

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 [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 2026](#) 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 protected.
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	Definitions: “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]
Part 6A	Devices in education and care services
S. 188	Offence to engage person to whom prohibition notice applies
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

128B	Child protection training
128D	Foundation child safety training
128E	Advanced child safety training
145	Staff records
149	Volunteers and students
154A	National Early Childhood Worker Register
154B	Approved provider must give information to the National Authority for the National Early Childhood Worker Register
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
176B	Nominated supervisor, staff member or volunteer must notify approved provider of changes
176C	Approved providers must notify Regulatory Authority of changes
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.	ACECQA
Child Abuse	is any act, or failure to act, that harms or places a child or young person at risk of harm to their physical, psychological or emotional health, wellbeing or development. Child abuse may occur as a single incident or as a pattern of incidents over time and can occur within organisations as well as within families, particularly where power, authority, isolation or poor supervision increase risk to children.	Department of Communities and Justice
Concerning or harmful sexual behaviours displayed by a child	Children’s sexual development includes curiosity about their bodies and sexual identity. While some behaviours may be part of normal, age-appropriate development, other behaviours may be outside typical developmental expectations and require an immediate response in line with child protection and mandatory reporting obligations	For further information, see pages 56-57 of the NQF Child Safe Culture Guide (ACECQA, 2025).
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: - 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

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
Reportable Conduct	Early childhood services have legal obligations under the NSW Reportable Conduct Scheme. Under the Scheme, services are required to notify and investigate certain allegations (reportable allegations) against an employee in accordance with the requirements of the <i>Children's Guardian Act 2019 (NSW)</i>. In NSW, reportable conduct includes: • a sexual offence committed against, with, or in the presence of a child • sexual misconduct with, towards, or in the presence of a child • ill-treatment of a child • neglect of a child • an assault against a child • behaviour that causes significant emotional or psychological harm to a child • an offence under section 43B or 316A of the <i>Crimes Act 1900</i>. For the purposes of the NSW Reportable Conduct Scheme, an employee may include paid employees, volunteers and certain contractors engaged by the Service.	Children's Guardian Act 2019 No 25 - NSW Legislation
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; - 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

CHILD PROTECTION RESOURCES

Australian Human Rights Commission. [Child safe organisations](#)

Emerging Minds. [Supporting children who have experienced trauma](#)

[Kids Helpline](#)

[Lifeline](#)

[NAPCAN – Prevent Child Abuse & Neglect](#)

NSW Government. [Child safety](#)

NSW Government. [ChildStory Reporter Community](#)

NSW Government. [Child Safe Standards training and resources](#)

Raising Children Network. [Safeguarding children and child sexual abuse](#)

Stop It Now! [A child or young person's sexual behaviour](#)

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 (DCJ) identify seven different forms of child abuse which include;

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| 1) Emotional Abuse and Psychological Harm | 5. Circumcision, including female circumcision |
| 2) Sexual Abuse | 6. Domestic and Family Violence |
| 3) Physical Abuse | 7. Forced Marriage and Underage Forced |
| 4) Neglect, incorporates; | Marriage |
| a. Supervision, | |
| b. Shelter/environment, | |
| c. Food, | |
| d. Hygiene/clothing, | |
| 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.

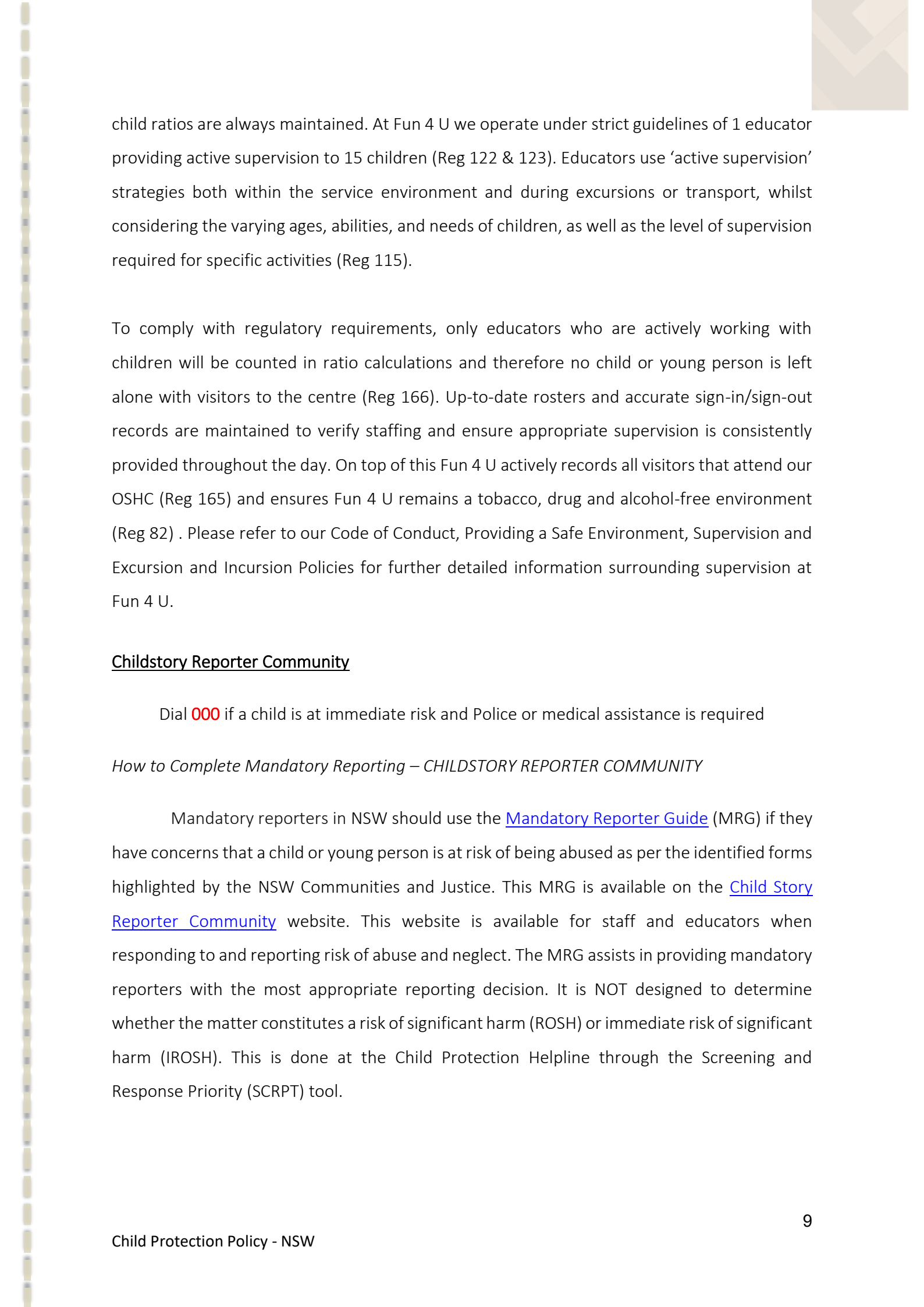
Grounded in extensive research and consultation, the 10 Child Safe Standards aim to ensure that all aspects of an organisation's operations are designed to protect children from abuse and neglect. These standards are:

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
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.

Childstory Reporter Community

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

How to Complete Mandatory Reporting – CHILDESTORY 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.

A DISCLOSURE OF HARM (General)

A disclosure of harm emerges when someone, including a child, tells you about harm that has happened or is likely to happen. Disclosures may be received from a child, family, staff member, volunteer or another person.

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

- give the child or young person their full attention
- remain calm and find a suitable place to talk where the child feels comfortable and can be heard
- not make promises that cannot be kept. For example, never promise confidentiality or that the information will not be shared.
- explain to the child or young person what you plan to do next and what is required
- reassure the child or young person that they have done the right thing in revealing the information or speaking up, and that it will be necessary to tell those who can help keep them safe
- let the child or young person take their time and use their own words

- only ask enough questions to clarify the information required to make a report, as further questioning could cause distress, confusion or interfere with any later enquiries
- tell the child or young person that the abuse or harm is not their fault
- support culturally and linguistically diverse children and children with additional needs to express

themselves in their preferred way

- not attempt to investigate or mediate an outcome between the parties involved
- not confront the alleged perpetrator
- document the disclosure as soon as possible so the details are accurately captured, including:
 - time, date and place of the disclosure
 - 'word for word' record of what was said and what happened, including anything they (the staff member/educator) said, and any actions taken
 - date of record and signature.

Adapted from: Australian Institute of Family Studies (2025), *Responding to children and young people's disclosures of abuse*.

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.

Concerning or Harmful Sexual Behaviours Displayed by a Child

Children's sexual development includes curiosity about their bodies and sexual identity. While some behaviours may be age and developmentally appropriate, behaviours that are harmful, coercive, persistent, exploitative or outside typical developmental expectations will be responded to immediately in accordance with supervision, child protection and mandatory reporting obligations.

Educators and staff will:

- engage in professional learning to promote a consistent and appropriate approach to identifying and responding to harmful sexual behaviours in children. This may include consideration of:
 - age and developmental capacity of the child/children

- reasons why a child may display harmful sexual behaviours
- behavioural history of the child
- how the behaviour impacts other children
- risk the behaviour poses to others
- vulnerability of the child displaying harmful sexual behaviours, including whether they have experienced abuse or trauma, have been exposed to sexually explicit material, have attachment difficulties, or have developmental delays that may affect their understanding of appropriate boundaries and consent.
- respond to concerns about any sexual behaviour that may be harmful to the child or another child promptly (see *Child Protection Notification Procedure*)
- recognise that a child displaying harmful sexual behaviour may themselves be a victim of abuse, and respond to all such behaviour with this possibility in mind, ensuring the child's needs are assessed and addressed alongside any necessary notification
- follow guidance from the Traffic Lights Framework to manage the concern or complaint
 - RED - signals sexual behaviours which indicate immediate intervention and action
 - ORANGE - signals sexual behaviours that may be concerning and for educators to take notice and gather information and assess appropriate action
 - GREEN - signals sexual behaviours that are expected and age-appropriate for children's development
- provide appropriate supervision and take immediate action to ensure children's safety and wellbeing
- respond to any child displaying harmful or problem sexual behaviours in a manner that is respectful, trauma-informed and appropriate to the child's age and developmental stage
- work in partnership with families and relevant agencies where required
- support all children involved in a respectful and non-stigmatising manner
- document and report all concerns in accordance with child protection and mandatory reporting obligations
- conduct an environmental audit to identify any indoor or outdoor areas that may not offer clear lines of sight for supervision, including enclosed spaces such as cubby houses, play corners and bathroom areas.

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 NSW Police or medical assistance is required.

- follow the [NSW Early Learning Commission](#) reporting requirements and guidance, which includes the guide to [Responding to incidents, disclosures and suspicions of child abuse](#)
- 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 (ROSH) to the Child Protection Helpline by calling 132 111 (for immediate concerns) or by making an online eReport via [ChildStory Reporter website](#) as soon as practicable
- notify the NSW Early Learning Commission through the [NQA IT System](#) (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
 - any complaints alleging that a serious incident has occurred or is occurring at the Service
 - any serious incident, including (but not limited to):
 - physical or sexual abuse of a child where emergency services attended the Service or
 - where a child appears to have been involved in a sexual offence or sexual misconduct
 - any sexual offence or sexual misconduct committed by an employee, volunteer, student, or other person engaged with the Service
 - any circumstances that pose a risk to the health, safety or wellbeing of a child, including:
 - harmful behaviour of a child that poses a risk to other people while being educated and cared for by the Service
 - any incident or allegation of conduct by an approved provider, nominated supervisor, staff member or volunteer that a reasonable person would consider to be inappropriate at the Service, including inappropriate conduct towards a child or between adults in the presence of a child
 - any circumstances that may affect an educator or staff member's WWCC or fit and proper status, including changes to teacher accreditation or registration (if applicable) within 24 hours of becoming aware of the event.
- report any suspected cases of online abuse to the relevant authorities, including the eSafety

Commissioner and NSW Police, in accordance with legal requirements and child protection obligations

- ensure documentation is completed to assist in making reports to relevant authorities, including the *Incident, Injury, Trauma and Illness Record* in the first instance, and any other records required by relevant authorities
- comply with the Reportable Conduct Scheme and notify the Office of the Children's Guardian within 7 business days of becoming aware of a reportable allegation and/or convictions of abuse or neglect of a child involving an employee, volunteer, student or contractor. The Service will investigate all allegations and take appropriate action to ensure children's safety and wellbeing (see Reportable Conduct Scheme section below).
- 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, suspicion, observation or disclosure that a staff member or volunteer is engaging or has engaged in inappropriate conduct that may place a child at risk of harm
- develop a 24-hour reporting procedure to ensure that any matter notifiable to the NSW Early Learning Commission is reported within the required timeframe, including incidents that occur or are reported outside operational hours (e.g., weekends or public holidays).

Educators and Staff will:

- contact the NSW Police on 000 if there is an immediate danger to a child and, where it is safe to do so, take reasonable steps to protect the child until emergency services arrive
- understand their mandatory reporting obligations and report concerns that a child may be at risk of significant harm (ROSH) to the NSW Department of Communities and Justice (DCJ) via the Child Protection Helpline or ChildStory Reporter, in accordance with legislative requirements
- listen to and respond appropriately to
- listen to and acknowledge a child's disclosure, taking their concerns seriously and engaging the appropriate authorities
- follow the NSW Early Learning Commission reporting requirements and guidance, including the

guide to [Responding to incidents, disclosures and suspicions of child abuse](#)

- report concerns directly to NSW Police where there is an immediate threat to a child's safety or where a crime is suspected, including allegations of assault, sexual abuse or grooming
- report all child safety concerns, incidents, allegations and complaints to the approved provider or nominated supervisor
- prepare accurate, objective and timely records, recording exactly what happened, conversations that



took place and what was observed to pass on to the relevant authorities to support any investigation

- NOT investigate allegations or suspicions of abuse or neglect, but collect only enough information to clarify concerns and make a report to the Child Protection Helpline, NSW Police or other appropriate authority
- understand that allegations or concerns relating to their own conduct will be managed in the same way as allegations made against any other people
- identify and report any concerns, allegations, suspicions, observations or disclosures of reportable conduct, including conduct by a staff member, volunteer, contractor or student that may place a child at risk of harm, to the approved provider in accordance with Service procedures. Concerns may also be reported to the NSW Office of the Children's Guardian if there is a belief that reporting obligations have not been met.
- identify and report any concerns and allegations of inappropriate conduct (observed or suspected or disclosures) by other staff members, volunteers or students to the approved provider within 24 hours
- refer families to appropriate support agencies when there are no significant reasons to believe a child is being abused or neglected. Referral pathways may include [Child Wellbeing Unit](#) or [Community and Family Support](#), or other relevant services. Family consent will be sought (where appropriate) before making referrals.
- seek appropriate support for their own wellbeing following child protection concerns, disclosures, allegations or reports, while maintaining confidentiality and professional responsibilities.

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

Under Chapter 16A of the [*NSW Children and Young Persons \(Care and Protection\) Act 1998*](#), early childhood education and care services are recognised as prescribed bodies and may lawfully share information about a child or young person where it relates to their safety, welfare or wellbeing.

Consent for information sharing

The approved provider, nominated supervisor and educators will:

- seek consent from families before sharing information about a child, where possible
- accept consent given either verbally or in writing
- not seek consent where doing so may place a child or any other person at risk
- ensure information shared relates only to the child's safety, welfare or wellbeing and supports a



prescribed body to make decisions, conduct assessments or investigations, provide services, or manage risk in relation to that child.

Sharing information with prescribed bodies

Information may only be shared with other prescribed bodies, including:

- NSW Police
- public service agencies or public authorities
- private and public schools, and TAFE establishments
- early childhood education and care (ECEC) services
- public health organisations
- private health facilities
- other persons or bodies prescribed by legislation – see [section 248\(6\)](#) for more information.

Confidentiality

It is important that all allegations and notifications remain confidential until investigated by the appropriate authorities. The individual who makes the notification should not inform the suspected perpetrator (if known) nor attempt to investigate any allegation themselves. This ensures the matter can be investigated without contamination of evidence or pre-rehearsed statements by the appropriate authorities.

Our OSHC Service is committed to providing support to children, families, educators or staff who have made a report regarding child protection, with a focus on upholding strict confidentiality throughout the process. Our primary concern is the wellbeing and safety of the child, and we will work closely with relevant authorities, professionals, and support networks to ensure that the child's best interests are met throughout the process. Our dedicated support system will assist educators and staff in navigating this challenging process while safeguarding their privacy and professional wellbeing.

Protection for Reporters

All reporters who make a report about concerns for a child's safety or wellbeing are protected against liability and detrimental action for making or proposing to make a report under amendments to the *Children and Young Persons (Care and Protection) Act 1998*. Provided the report is made in good faith and on reasonable grounds:

- the report does not breach standards of professional conduct
- the report cannot result in defamation, civil or criminal liability
- the report is not admissible as evidence in any proceedings against the person who made the report
- a person cannot be compelled by a court to provide the report or disclose its contents
- the identity of the person making the report is protected by law from being disclosed, except in certain exceptional circumstances.

Additional protections apply under the Children (Education and Care Services) National Law (NSW). It is an offence to take or threaten to take any detrimental action, such as intimidation, bullying, discrimination, or adverse treatment, against a person who has made or may make a complaint, report or disclosure under the National Law. These protections are outlined within our *Protected Disclosures (Whistleblower) Policy*, which supports and protects individuals who report concerns in good faith about child safety, compliance with the National Law, or Service operations.

Responsibilities

The approved provider, nominated supervisor and educators must ensure information shared or received is relevant, necessary, proportionate and that appropriate records are kept of what is shared, with whom and why, in accordance with legislation requirements.

THE APPROVED PROVIDER/MANAGEMENT/NOMINATED SUPERVISOR WILL:

Governance, Child Safety and Compliance

- that obligations under the Children (Education and Care Services) National Law (NSW) and Education and Care Services National Regulations (NSW) are met, and children's safety, rights and wellbeing are prioritised at all times
- families are aware of this *Child Protection Policy* and relevant procedures and are advised on how and where the policy can be accessed
- all children being educated and cared for by the OSHC Service are adequately supervised
- a range of strategies are used to provide effective supervision, including using attendance records to ensure children are accounted for (e.g., head counts)

- they do not subject a child to inappropriate conduct or inappropriate discipline and ensure that no child being educated and cared for by the OSHC Service is subjected to inappropriate conduct or inappropriate discipline by any staff member, student or volunteer
- any allegations, concerns or suspicions of inappropriate conduct are investigated and reported to the ELC in accordance with the *Management of Inappropriate Conduct Procedure*
- that the premises, including toilets, are designed and maintained to facilitate clear supervision of children while maintaining their rights and dignity
- all training completed by staff, students, volunteers and persons with management or control is recorded on the *Training Register*.

All employees, volunteers, students and visitors (where applicable):

- have knowledge of and adhere to child safety policies, including the current *Child Protection, Child Safe Environment, Code of Conduct and Safe Use of Digital Technologies Online Environments Policies*
- are informed of and have access to the [NSW Early Learning Commission](#) reporting requirements and guidance, which includes following the [Responding to incidents, disclosures and suspicions of child abuse](#) guide. The guide will be displayed in a prominent location within the staff room and provided to new staff, students and volunteers during induction.
- have knowledge of and adhere to the [Education and Care Services \(Supply, Authorisation and Use of Devices\) Order 2026](#) 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
- only use electronic devices supplied by the Service for taking images or videos of children enrolled at the Service
- are never left alone with a child while at the Service under any circumstances (best practice for staff and educators, mandatory for volunteers, students and visitors).
- are provided with comprehensive induction, training and ongoing supervision to promote and foster a child safe culture and ensure they understand that child



safety is everyone's responsibility, and they adhere to the [NSW Child Safe Standards](#)

- are provided with support to adhere to a zero-tolerance stance against child abuse
- are provided with current information and reporting procedures for the Reportable Conduct Scheme (Office of Children's Guardian)
- are 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
- are provided with regular training and resources about trauma-informed care, effective supervision and monitoring, appropriate and inappropriate discipline and online abuse
- are informed 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
- are advised 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

- are informed that if they observe, suspect or receive any allegations or disclosures that a

staff member or volunteer is engaging in or has engaged in inappropriate conduct, they must notify the NSW Early Learning Commission, approved provider and nominated supervisor as soon as practicable, and no later than within 24 hours

- are provided with access to all relevant legislation, regulations, standards and other resources to help meet their mandatory reporting obligations
- are required to participate in regular performance reviews.

Recruitment, Screening and Workforce Requirements

- a thorough recruitment process is implemented to employ people who are committed to children's safety and ensure applicants demonstrate behaviours and values consistent



with the OSHC Service's Code of Conduct, Statement of Philosophy and child safety policies and procedures (see *Recruitment Policy*)

- the recruitment process includes pre-employment screening, background checks, reference checks and prohibition checks
- all prospective applicants are required to complete a prohibition notice declaration to acknowledge they do not hold any prohibition notices or negative notices that would prevent them from working with children
- the OSHC Service registers with the Office of the Children's Guardian and validates all staff, educators, volunteers and students WWCC prior to their employment or engagement
- a record is kept and updated with the number of each WWCC number and expiry date, and staff and educators are reminded to renew their WWCC at least 3 months prior to expiry, see *WWCC Register*
- staff, student and volunteer records are maintained as per the *Record Keeping and Retention Policy* and entered into the National Early Childhood Worker Register
- staff, students and volunteers notify the approved provider in writing within 72 hours of any changes to their WWCC status, their teacher registration or fit and proper status (including show cause notices, suspension notices, supervision notices, disciplinary notices/orders or prohibition notices), or within 24 hours of becoming aware of the event
- staff, students and volunteers are advised that it is an offence to provide false or misleading information in relation to their identity, qualifications, WWCC, or any matter relevant to their suitability to work with children.

Reporting, Records and Continuous Improvement

- a *Child Protection Risk Assessment* is completed and reviewed annually
- a *Child Protection Concerns Register* is completed to record child protection concerns
- the OSHC Service cooperates and complies with any directions or orders issued by the ELC regarding a show cause, suspension or supervision notice provided to a student, volunteer or visitor, including immediately preventing the person from engagement with children
- registration for the Service is completed for eReporting through the [ChildStory Reporter Community](#)

- child safety is emphasised throughout the Service with regular discussions at team meetings and with children and families
- regular assessment of staff understanding of child safety policies and procedures through quizzes/surveys
- educators are provided with reporting procedures and professional standards to safeguard children and protect the integrity of educators, staff and volunteers
- records of abuse or suspected abuse are kept confidential, stored securely, and accessible only to authorised personnel, in line with our *Privacy and Confidentiality Policy*
- records relating to child sexual abuse that has occurred or is alleged to have occurred are kept for at least 45 years [best practice]
- complaint handling processes are child-focused and provide support and guidance for children to identify who they can 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 appropriate support services they may need, including counselling, debriefing and community services
- critical reflection is undertaken with staff and educators following any critical incident to inform

changes to policies, procedures, practices (including supervision arrangements), and risk assessments.

STAFF, EDUCATORS, VOLUNTEERS, STUDENTS AND VISITORS WILL: (where applicable)

- comply with and understand the current *Child Protection, Child Safe Environment, Code of Conduct, Safe Use of Digital Technologies and Online Environments Policies* and relevant procedures
- participate in a comprehensive induction and orientation program, including an understanding of child protection legislation and reporting obligations
- support and promote a child safe culture within the Service by complying with the NSW Child Safe Standards
- adhere to the OSHC Service's zero-tolerance stance against child abuse

- complete training to understand the child protection reporting process and use of the [Mandatory Reporter Guide \(MRG\)](#), including when and how to make a child protection report
- complete mandatory national child safety training within the required timeframes and renew it every 2 years
- understand their mandatory reporting obligations and responsibilities, and be aware that neglecting to report child protection concerns may be deemed a criminal offence
- participate in regular training on child protection, including recognising and responding to children's expressions of concern, distress and disclosures of harm, indicators of abuse or neglect, grooming behaviours, child sexual abuse prevention, and harmful sexual behaviours displayed by young children, including the Traffic Lights Framework. Training should also include 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 (refer to guidance below) [best practice].
- participate in regular training about trauma-informed care, effective supervision and monitoring, appropriate and inappropriate discipline and online abuse
- not use any personal electronic devices, including mobile phones or smart watches used to take images or video of children at the Service
- implement consistent, appropriate interactions with children
- foster a culture of openness, respect and cultural safety where children and young people feel secure and valued
- allow children to be part of decision-making processes where appropriate
- provide ongoing monitoring and follow-up for children's health and wellbeing
- use appropriate, positive and consistent approaches to guide behaviour and ensure no child is

subjected to any form of corporal punishment, inappropriate conduct or inappropriate discipline

- understand 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

- notify the NSW Early Learning Commission, approved provider and nominated supervisor as soon as practicable, and no later than 24 hours, if they observe, suspect or receive an allegation or disclosure that a staff member or volunteer is engaging in or has engaged in inappropriate conduct.

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](http://www.kidsguardian.nsw.gov.au/Working-with-children/working-with-children-check), 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.

The National Continuous Checking Capability (NCCC) will be used to support real-time monitoring of worker criminal history across all jurisdictions.

Training

To uphold best practices and meet the National Regulation (S. 162A), Fun 4 U promotes a culture of child safety and wellbeing within the Service. The approved provider will ensure all prescribed personnel, i.e., all persons with management or control, nominated supervisors, persons in day-to-day charge, other staff, volunteers, and students:

- complete [national child safety training](#) (before or within 14 days of commencing work at the Service or working directly with children, including the foundation training and advanced training (where applicable), and renew training every 2 years
- are aware of the current child protection law
- understand how to apply child protection law within our Service, and can demonstrate that understanding
- are aware of their obligations, including their responsibilities as mandatory reporters
- are aware that neglecting to report child protection concerns may be deemed a criminal offence under the Crimes Act 1900
- 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

In addition, the approved provider will ensure each nominated supervisor and each person in day-to-day charge:

- successfully completes approved child protection training (see: [Child protection and child safety training requirements ELC](#))
- provides evidence of the completion of approved child protection training
- participates in annual child protection training refresher courses. [best practice].

The approved provider will ensure all records relating to child safety and child protection training,

including date of completion and renewal date, are recorded via the *Training Register*. Records will

be kept for 3 years after a person's engagement with the Service ends.

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.
- 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 NSW 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 fail to adhere to this policy may be in breach of their terms of employment. Visitors, students or volunteers who fail to comply with this policy may face termination of their engagement. Depending on the nature of the breach, outcomes may include:

- disciplinary procedures, including termination of employment, if required
- reinforcing the relevant requirements of the *Child Protection Policy* or procedure that were not followed
- providing closer supervision
- providing further education and training
- restorative processes where appropriate and consistent with legal obligations
- reviewing current policies and procedures and developing new policies and procedures if necessary
- external regulatory or enforcement action, including compliance actions, fines, conditions placed on

service approval, changes to the quality rating or a suspension of rating or other measures, including 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](#)).

Support for Educators and Staff

The approved provider, management and nominated supervisor will ensure:

- educators and staff who are involved in making a mandatory report, responding to a disclosure of abuse or neglect, or managing a notification involving concerning or harmful sexual behaviours displayed by a child are offered timely and appropriate support
- a confidential debrief is provided to any educator or staff member following their involvement in a child protection notification
- educators and staff are provided with access to professional support, including the Service's Employee Assistance Program (EAP), where needed
- the wellbeing of educators and staff involved in child protection matters is monitored on an ongoing basis following a notification
- educators and staff feel safe and supported to raise concerns about their own wellbeing without fear of judgement or reprisal
- the support provided to educators and staff involved in child protection matters remains confidential.

Educating Children about Protective Behaviour

At Fun 4 U our program supports children to understand their rights, develop protective behaviours, and encourage them to express their views, feelings and concerns. A risk assessment will be conducted prior to the delivery of any child protection education program to ensure it is age-appropriate and supports children's wellbeing.

Children will be supported to learn:

- about safe and unsafe behaviour in both physical and online environments
- about appropriate and inappropriate contact in an age-appropriate and developmentally appropriate way
- about body safety, including using correct names for private body parts, recognising inappropriate touch and respecting personal space and boundaries
- appropriate interactions with other children, including respecting personal space, body boundaries, consent, privacy and the right of others to feel safe and comfortable

- that no other child is allowed to touch your private body parts and you are not allowed to touch another child's private parts
- what to do if another child asks them to engage in sexual behaviour or touches them without consent
- about their right to feel safe and respected at all times
- to say 'no' to anything that makes them feel unsafe or uncomfortable, and seek help from trusted adults
- strategies to help them recognise and respond to situations that may make them feel unsafe or uncomfortable
- to identify and express feelings when they feel safe, unsafe, worried or uncomfortable
- identify trusted educators, adults and friends who can support them
- the difference between 'safe and unsafe secrets', and that there is no secret that cannot be shared with a trusted adult
- that educators are available to listen and support them if they have any concerns
- to tell a trusted adult about any behaviour, activity or person that makes them feel unsafe or worried
- to recognise and express their feelings verbally and non-verbally
- strategies to help them regulate emotions and seek support when needed.

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	Child Protection Educational Program Risk Assessment Child Protection MRG Support Guide NSW

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 Notification Procedure Child Protection Notification Record Child Protection Report Form
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Sources

- Australian Children's Education & Care Quality Authority. (2026). [Guide to the National Quality Framework](#)
- Australian Children's Education & Care Quality Authority. (2025). [Embedding the National Child Safe Principles](#)
- Australian Children's Education & Care Quality Authority. (2025). [NQF Child Safe Culture Guide](#)
- Australian Children's Education & Care Quality Authority. (n.d.). [Reporting requirements about children](#)
- Australian Children's Education & Care Quality Authority. (2026). [Safe use of devices in education and care services](#)
- Australian Government Department of Education. [My Time, Our Place- Framework for School Age Care in Australia.V2.0, 2022](#)
- Australian Institute of Family Studies. (2023). [Mandatory reporting of child abuse and neglect](#)
- Australian Institute of Family Studies. (2025). [Responding to children and young people's disclosures of abuse](#)
- Australian Institute of Family Studies. (2023). [What is child abuse and neglect?](#)
- Early Childhood Australia. (2016). *Code of Ethics*.
- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations 2011](#)
- NSW Government. NSW legislation. Child Protection (Working with Children) Act 2012
- NSW Government. Children and Young Persons (Care and Protection) Act 1998
- NSW Government. Department of Communities & Justice. (2024) [Mandatory Reporter Guide \(MRG\)](#)
- NSW Government. Early Learning Commission. (2026). [Education and Care Services \(Supply, Authorisation and Use of Devices\) Order 2026](#)
- NSW Government NSW legislation [Children's Guardian Act 2019](#)
- NSW Government NSW 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\)](#)

Stop It Now! [A child or young person's sexual behaviour](#)

Record of services' compliance (Reg 167)

Date Created: September 2014

Date Reviewed by Fun 4 U: 30/08/2026

Childcare Centre Desktop Policy Update: August 2026

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