, 7 days a week). For assistance with referral information;

Human Services Network www.hsnet.nsw.gov.au

Family Services NSW www.familyservices.nsw.asn.au

Child Protection Concerns Register

Our OSHC Service will develop a Child Protection Concerns Register for recording child protection concerns. The register will include information to record all concerns, disclosures,



or suspicions of child abuse or neglect. The register ensures concerns are documented, monitored, and followed up in line with National Law, NSW Regulations, and child protection legislation. The register is kept confidential, stored securely, and accessible only to authorised personnel.

Documenting a Disclosure

What is a disclosure? A disclosure of harm occurs when someone, including a child, shares information about abuse or harm that has happened or may happen in the future. When a child opens up about being harmed, it is a crucial moment for adults to respond with care, provide immediate support, and take steps to help keep the child safe. This is also an opportunity to connect the child with professional services that can offer protection, guidance, and support in their recovery. The way you respond can significantly influence the child's willingness to seek further help and begin healing from their experience.

When receiving a disclosure of harm, the person receiving the disclosure will:

- When a child discloses harm, educators must respond calmly, listen respectfully, and ensure the child feels heard and supported. Avoid making promises that can't be kept, such as keeping the information confidential. Reassure the child that they've done the right thing and explain what will happen next in an honest and age-appropriate way.
- Ask only necessary questions to confirm the need to report, without probing or investigating. Allow the child to speak in their own words and at their own pace.
- Do not confront the alleged perpetrator or attempt to resolve the situation yourself.
- As soon as possible, accurately document the disclosure, including the time, date, location, what was said (word for word where possible), your responses, and any immediate actions taken. Sign and date the report.

When receiving a NOTIFICATION, the approved provider/nominated supervisor will:

- Report to the regulatory authority via NQA-ITS within 24 hours if abuse is suspected or known to have occurred during care.
- Report any allegations of abuse within 24 hours through NQA-ITS.
- Notify the authority within 24 hours of any complaint involving a serious incident.
- Report serious incidents requiring emergency services within 24 hours via NQA-ITS.

- Notify the Office of the Children’s Guardian within 7 business days of any reportable conduct involving staff or volunteers and ensure appropriate investigation and action.

Confidentiality

All reports of harm, abuse or neglect must remain confidential. The person making the report should not inform the alleged perpetrator nor attempt to investigate any allegation themselves to avoid interfering with investigations or putting the child at further risk. It is also vitally important to note that the matter must be investigated before any confirmation of the allegation can be made.



Reporters are also legally protected from retribution when making a report in good faith. Their identity is kept confidential and cannot be disclosed, except in rare cases. Reports are exempt from legal liability and court proceedings. Additional protections apply under the Education and Care Services National Law (Amendment Bill 2025 [NSW]). It is an offence to take or threaten any detrimental action, such as intimidation, bullying, discrimination, or adverse treatment, against a person who has made or may make a protected disclosure.

Under NSW law (Chapter 16A), information relating to a child's safety or wellbeing can be shared between prescribed bodies; police, schools, health providers, public agencies, OSHC providers or organisations with direct responsibility. While consent should be obtained where possible, it is not required if it compromises the child’s safety. Shared information must be used only to support the child’s welfare or manage related risks. Please refer to our *Privacy & Confidentiality Policy* for more information.

Information Exchange

To ensure effective support and referral for children and young people, it may be necessary to share relevant information with prescribed bodies, such as government agencies or non-government services.

Under Chapter 16A of the [NSW Children and Young Persons \(Care and Protection\) Act 1998](#), prescribed bodies are required to take reasonable steps to coordinate decision-making and service delivery concerning a child’s safety, welfare, or wellbeing.



Staff may exchange information even if the child or young person is not known to Community Services, and regardless of their consent, provided the information is relevant to their safety and wellbeing. This may include:

- The child's history or current circumstances
- Information about family members or significant relationships
- Details of the agency's involvement, past or present

Information shared in good faith and in line with legal requirements is protected under Sections 29 and 245G of the Act, meaning staff cannot be held liable or considered in breach of professional ethics or standards.

Implementation of Mandatory Reporting



At Fun 4 U Helensburgh, we have zero tolerance for child abuse and are committed to maintaining the highest standards in child protection. Our educators play a key role in supporting children and identifying any concerns that may impact their safety, wellbeing, or development. This includes fulfilling their duty of care, complying with child protection laws, and meeting work health and safety responsibilities.

The approved provider, staff, educators, volunteers and students will be required to complete mandatory National Child Safety Training for the Early Childhood Education and Care Sector. This applies to any person working in the Service whether or not they work directly with children.

The approved provider will ensure each nominated supervisor and each person in day-to-day charge of the Service has:

- successfully completed approved child protection training
- provides evidence of the successful completion of approved child protection training
- is aware of current child protection law
- understands how to apply child protection law within our Service
- is aware of their obligations such as the responsibilities of a mandatory reporter.

The approved provider will need to ensure prescribed child protection training is completed within the timeframes prescribed in the National Regulations.



The approved provider will ensure educators, staff and volunteers and students who work with children have been advised of:

- the existence and application of the current child protection law
- any obligations that they have under the law

All staff, educators, volunteers and students will be provided with refresher child protection awareness training (annually) to ensure they remain up-to-date with knowledge of child protection law including their obligations as mandatory reporters. Staff, educators, students and volunteers must demonstrate an understanding of the role of mandatory reporter, including when a report must be made and how to make a report.

The approved provider/management/nominated supervisor will ensure:

- Dial 000 if a child is at immediate risk and Police or medical assistance is required
- Follow the [NSW Early Learning Commission Reporting Guide](#)
- Report all instances (alleged or witnessed) of child abuse, including assault or sexual abuse (including grooming) to NSW Police
- Notify the Department of Communities and Justice (DCJ) if a child is at risk of significant harm to the Child Protection Helpline 132111 or make online eReport through ChildStory Reporter website within 24 hours
- Notify the NSW Early Learning Commission through the NQA-ITS (within 24 hours) of
 - any incident or allegation where it is reasonably believed that physical and/or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the Service
 - of any complaints alleging that a serious incident has occurred or is occurring at the Service
 - of a serious incident, which may include:
 - o physical or sexual abuse where emergency services attended the Service or
 - o where a child appears to have been involved in a sexual offence or sexual misconduct
 - of any circumstances that may affect an educator or staff members WWCC or fit and proper status, including changes to teacher accreditation or registration (if applicable), within 24 hours of becoming aware of the event
 - any sexual offence or sexual misconduct committed by an employee, volunteer or student
- Ensure documentation is completed to assist in making reports to relevant authorities including an incident, injury, trauma and illness record
- Comply with legislation for Reportable Conduct Scheme and ensure the Office of the Children's Guardian is notified within 7 business days of becoming aware of any

allegations and/or convictions of abuse or neglect of a child made against an employee or volunteer and ensure they are investigated, and appropriate action taken. (see Reportable Conduct Scheme section)

- Notify the NSW Early Learning Commission through the NQA-ITS, NSW Department of Communities and Justice (DCJ), NSW Office of the Children's Guardian (OCG) and NSW Police of any allegation (observed or suspected or disclosures) that a staff member or volunteer is engaging or has engaged in inappropriate conduct to a child within 24 hours
- Develop a 24-hour reporting procedure to ensure that any report made to the approved provider or nominated supervisor, which is deemed notifiable to the regulatory authority, is submitted within the required 24-hour timeframe, including when incidents occur, or are reported, outside of operational hours (e.g. weekends or public holidays).
- That obligations under the Education and Care Services National Law [NSW] and National Regulations are met and child's safety and wellbeing are prioritised at all times
- Educators, staff, students and volunteers have knowledge of and adhere to this policy and associated
- Procedure and are advised on how and where the policy can be accessed • all staff are aware of and have access to the NSW Early Learning Commission Reporting Guide, the Reporting Guide will be displayed in a prominent location within the Staff Room and provided to new staff, students and volunteers during induction
- Families are aware of this Child Protection Policy and procedure and are advised on how and where the policy can be accessed
- All children being educated and care for by the Service are adequately supervised (Sec. 165)
- They do not subject a child to inappropriate conduct and ensure that no child being educated and cared for by the OSHC Service is subjected to inappropriate conduct by any staff member, educator or volunteer
- Any allegations, concerns or suspicions of inappropriate conduct are investigated and reported to the regulatory authority in accordance with the Management of Inappropriate Conduct Procedure
- Staff, educators, volunteers, students and visitors have knowledge of and adhere to the Education and Care Services (Supply, Authorisation and Use of Devices) Order 2025 relating and not use, or have access to, any personal electronic devices, including mobile phones or smart watches used to take images or videos when educating and caring for children at the Service
- Staff and educators only use electronic devices supplied by the OSHC Service for taking images or videos of children enrolled at the Service
- That the premises, including toilets and nappy change facilities are designed and maintained to facilitate clear supervision of children whilst maintaining their rights and dignity
- Students, volunteers and/or visitors are never left alone with a child whilst at the Service under any circumstance
- Educators and staff are provided with training and ongoing supervision to promote a child safe culture and ensure they understand that child safety is everyone's responsibility, and they adhere to the NSW Child Safe Standards
- Any nominated supervisor and responsible person in day-to-day charge of the Service has successfully completed a course in child protection approved by the regulatory authority

- A thorough recruitment process is implemented to employ people who are committed to children's safety and ensure their views align with the Service's Code of Conduct, Statement of Philosophy and child safety policies and procedures (see Recruitment Policy)
- The recruitment process includes pre-employment screening and reference checks
- All prospective applicants are required to complete a prohibition notice declaration to acknowledge they do not hold any prohibition notices that would prevent them from working with children
- The OSHC Service registers with Office of the Children's Guardian and validates all staff, educator, volunteers and students Working with Children Checks (WWCC) in accordance with the Child Protection (Working with Children) Act 2012 BEFORE the person begins working or interacting with
 - Children
- A record is kept and updated of the number of each WWCC number and expiry date and staff and educators are reminded to renew their WWCC prior to expiry
- Staff, student and volunteer records are maintained as per the Record Keeping and Retention Policy and entered into the National Early Childhood Worker Register (mandatory from 2026)
- Staff, volunteers and students notify the approved provider, in writing, within 72 hours of any changes to their WWCC status, or within 24 hours of becoming aware of the event, changes to their teacher registration or fit and proper status (including show cause notice, suspension notice,
 - Supervision notice, disciplinary notices/orders or prohibition notices)
- A Child Protection Risk Assessment is completed and reviewed annually
- A Child Protection Concerns Register is completed to record child protection concerns
- A range of strategies are used to provide effective supervision, including using attendance records to ensure children are accounted for (head counts)
- To cooperate with the regulatory authority and comply with any directions or orders issued by the regulatory authority regarding a show cause, suspension or supervision notice provided to a student, volunteer or visitor, including removing the person from engagement with children immediately
- Registration for the Service is completed for eReporting through the ChildStory Reporting Community
- To emphasise child safety throughout the OSHC Service with regular discussions at team meetings and with children and families (NQF Safe Culture Guide (2025))
- To regularly check if staff understand child safety policies and procedures via quizzes/surveys (NQF Safe Culture Guide 2025)
- Educators are provided with a reporting procedure and professional standards to safeguard children and protect the integrity of educators, staff and volunteers
- Records of abuse or suspected abuse are kept in line with our Privacy and Confidentiality Policy
- Records relating to child sexual abuse that has or is alleged to have occurred are kept for at least 45 years (recommendation not mandatory)
- Ensure our complaint handling processes are child-focused providing support and guidance for children to know who to talk to if they are feeling unsafe (See Dealing with Complaints Policy)

- Following any critical incident, children, staff and families are provided with access to support they may need- counselling, debriefing, access to community services
- Critical reflection on the incident is conducted with staff and educators to inform required changes to policy, procedures, practices (including supervision) and risk assessments

All employees, volunteers and students are:

- Provided with a copy of the current Child Protection, Child Safe Environment, Code of Conduct and *Safe Use of Digital Technologies and Online Environments Policies*.
- Required to participate in a comprehensive induction and orientation program, including an understanding of child protection law.
- Provided with access to all relevant legislations, regulations, standards and other resources to help meet their mandatory reporting obligations
- Supported to foster a child safe culture within the Service by complying with the NSW Child Safe Standards
- Provided with support to adhere to a zero-tolerance stance against child abuse
- Required to complete online training to understand the child protection reporting process and use of the Mandatory Reporter Guide (MRG), including when and how to submit a child protection report
- Required to complete mandatory child safety training on how to identify, understand, report, and respond to child maltreatment, abuse and harm through annual child protection training (effective February 2026)
- Provided with current information and reporting procedures for the Reportable Conduct Scheme (Office of Children’s Guardian)
- Aware of their mandatory reporting obligations and responsibilities
- Aware that neglecting to report child protection concerns may be deemed a criminal offence under the Crimes Act 1900
- Provided with regular training and resources about the different ways children may express concerns, distress and disclose harm as well as the process for responding to disclosures from children- including a complaint that alleges a child is exhibiting sexual behaviours that may be harmful to the child or another child (ACECQA 2023)
- Provided with regular training and resources about trauma-informed care, effective supervision and monitoring, appropriate and inappropriate discipline and online abuse
- Required to participate in regular performance reviews
- Aware of appropriate positive and consistent approaches to guide behaviour and ensure no child is subjected to any form of corporal punishment or discipline that is unreasonable in the circumstances (Sec. 166)
- Aware that it is an offence to subject a child to inappropriate conduct which includes behaviour that is inconsistent with professional standards; is likely to cause emotional, psychological or physical harm to children or has violent or sexual connotations
- Aware that if they observe, suspect or receive any allegations or disclosures that a staff member, or volunteer is engaging or has engaged in inappropriate conduct, they must notify the NSW Early Learning Commission and nominated supervisor within 24 hours

- Aware of our Service policy and associated procedures for the safe use of digital technologies and online environments.

Educators and Staff will:

- Contact the police on **000** if there is immediate danger to a child and intervene if it is safe to do so.
- Participate in a comprehensive induction and orientation program that includes an understanding of child protection law and their obligations (Reg 84)
- Provide valid Working with Children Check (WWCC) details during their employment and engagement at the service
- follow the [NSW Early Learning Commission Reporting Guide](#)
- Advise the approved provider of any circumstances that may affect their WWCC or fit and proper status in writing, within 72 hours of the event or within 24 hours of becoming aware of the event.
- Be able to recognise indicators of abuse to children and young people through participation in annual child protection training
- Respect what a child discloses, taking it seriously and following up on their concerns through the appropriate channels
- Comprehend they are mandatory reporters under the legislation and their requirement to report any situation where they believe on reasonable grounds that a child is at ROSH.
- Have completed online training to understand the child protection reporting process and use of the Mandatory Reporter Guide (MRG) <https://reporter.childstory.nsw.gov.au/s/mrg>
- Complete the MRG on each occasion they have concerns about a child's safety or wellbeing
- Follow the advice provided by the MRG outcome and submit an eReport through ChildStory Reporter website if required see: [Responding to incidents, disclosures and suspicions of child abuse or harm NSW](#)
- Refer families to appropriate agencies where concerns of harm do not meet the threshold of significant harm. These services may be located through CWU (Child Wellbeing Units) or/and FRS (Family Referral Services) at Family consent will be sought before making referrals. <https://www.familyconnectsupport.dcj.nsw.gov.au/>
- Promote the welfare, safety, and wellbeing of children at the Service, fostering a Child Safe Culture
- Provide a child safe environment for all children
- Allow children to be part of decision-making processes where appropriate
- Foster a culture of openness and respect where children and young people feel safe to disclose risk of harm to children
- Prepare accurate records recording exactly what happened, conversations that took place and what was observed to pass on to the relevant authorities to assist with any investigation

- Understand that allegations of abuse or suspected abuse against them are treated in the same way as allegations of abuse against other people
- NOT investigate suspicion of abuse or neglect but collect only enough information to substantiate concerns and pass on to the Child Protection Helpline or appropriate authority
- Report any allegations of reportable conduct to the approved provider or Office of the Children's Guardian
- Identify and notify any concerns around staff, educator or volunteer behaviour or contractor to the approved provider (reports may be made to the NSW Office of the Children's Guardian if they are concerned the approved provider has not fulfilled their reporting duty, as part of mandatory requirements under the Reportable Conduct Scheme)
- Identify and report any concerns and allegations of inappropriate conduct (observed or suspected or disclosures) by other staff members, volunteers or students to NSW Early Learning Commission and the approved provider within 24 hours.
- Not use, or have access to, any personal electronic devices, including mobile phones or smart watches used to take images or video of children at the OSHC Service
- Participate in mandatory national child safety training on how to identify, understand, report, and respond to child maltreatment, abuse and harm through annual child protection training

Students and Volunteers (Reg 149)

- Call 000 immediately if a child is in danger and take action only if it is safe to do so.
- Follow the [NSW Early Learning Commission Reporting Guide](#)
- Complete a full induction and orientation program that includes child protection and child safe environment training, policies and procedures and therefore equips them with an understanding of child protection laws. (Reg 84)
- Provide valid Working with Children Check (WWCC) details before starting at the service.
- Inform the approved provider of any changes that may impact your WWCC status or suitability to work with children, in writing, within 72 hours of the event or within 24 hours of becoming aware of the event.
- Actively support a child-safe culture by promoting the safety, wellbeing, and rights of all children and ensure no child is subjected to inappropriate conduct or discipline.
- Attend all required child protection training sessions to understand the indicators which show a child may be at ROSH.
- Help maintain a safe, secure, and supportive environment for children at all times.
- Involve children in age-appropriate decision-making when possible.
- Keep detailed and accurate records of incidents, including what was seen, heard, and said, to assist authorities.
- Understand that any allegations of abuse involving you will be treated just as seriously as those involving others.

- Be aware of mandatory reporting obligations in relation to the Reportable Conduct Scheme and do not investigate suspected abuse or neglect—only gather enough information to report your concerns to the appropriate authority.
- Report any allegations of reportable conduct directly to the approved provider or the NSW Ombudsman.
- Notify Fun 4 U management if you observe any concerning behaviour by staff, educators, or volunteers within 24 hours.
- Be supported to adhere to a zero-tolerance stance against child abuse and to foster a Child Safe Culture within the Service by complying with National Principles for Child Safe Organisations (Child Safe Standards)
- Be aware that neglecting to report child protection concerns may be deemed a criminal offence.
- Participate in mandatory national child safety training on how to identify, understand, report, and respond to child maltreatment, abuse and harm through annual child protection training

Sharing of Information

Chapter 16A of the [NSW Children and Young Person \(Care and Protection\) Act 1998](#) provides for the exchange of information and cooperation between prescribed bodies, if the information relates to the safety, welfare or wellbeing of a child or young person.

Sharing personal information about children and their families must be lawful, which means either

gaining consent or working within relevant legislation. Information sharing by consent, where possible, is important to meaningful work with families to facilitate change. Consent may be obtained verbally or in writing; however, you should not seek consent if doing so might compromise the safety of a child or any other person.

Information can only be shared between prescribed bodies. Prescribed bodies or organisations include:

- NSW Police
- public service agencies or public authorities
- private and public schools, and TAFE establishments
- health care providers
- OSHC providers
- organisations that have direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children’s services, residential services or law enforcement, wholly or partly to children or their parent/s.

To provide or request information it must relate to the safety, welfare or wellbeing of a particular child or class of children. The information must be for the purposes of assisting a prescribed body to:

- make any decision, assessment or plan or to initiate or conduct any investigation, or to provide any service, relating to the safety and welfare of the child or class of children, or
- manage any risk to the child or class of children that might arise in the prescribed body's capacity as an employer or designated agency.

Induction and Ongoing training

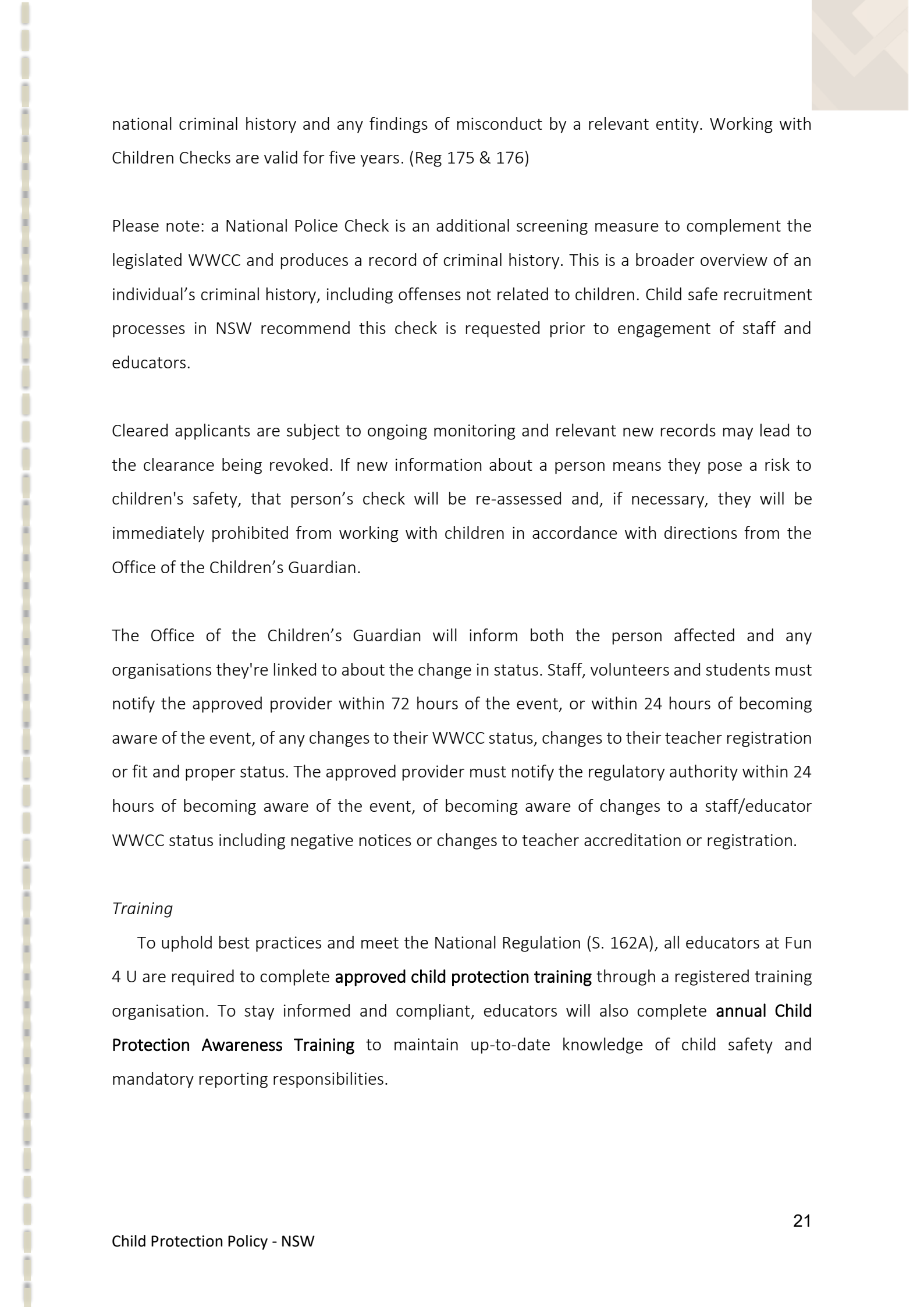
Recruitment of Staff

At Fun 4 U Helensburgh, we follow a thorough and consistent recruitment process to ensure all staff and educators are suitable, qualified, and committed to child safety. Applicants undergo interviews, reference checks, and must declare any prohibition notices that prevent them from working with children (Reg 175 & 176), which are verified by the approved provider. They must also provide a working with children's check clearance number to prove that they have been cleared by the NSW Government's Office of the children's Guardian. Application forms and instructions are available on: www.kidsguardian.nsw.gov.au/Working-with-children/working-with-children-check.

New staff, educators, students, and volunteers receive a comprehensive induction covering our Code of Conduct, Child Protection Policy, mandatory reporting obligations, grievance procedures, and work health and safety (Reg 170). This process ensures everyone understands their responsibilities in creating a safe and supportive environment for children.

Working With Children Check (WWC)

Anyone working or volunteering with children in NSW must have a valid Working with Children Check (WWCC). Our OSHC Service ensures that no person is permitted to commence work or volunteer in any capacity unless they hold a valid WWCC check and the approved provider has verified the WWCC check. This check, managed by the [Office of the Children's Guardian](#), helps ensure that individuals do not pose a risk to children's safety. WWCCs is an overall assessment of whether a person poses an unacceptable risk to children and is valid for five years and include ongoing monitoring. If new concerns arise, a person's clearance may be reviewed and revoked. The Office of the Children's Guardian will notify both the individual and any connected organisations of any changes to their status and will also check an applicant's



national criminal history and any findings of misconduct by a relevant entity. Working with Children Checks are valid for five years. (Reg 175 & 176)

Please note: a National Police Check is an additional screening measure to complement the legislated WWCC and produces a record of criminal history. This is a broader overview of an individual's criminal history, including offenses not related to children. Child safe recruitment processes in NSW recommend this check is requested prior to engagement of staff and educators.

Cleared applicants are subject to ongoing monitoring and relevant new records may lead to the clearance being revoked. If new information about a person means they pose a risk to children's safety, that person's check will be re-assessed and, if necessary, they will be immediately prohibited from working with children in accordance with directions from the Office of the Children's Guardian.

The Office of the Children's Guardian will inform both the person affected and any organisations they're linked to about the change in status. Staff, volunteers and students must notify the approved provider within 72 hours of the event, or within 24 hours of becoming aware of the event, of any changes to their WWCC status, changes to their teacher registration or fit and proper status. The approved provider must notify the regulatory authority within 24 hours of becoming aware of the event, of becoming aware of changes to a staff/educator WWCC status including negative notices or changes to teacher accreditation or registration.

Training

To uphold best practices and meet the National Regulation (S. 162A), all educators at Fun 4 U are required to complete **approved child protection training** through a registered training organisation. To stay informed and compliant, educators will also complete **annual Child Protection Awareness Training** to maintain up-to-date knowledge of child safety and mandatory reporting responsibilities.

Breach of policy

What is a breach of policy?

A breach is any action or inaction by any individual within the Service, including children and young people, that fails to comply with any part of the policy. The rights and best interests of children are paramount and breaches will be treated as serious. All breaches will be recorded and outcomes documented. A breach of Fun 4 U's Child's Protection Policy may be due to a person;



- failure to report suspected child abuse, neglect, or risk of harm
- engaging in or failing to prevent inappropriate conduct or inappropriate discipline to a child
- breaching confidentiality about a child protection matter
- failing to maintain a valid Working with Children Check (WWCC)
- not following the Service's Code of Conduct, supervision or reporting procedures
- any action or inaction that places a child at risk of harm.

Any allegations of criminal offences against children must be reported to the Police immediately. Failure to report child sexual abuse to the police is a criminal offence. Any person who reports a breach or concern in good faith, will be protected against retaliation under the Protected Disclosures (Whistle Blower) Policy.

Managing a breach of the Child Protection Policy

Management will address any breaches of this policy in a fair, impartial, and supportive manner by:

- Consulting with NSW Government Communities and Justice – Child Protection Services to ensure appropriate procedures are followed and that the chain of evidence is preserved.
- Refraining from conducting an internal investigation while the Child Protection Helpline or Police are actively investigating the matter.
- Removing the educator or staff member from any role involving contact with children or young people until the external investigation is complete.

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- Displaying the OSHC Service’s compliance history and any compliance actions that are the subject of review by the regulatory authority for families to view.

If the Child Protection Helpline or Police are not conducting an investigation, or once their investigation has concluded, Management may proceed with its own internal investigation. In doing so, Management will:

- Provide the educator, staff member, student, or volunteer the opportunity to respond and present their account of the incident.
- Document all details of the breach, including statements from all involved parties.
- Clearly and objectively record the outcome of the investigation.
- Maintain confidentiality throughout the process.
- Make a final decision based on careful consideration of all available evidence and discussions.

Outcome of a breach of the Child Protection Policy

Staff members or educators who do not comply with this policy may be found in breach of their employment conditions. Visitors or volunteers who fail to follow this policy may have their engagement with the service terminated.

- Emphasising the relevant element of the child protection policy and procedure
- Providing closer supervision
- Further education and training
- Providing mediation between those involved in the incident (where appropriate)
- Disciplinary procedures, including dismissal of employment, if required.
- Reviewing current policies and procedures and developing new policies and procedures if necessary
- External regulatory action- including compliance history, fines, suspension of rating or Service closure.

Reportable Conduct Scheme – Allegations or Complaints against a staff member, or someone in the service



Report to 000 if you have IMMEDIATE concerns for a child's safety.

At Fun 4 U the approved provider and all educators and staff have a legal obligation under the [Children's Guardian Act 2019](#) to report any allegations or convictions of reportable conduct involving employees, including volunteers and contractors, to the [Office of the Children's Guardian](#) (OCG). This responsibility includes notifying the OCG of the allegation, conducting an internal investigation with procedural fairness, and providing the OCG with the outcome of that investigation. Reportable conduct may occur either during or outside of work hours and applies to any individual under the age of 18 at the time the alleged conduct occurred. Reportable conduct offences meet the regulations (S. 165, S. 166, S. 167 & S. 174).

The approved provider must also take appropriate measures to prevent reportable conduct within the organisation. The investigation of the allegation will be recorded in writing using an Incident Report Template and include the facts as stated; dates, times, names of person/s involved, name of person making allegation and the person making the report. This report will be kept on record and treated as strictly confidential. All educators and staff members of our OSHC Service have an obligation to report relevant allegations of a child protection nature as part of the Reportable Conduct Scheme to the approved provider (reports may be made to the NSW Office of the Children's Guardian if they are concerned the approved provider has not fulfilled their reporting duty).

Reportable Conduct includes:

- Committing a sexual offence against, with, or in the presence of a child
- Engaging in sexual misconduct with, towards, or in the presence of a child
- Ill-treatment of a child
- Neglect of a child
- Assaulting a child
- Any behaviour that causes significant emotional or psychological harm to a child
- Approved provider not fulfilling their reporting duty



Under the Act, an approved provider is considered the "head of a relevant entity" and is responsible for:

- Notifying the Children's Guardian within seven (7) business days of becoming aware of a reportable allegation. [7-day notification form](#)
- Undertaking an internal investigation of the allegations that upholds principles of procedural fairness within seven (7) days.
- Submitting a final investigation report within 30 calendar days or providing an interim progress report using the required [30 Day interim report form](#).
- Ensuring confidentiality in all matters relating to reportable allegations, in accordance with the Act or other applicable legislation.

The report submitted to the OCG must enable the Office to assess whether the investigation was conducted appropriately and whether suitable action was or can be taken.

In accordance with Section 57 of the *Children's Guardian Act 2019*, the approved provider (as the head of a relevant entity) must disclose relevant information to the following individuals, unless it is determined that disclosure is not in the public interest:

- The child to whom the information relates
- The child's parent or guardian
- An authorised carer, if the child is in out-of-home care

The Office of the Children's Guardian monitors the organisation's response and reserves the right to conduct its own investigation if deemed necessary.

It is important to note that the mandatory reporting process to the Child Protection Helpline operates **in parallel** with the Reportable Conduct Scheme and does not replace it. Both systems must be followed as required by law.

For ease: Reportable Conduct Directorate: (02) 8219 3800. ([Monday – Friday](#)).

Educating Children about Protective Behaviour

At Fun 4 U our program supports children to understand their right to feel safe, recognise unsafe situations, and confidently seek help from trusted adults.

- The difference between acceptable and unacceptable behaviour, including appropriate and inappropriate contact, in a way that is age-appropriate and easy to understand
- That they have the right to feel safe at all times no matter where they are
- That it's okay to say "no" to anything that makes them feel unsafe or uncomfortable
- How to use their knowledge and instincts to help keep themselves safe
- How to recognise feelings that may indicate they are unsafe or uncomfortable
- The difference between "good" secrets and "bad" secrets
- That there is no secret or story that cannot be shared with someone they trust
- That educators are always available to listen and support them with any concerns
- To speak up and tell an educator if they notice suspicious behaviour or people
- How to recognise and express their emotions, both verbally and non-verbally
- That they have the power to choose and change how they feel

Monitoring Evaluation and Review

At Fun 4 U, we proactively monitor updates from ACECQA and Childcare Centre Desktop to ensure our Child Protection Policy remains current and compliant. The policy is reviewed at least annually, in consultation with families, staff, educators, and management, to reflect best practices and evolving regulatory requirements. In addition to this, our policies are made readily available to families on our Facebook page and next to our sign in and out register we have a folder with a QR code to each policy. (Reg 171 & 172)

Links to other policies

Related Polices	Child Care Centre Desktop Polices
Child Safe Environment Policy Code of Conduct Policy Dealing with Complaints Policy Family Communication Policy Health and Safety Policy Interactions with Children, Family and Staff Policy Privacy and Confidentiality Policy Responsible Person Policy Student, Volunteer and Visitors Policy Supervision Policy	Child Protection Educational Program Risk Assessment Child Protection MRG Support Guide NSW Child Protection Notification Procedure Child Protection Notification Record Child Protection Report Form

Sources

- Australian Children’s Education & Care Quality Authority. (2025). [Embedding the National Child Safe Principles](#)
- Australian Children’s Education & Care Quality Authority. (2026). [Guide to the National Quality Framework](#)
- Australian Children’s Education & Care Quality Authority. (2025). [NQF Child Safe Culture Guide](#).
- Australian Government Department of Education. [My Time, Our Place- Framework for School Age Care in Australia.V2.0 2022](#)
- Australian Children’s Education & Care Quality Authority. (2024). [Taking Images and Video of Children While Providing Early Childhood Education and Care. Guidelines For The National Model Code](#)
- Australian Government Australian Institute of Family Studies. (2022). [Australian child protection legislation](#)
- Australian Government: Australian Institute of Family Studies. (2023). [Mandatory reporting of child abuse and neglect](#)
- Australian Government: Australian Institute of Family Studies. (2025). [Responding to children and young people’s disclosure of abuse](#).
- [Childcare Centre Desktop](#)
- ChildStory Reporter: <https://reporter.childstory.nsw.gov.au/s/>
- [Child Protection Reporting: Overview of legislative amendments \(NSW\) 2020](#)
- Child Safe Organisations <https://childsafef.humanrights.gov.au>
- [ECA Code of Ethics - Early Childhood Australia](#)
- Education and Care Services National Law Act 2010. (Amended 2023).
- [Education and Care Services National Regulations \(NSW\) \(2025\)](#)
- [Preventing Child Maltreatment: A guide to taking action and generating evidence](#)
- [NAPCAN- Prevent Child Abuse & Neglect](#)
- [Children \(Education and Care Services\) National Law \(NSW\)](#)
- Child Protection (Working with Children) Act 2012
- Children and Young Persons (Care and Protection) Act 1998
- Early Childhood Australia Code of Ethics. (2016).

- NSW Government Communities & Justice. (2019). [Mandatory reporters: What to report and when](#)
- NSW Government. Department of Health. Child Protection and Wellbeing. [Information exchange for safety, welfare and wellbeing of children and young people](#)
- NSW Government. (2025). [Education and Care Services \(Supply, Authorisation and Use of Devices\) Order 2025.](#)
- NSW Government Legislation [Children’s Guardian Act 2019](#)
- NSW Government Legislation [The Commission for Children and Young People Act 1998](#)
- NSW [Office of the Children’s Guardian](#)
- Ombudsman Act 2001.

NSW Government Department of Communities and Justice:

- [ChildStory](#)
- [ChildStory Reporter Community](#)
- [Information exchange for safety, welfare and wellbeing of children and young people](#)
- [Information sharing for service coordination](#)
- [Mandatory reporters: What to report and when](#)
- [Office of the Children’s Guardian](#)
- [Overview of legislative amendments](#)
- [Recognising Child Abuse](#)

NSW Department of Education Child Protection

- [Indicators of abuse and neglect](#)

The Australian Children’s Education & Care Quality Authority ([ACEQA](#))

[World Health Organization \(\(WHO\), 2006, pg. 9\)](#)

Record of services’ compliance (Reg 167)

Date Created: September 2014

Date Reviewed by Fun 4 U: 27/04/2026

Childcare Centre Desktop Policy Update: February 2026

This Policy Follows ACEQA: [Child Safety | ACECQA](#)