

# CHILD PROTECTION POLICY



## 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 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).

### 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. 162A	Child protection training
S. 165	Offence to inadequately supervise children
S. 166	Offence to use inappropriate discipline

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. 175	Offence relating to requirement to keep enrolment and other documents
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

## 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.	<a href="#">ACEQA</a>
Mandatory Reporting	The legislative requirement for selected classes of people to report suspected child abuse and neglect to government authorities.	<a href="#">Department of Communities and Justice</a>
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"> <li>- Staff that deliver services to/works directly with children</li> <li>- Management, either paid or voluntary, whose duties include direct responsibility or direct supervision for the provision of these services.</li> </ul>	<a href="#">Children and Young Persons (Care and Protection) Act 1998 (The Care Act)</a>
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."	<a href="#">NSW Children and Young Person (Care and Protection) Act 1998</a>
Risk of Significant Harm (ROSH)	ROSH refers to circumstances causing concern for the safety, welfare and wellbeing a child or young person 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.	<a href="#">Mandatory Reporter Guide</a>
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 Communities & Justice.	<a href="#">Mandatory Reporter Guide</a>

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.	<a href="#">NSW Children and Young Person (Care and Protection) Act 1998</a>
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.	<a href="#">Guide to the NQF</a>
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"> <li>- Is physically present with the children and/or</li> <li>- Is directly engaging in providing education and care to the children.</li> </ul>	<a href="#">Child Protection (Working with Children) Act 2012</a>

## 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,
5. Circumcision, including female circumcision
6. Domestic and Family Violence
7. Forced Marriage and Underage Forced Marriage

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- e. Medical and mental health care
  - f. Education – not enrolled/habitual absence

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

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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**

#### *How to Complete Mandatory Reporting*

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](#) website. 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.

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](http://www.hsnet.nsw.gov.au)

Family Services NSW [www.familyservices.nsw.asn.au](http://www.familyservices.nsw.asn.au)

### *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 7 days if abuse is suspected or known to have occurred during care.
- Report any allegations of abuse within 7 days 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 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.

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 *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/management/nominated supervisor will ensure:*

- The obligations under the Education and Care Services National Law and National Regulations are met
- Educators, staff, students and volunteers have knowledge of and adhere to this policy
- Families are aware of this *Child Protection Policy* and kept up to date with all changes.
- Any responsible person in day-to-day charge of the Service has successfully completed a course in child protection approved by the regulatory authority
- 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 all other relevant staff information (Reg 145 & S. 175).
- All employees, volunteers and students are aware of their duties listed below and follow the *Staff Code of Conduct Policy*.
- Registration for the Service is completed for eReporting through the *ChildStory Reporting Community*

- Training and development are provided for all educators, staff, and volunteers in child protection on an annual basis.
- Educators are provided with a reporting procedure and professional standards to safeguard children and protect the integrity of educators, staff and volunteers
- Educators are provided with training and ongoing supervision to ensure they understand that child safety is everyone's responsibility, and they adhere to the Child Safe Standards
- Access is provided to all staff regarding relevant legislations, regulations, 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* (Reg 86 & 87)
- Records relating to child sexual abuse that has or is alleged to have occurred are kept for at least 45 years (Reg 86 & 87)
- Educators, staff, volunteers and students are well informed 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 behaviors that may be harmful to the child or another child. (ACECQA 2023)
- 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 (*Complaints Policy*).
- Notify the relevant parent/family of child safety incidents, injuries, trauma and illness (Reg 86 & 87)

#### *Educators 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
- Advise the approved provider of any circumstances that may affect their WWCC or fit and proper status
- 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 conduct to management of the service.

#### *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.
- 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.
- Actively support a child-safe culture by promoting the safety, wellbeing, and rights of all children.
- 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.
- 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.



## **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](http://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). 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. (Reg 175 & 176)

### *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. A breach of Fun 4 U's Child's Protection Policy may be due to a person;

- does something that a reasonable person in that person's position would not do in a particular situation
- fails to do something that a reasonable person in that person's position would do in the circumstances or
- acts or fails to act in a way that causes harm to someone the person owes a duty of care.

#### *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.

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



## 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.

**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

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. (2014).
- Australian Children's Education & Care Quality Authority. (2023). [Guide to the National Quality Framework](#)
- Australian Government Department of Education. [My Time, Our Place- Framework for School Age Care in Australia.V2.0 2022](#)
- Australian Government Australian Institute of Family Studies. (2018). [Australian child protection legislation](#)
- Australian Government: Australian Institute of Family Studies. (2020). [Mandatory reporting of child abuse and neglect](#)
- 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://childsafe.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](#). (Amended 2023).
- [Preventing Child Maltreatment](#): A guide to taking action and generating evidence
- [NAPCAN- Prevent Child Abuse & Neglect](#)
- 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)

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