

CHILD SAFE ENVIRONMENT AND WELLBEING

QUALITY AREA 2 | ELAA VERSION 1.10



PURPOSE

This policy provides a clear set of guidelines and procedures for Denzil Don Kindergarten to:

- provide a safe environment for all children, which ensures their safety, health and wellbeing
- promote the cultural safety of all children
- identify, reduce and remove risk for child abuse
- intervene when a child may be at risk of abuse or neglect
- involve children in child safety, including listening to them and incorporating their views regarding how to provide a safe environment
- make staff aware of their legal and duty of care obligations to report child abuse and neglect
- create and embed policies, procedures, and expectations that promote a service environment with zero tolerance for racism and ensure staff understand steps they can take to report incidents of racism they either experience or witness.
- embed the eleven *Child Safe Standards* in service practice, policy and procedures.
- respond to requests, share and request information to promote child wellbeing or safety and/or manage the risk of family violence.



POLICY STATEMENT

VALUES

Denzil Don Kindergarten:

- is committed to the rights of all children to feel safe and be safe at all times, including:
 - promoting the cultural safety and wellbeing of Aboriginal children
 - promoting the cultural safety and wellbeing of children from culturally and linguistically diverse backgrounds
 - promoting the safety and wellbeing of children with a disability
 - promoting the right to safety and wellbeing of trans and gender-diverse children and their families at kindergarten
 - ensuring that LGBTIQ+ children and families feel included and welcome.
- promotes the culture of child safety and wellbeing within the service
- values, respects, and cares for children
- fosters opportunities for each child to participate, express their views and learn and develop
- always acts in the best interests of each child and has zero tolerance for child abuse
- takes all reasonable steps to ensure the health, safety, and wellbeing of children always whilst also supporting their learning and development
- actively manages the risk of abuse or harm to children, including fulfilling our duty of care (*refer to Definitions*) and legal obligation to protect children and prevent any reasonable, foreseeable risk of injury or harm
- continuously improves the way our service identifies risk of and responds to child abuse and encourages reporting and improved response to allegations of abuse
- proactively shares information with relevant authorities to promote the wellbeing and/or safety of a child or a group of children, consistent with their best interests.
- has zero tolerance for discrimination and racism.

SCOPE

This policy applies to staff, students, volunteers, visitors, parents/carers, children, and others attending programs and activities at Denzil Don Kindergarten, including offsite excursions.

RESPONSIBILITIES	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teachers, educators and all other staff	Parents/guardians	Contractors, volunteers and students
R indicates legislation requirement and should not be deleted					
Ensuring that obligations under the <i>Education and Care Services National Law</i> and <i>National Regulations</i> are met	R	R	√		√
Ensuring the <i>Child Safe Environment and Wellbeing</i> policy and procedures are implemented, appropriate risk assessments and action plans are completed, and all identified actions are taken to minimise the risks to children's health and safety.	R	R	√		√
Taking reasonable steps to ensure that all staff follow the <i>Child Safe Environment and Wellbeing policy</i> and procedures	R				
Ensuring the learning environment considers appropriate child groupings, space, and includes carefully chosen and well-maintained resources and equipment (<i>Regulation 103</i>) (refer to <i>Injury Trauma and Illness Policy</i>)					
Creating a culturally safe environment for Aboriginal children that meets the needs of Aboriginal children, young people and their families	R	R	R		R
Strategies are embedded within the service to equip all members to acknowledge and appreciate Aboriginal culture's strengths and understand its importance to the well-being and safety of Aboriginal children and young people.	R	R	R		R
Actively supporting and facilitating the participation and inclusion of Aboriginal children, young people and their families.	R	R	R		R
Ensuring that a public commitment to child safety on the service website and displayed at the service premises	R	√			
Understanding children's diverse circumstances, and providing support and responding to those who are vulnerable	R	√	√		
Supporting the needs of children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, and transgender and intersex children	R	R	R		R
Supporting and encouraging a child's ability to express their culture and enjoy their cultural rights	R	√	√		√
Embedding a culture of zero tolerance for racism, where staff know how to identify, confront and report it (refer to <i>Attachment 6</i>)	R	R	R	R	R
Developing clear procedures to report instances of racism - witnessed or experienced (refer to the <i>Complaints Policy</i>).	√	√	√		
Performing risk assessments of the service environment, equipment and online environment (refer to <i>eSafety policy</i>) to ensure risks to safety, health and wellbeing are minimised (<i>National Law: Sections 167</i>) (refer to <i>Occupational Health and Safety and Injury Trauma and Illness Policy</i>)	R	R	√		√

Conducting a risk assessment (<i>refer to Sources</i>) of abuse and harm to children that considers the service setting, activities, personnel, and physical and online environments.	R	R	R		R
Developing risk management strategies that focus on preventing, identifying and mitigating risks of abuse and harm to children	R	R	R		R
Ensuring that risk management plans (<i>refer to Sources</i>) list the actions the service will take to prevent or reduce each identified risk of child abuse and harm	R	R			
Actively monitor, review and evaluate child abuse risks,	R	R	R		R
Implementing risk management plans, considering risks posed by service setting, activities, and the physical environment	R	R	√		
Complying with the legislated ECT/educator-to-child ratio (<i>National Law: Sections 169, Regulations 123</i>) (<i>refer to Supervision of Children Policy</i>)	R	R	√		√
Ensuring children are always actively supervised (<i>Regulations 122</i>) (<i>refer to Supervision of Children Policy</i>)	R	R	√		√
Ensuring all staff, contractors, volunteers and students do not consume or are not under the influence of alcohol or drugs (<i>Regulations 82, 83</i>) (<i>refer to Tobacco, Alcohol and other Drugs Policy</i>)	R	√	√		√
Providing leadership for an organisational culture of accountability for child safety, which is open to scrutiny and is continuously reviewed and improved	R	√			
Ensuring all staff are child-safe champion(s) who can lead discussions, answer questions and support child safety and wellbeing	R	√			
Advising staff of current legislation and their legal and duty of care obligations (<i>Regulation 84</i>)	R	√			
Undertaking child safety reviews and developing an action plan to maintain Child Safe Standards (<i>refer to Definitions</i>) at Denzil Don Kindergarten	R	√	√	√	√
Ensure that all child safety and wellbeing are reviewed regularly, and findings are thoroughly documented in reports and include lessons from complaints, concerns and safety incidents	R	√	√		√
Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy.	R	√	√		
Contributing to an organisational culture of child safety	R	√	√	√	√
Ensuring continuous improvement in the implementation of the Child Safe Standards (<i>refer to Definitions</i>) at Denzil Don Kindergarten, promoting an organisational culture of accountability for child safety which is open to scrutiny and is continuously reviewed and improved (<i>refer to Sources</i>)	R	R	√	√	√
Conducting recruitment and induction processes for staff in line with this policy (<i>refer to Attachment 1</i>)	R				
Screening contractors, volunteers and students in line with their roles and this policy (<i>refer to Attachment 2</i>)	R				
Ensuring the safety and wellbeing of children attending the service by keeping a visitors' record, including contact details, signatures, arrival/departure times and WWC number (where applicable)	R	√	√		√
Ensuring contractors, volunteers, students, parents/carers, and other visitors to the service are not left alone to supervise individual children or a group of children.	R	R	√		

Ensuring contact is prevented or responding to if it has occurred when the service has been notified of a court order prohibiting an adult from contacting an enrolled child	R	R	√		
Validating Working with Children Clearance (<i>refer to Definitions</i>) or Victorian Institute of Teaching Registration before staff, contractors, volunteers and students commence working with children (<i>refer to Staffing Policy</i>)	R	√			
Ensure all ECTs/educators, staff, volunteers, and students know current child protection legislation, including mandatory reporting requirements and obligations.	R	R	√		√
Identifying the potential for child abuse at Denzil Don Kindergarten and developing and implementing effective prevention strategies	R	R	R		
Following processes for responding to and reporting suspected child abuse (<i>refer to Attachment 3</i>)	R	R	R	√	√
Ensuring appropriate child-safe training, including recognising the signs and symptoms of child abuse (<i>refer to Definitions</i>), knowing how to respond, and understanding responsibilities and processes for reporting (<i>refer to Attachment 3</i>)	R	R	R		R
Ensuring systems are in place to cover all aspects of child protection training each year (<i>refer to Source</i>). This includes refresher training and additional professional development where needed. Training should be specific to the different roles across the service.	R	R	R		R
Developing training plans (<i>refer to Sources</i>) for staff and volunteers that covers the <i>Child Safety and Wellbeing Policy</i> , identifying indicators of child abuse and harm, how to support a person making a disclosure, how to respond to issues of child safety, including internal and external reporting requirements, notifying families and carers and managing risks to children, and how to support cultural safety.	√	√			
Ensure child-safe training is recorded (ie, if it is conducted in meetings, it is recorded in meeting minutes).		√	√		
Ensuring procedures for reporting and responding to suspected child abuse or neglect are promoted across the service and regularly reviewed in partnership with all stakeholders (<i>refer to Attachment 3 and 4</i>)	R	√	√	√	√
Fulfilling legal obligations, including mandatory reporting and duty of care obligations (<i>refer to Definitions</i>) (<i>refer to Attachment 3 and 4</i>)	R	R	R		R
Offering children access to age-appropriate sexual abuse prevention programs and relevant related information	R	R	R		R
Ensuring that staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children to express their views, participate in decision-making and raise their concerns	R	R	R		R
Communicating to staff obligations under the Information Sharing Schemes (<i>refer to Definitions</i>) and ensuring they have read and understand the <i>Privacy and Confidentiality Policy</i> .	R	R	√		
Promoting awareness and compliance with the Child Safe Standards (<i>refer to Definitions</i>) when disclosing information to promote the wellbeing and safety of a child/group of children	R	√	√		
Ensuring information sharing procedures abide by the <i>CISS Ministerial Guidelines</i> (<i>refer to Source</i>) and exercising professional judgment when determining whether the threshold for sharing is met, what information to share and with whom to share it (<i>refer to Privacy and Confidentiality Policy</i>).	R	R	R		

Ensuring confidential information is only shared with relevant authorities to the extent necessary to promote the wellbeing or safety of a child or group of children, consistent with the best interests of that child or those children.	R	R	R		
Maintaining cooperative relationships with appropriate services and/or professionals (including Child FIRST/Orange Door) (<i>refer to Definitions</i>) in the best interests of children and their families	√	√	√		
Offering support to the child and their family and to staff in response to concerns or reports relating to the safety, health and wellbeing of a child at Denzil Don Kindergarten	√	√	√		
Ensuring processes for responding to and reporting are followed when there are significant concerns for the safety, health or wellbeing of a child at the service (<i>refer to Attachments 2 and 3</i>)	R	R	R		
Notifying DE within 24 hours of becoming aware of a notifiable complaint (<i>refer to Definitions</i>) or allegation regarding the safety, health and/or welfare of a child at the service	R	√			
Notifying the nominated head of organisation (Centre Coordinator and/or Educational Leader (<i>refer to Definitions</i>) to the Commission for Children and Young People and maintaining the currency of the information	R				
Notifying the Commission for Children and Young People within 3 business days of becoming aware of a reportable allegation (<i>refer to Definitions</i>) under the Reportable Conduct Scheme (<i>refer to Definitions</i>) (<i>refer to Attachment 2 and 3</i>)	R				
Investigating an allegation (subject to police clearance on criminal matters or matters involving family violence), advising the Commission for Children and Young People who are undertaking the investigation	R				
Managing the risks to children whilst undertaking the investigation	R	√	√		
Updating the Commission for Children and Young People within 30 calendar days with detailed information about the reportable allegation and any action	R				
Notifying the Commission for Children and Young People of the investigation findings and any disciplinary action taken (or the reasons no action was taken)	R				
Notifying the approved provider or person with management or control immediately on becoming aware of a concern, complaint or allegation regarding the safety, health and welfare of a child at Denzil Don Kindergarten		R	R	√	√
Always maintaining confidentiality (<i>refer to Privacy and Confidentiality Policy</i>)	R	R	R	√	R
Providing appropriate resources and training to assist staff, contractors, volunteers and students in implementing this policy (<i>refer to Sources</i>)	R				
Protecting the rights of children and families and encouraging their participation in decision-making	R	√	√	√	
Abiding by the <i>Code of Conduct Policy</i>	R	√	√	√	√
Ensuring an explicit statement of Denzil Don Kindergarten's commitment to child safety is included in all promotional material, including the kinder website	R				
Being aware of this policy, the <i>Code of Conduct Policy</i> , <i>Privacy and Confidentiality Policy</i> and the <i>Interactions with Children Policy</i> and their ongoing obligations to behave in accordance with the policies	R	R	R	R	R

Ensuring when sharing information, giving precedence to the wellbeing and safety of a child or group of children over the right to privacy when sharing information under the CISS and the FVISS (<i>refer to Privacy and Confidentiality Policy</i>)	R	R	R		
Seeking and considering the views of the child and the child's relevant family members, if it is appropriate, safe and reasonable to do so when sharing information under the CISS and the FVISS (<i>refer to Definitions</i>)	√	√	√		
Being respectful of and having regard to a child's social, individual and cultural identity, the child's strengths and abilities and any vulnerability relevant to the child's safety or wellbeing when sharing information under the CISS and FVISS (<i>refer to Definitions</i>)	√	√	√		
Promoting a child's cultural safety and recognising the cultural rights and familial and community connections of Aboriginal children, Torres Strait Islander or both when sharing information under the CISS and FVISS (<i>refer to Definitions</i>)	√	√	√		
Educating and empowering children to talk about events and situations that make them feel uncomfortable	√	√	√	√	√
Providing support to staff who disclose harm	R	√			
Informing children about all of their rights, including safety, information and participation	R	R	R		R
Ensuring that children have access to information, support and handling complaints through processes that are culturally safe, accessible and easy to understand (<i>refer to Complaints Policy</i>)	√	√			
Identifying and mitigating risks in the online and physical environments without compromising a child's right to privacy, access to information, social connections and learning opportunities (<i>refer to eSafety for Children Policy</i>)	R	√	√		√
Adopting the National Model Code to promote a child safe culture when it comes to taking, sharing and storing images or videos of children in early childhood education and care (<i>refer to eSafety for Children Policy and Information Communication and Technology Policy</i>)	√	√	√		√
Reviewing this policy in consultation with stakeholders	R	√	√	√	√

PROCEDURES



Refer to *Attachment 2* for the following procedure: Process for responding to incidents, disclosure and suspicions of child abuse

Refer to *Attachment 6* for the following procedure: Responding to reports of racism

BACKGROUND AND LEGISLATION



BACKGROUND

A key requirement of the *Education and Care Service National Law Act 210* is to ensure every reasonable precaution is taken to protect children being educated and cared for by the service from harm and any hazard likely to cause injury (*National Law: Section 167*). The approved provider must also ensure that each Nominated Supervisor and each person in day-to-day charge of the service has completed the child protection training required by the Department of Education and Training (*National Law: Section 162A*).

Under the [Education and Care Services National Regulations 2011](#), the approved provider of an education and care service must ensure that the nominated supervisors and staff members at the service who work with children are advised of:

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

Under the [National Quality Standards](#), management, educators and staff must be aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect ([element 2.2.3](#)). At all times, reasonable precautions and adequate supervision must be provided to protect children from harm and hazards ([element 2.2.1](#)).

Approved providers operating under the [Children's Services Act 1996](#) must ensure that every reasonable precaution is taken to protect children being cared for or educated by the service from harm and any hazard likely to cause injury ([section 107](#)).

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

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

In addition, organisations have an organisational duty of care ([refer to Definitions](#)) to take reasonable precautions to prevent the abuse of a child by an individual associated with the organisation. In contrast, the child is under its care, supervision or authority. The Victorian Reportable Conduct Scheme ([refer to Definitions](#)) seeks to improve organisations' responses to allegations of child abuse and neglect by their workers and volunteers. The scheme is established by the [Child Wellbeing and Safety Act 2005 \(the Act\)](#). It relates to individuals associated with an organisation, including but not limited to committee members, employees, volunteers and contractors.

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

In line with the Victorian Government's Roadmap for Reform, Education State reforms and broader child safety initiatives, [Part 6A](#) of the [Child Wellbeing and Safety Act 2005](#) was proclaimed in September 2018. The Act established the Child Information Sharing (CIS) Scheme, which enables sharing confidential information between prescribed information sharing entities ([refer to Definitions](#)) in a timely and effective manner to promote children's wellbeing and safety. Alongside the CIS Scheme, the [Family Violence Protection Act 2008](#) includes the Family Violence Information Sharing (FVIS) Scheme and the Family Violence Multi-Agency Risk Assessment and Management Framework, which enables information to be shared between prescribed entities to assess and manage family violence risk to children and adults. It will allow professionals working with children to gain a complete view of the children they work with, making it easier to identify wellbeing or safety needs and act on them sooner.

Any person who forms a reasonable belief ([refer to Definitions](#)) that a child needs protection may report their concerns to Child Protection ([refer to Definitions](#)).

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

All mandatory reporters must make a report to Victoria Police and/or Child Protection ([refer to Definitions](#)) as soon as practicable if, while performing their role, they form a reasonable belief that:

- A child is likely to suffer or has suffered significant harm as a result of physical abuse and/or sexual abuse, and

- The child's parents have not protected, or are unlikely to protect, the child from harm of that type.

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

Three criminal offences in the [Crimes Amendment \(Protection of Children\) Act 2014](#) protect children from child abuse:

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

Adopting the National Model Code is crucial for Early Childhood Education and Care (ECEC) services to ensure the safety and privacy of children. The National Model Code has been designed for voluntary adoption by ECEC services. Under the Code, only service-issued electronic devices should be used for taking photos or recording videos, thereby minimising the risk of unauthorised distribution of images. The Code states that clear guidelines are developed regarding carrying personal devices for specific essential purposes, ensuring that any exceptions are justified and controlled. Additionally, implementing strict controls for storing and retaining images or recordings of children is vital to protect their privacy and prevent misuse of sensitive information. Adhering to these guidelines safeguards children and fosters trust and transparency between ECEC services and families.

LEGISLATION AND STANDARDS

Relevant legislation and standards include but are not limited to:

- Children, Youth and Families Act 2005 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic)
- Child Wellbeing and Safety (Information Sharing) Amendment Regulations 2020
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Child Safe Standards (Vic)
- Crimes Amendment (Protection of Children) Act 2014 (Vic)
- Education and Care Services National Law Act 2010 (Vic): including but not limited to Sections 165, 166, 167
- Education and Care Services National Regulations 2011 (Vic): including but not limited to Regulations 84, 85, 86, 99, 100, 101, 102, 168(2) (h), 145, 146, 149, 150
- Education Training and Reform Act 2006 (Vic) (As amended in 2014)
- Family Law Act 1975 (Cth)
- Family Violence Protection Amendment (Information Sharing) Act 2017
- National Quality Standard, including Quality Area 2: Children's Health and Safety
- Reportable Conduct Scheme administered by the Commission for Children and Young People (Vic)
- Worker Screening Act 2020
- Worker Screen Regulations 2021 (Vic)

- Wrongs Act 1958 (Vic)

The most current amendments to listed legislation can be found at:

Victorian Legislation – Victorian Law Today: www.legislation.vic.gov.au

Commonwealth Legislation – Federal Register of Legislation: www.legislation.gov.au



DEFINITIONS

The terms defined in this section relate specifically to this policy. Refer to the definitions file on the kindergarten website for regularly used terms.

Child abuse: (in the context of this policy) refers to an act or omission by an adult that endangers or impairs a child's physical and/or emotional health or development. Child abuse can be a single incident but often takes place over time. Abuse, neglect and maltreatment (refer to Definitions) are generic terms used to describe situations in which a child may need protection. Child abuse includes any and all of the following:

Physical abuse: when a child suffers or is likely to suffer significant harm from an injury inflicted by a parent/carer, caregiver or other adult. The injury may be inflicted intentionally or be the consequence of physical punishment or the physically aggressive treatment of a child. Physical injury and significant harm to a child can also result from neglect by a parent/carer, caregiver or other adult. The injury may take the form of bruises, cuts, burns or fractures, poisoning, internal injuries, shaking injuries or strangulation.

Sexual abuse: when a person uses power or authority over a child or inducements such as money or special attention to involve the child in sexual activity. It includes a wide range of sexual behaviour, from inappropriate touching/fondling or exposing a child to pornography to having sex with a child and grooming with the intent of committing child sexual abuse.

Emotional and psychological abuse: when a child's parent or caregiver repeatedly rejects the child or uses threats to frighten the child. This may involve name-calling, put-downs or continual coldness from the parent or carer to the extent that it significantly damages the child's physical, social, intellectual or emotional development.

Neglect: failure to provide a child with the necessities of life, such as food, clothing, shelter, medical attention or supervision, to the extent that the child's health and development is, or is likely to be, significantly harmed.

Family violence: when children and young people witness or experience the chronic, repeated domination, coercion, intimidation and victimisation of one person by another through physical, sexual and/or emotional means within intimate relationships. Contrary to popular belief, witnessing episodes of violence between people they love can affect young children as much as if they were the victims of the violence. Children who witness regular acts of violence have greater emotional and behavioural problems than other children.

Racial, cultural, and religious abuse: conduct that demonstrates contempt, ridicule, hatred, or negativity toward a child because of their race, culture, or religion. It may be overt, such as direct racial vilification or discrimination, or covert, such as demonstrating a lack of cultural respect (attitude and values) and awareness (knowledge and understanding) or failing to provide positive images about another culture.

Bullying: repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Bullying occurs when one or more people deliberately and repeatedly upset or hurt another person and damage their property, reputation or social acceptance.

Child FIRST: is a Victorian community-based intake and referral service linked with Family Services. It ensures that vulnerable children, young people, and their families are effectively linked to relevant services, including Child Protection.

Child Information Sharing Scheme (CISS): enables Information Sharing Entities (ISE) (*refer to Definitions*) to share confidential information about any person to promote the wellbeing and/or safety of a child or group of children. The CISS works in conjunction with existing information-sharing legislative provisions. All Victorian children from birth to 18 years of age are covered. Unborn children are only captured when there has been a report to Child First or Child Protection. Consent is not required from any person when sharing under CISS. The CISS does not affect reporting obligations created under other legislation, such as mandatory reporting obligations under the *Children, Youth and Families Act 2005*.

Child Safe Standards: promotes the safety of children, prevents child abuse, and ensures organisations have effective processes in place to respond to and report all allegations of child abuse.

Child sex offender: a person who sexually abuses children and who may or may not have prior convictions.

Child protection: a term used to describe the whole-community approach to preventing harm to children. It includes strategic action for early intervention, protecting those considered most vulnerable, and responding to all forms of abuse.

Child protection notification: a notification to the Child Protection Service by someone who believes a child needs protection.

Child Protection Service (also referred to as Child Protection): the statutory child protection service provided by the Victorian Department of Families, Fairness and Housing to protect children and young people at risk of abuse and neglect. This service also works closely with Family Services (including Child FIRST) to support the assessment and engagement of vulnerable children and families in community-based services. Code of conduct: A set of rules or practices that establish a standard of behaviour to be followed by individuals and organisations. A code of conduct defines how individuals should behave towards each other and other organisations and individuals in the community (*refer to Code of Conduct Policy*).

Contractor: a person or company undertaking a contract to provide materials or labour to perform a service or do a job. EG: photographer, tradesperson, people contracted to provide an incursion.

Department of Families, Fairness and Housing (DFFH): Department responsible for child protection, prevention of family violence, housing, disability, multicultural affairs, LGBTIQ+ equality, veterans, and the offices for Women and Youth.

Disclosure: (in the context of this policy) refers to a statement that a child or young person makes to another person that describes or reveals abuse.

Family Violence Information Sharing Scheme (FVISS): This scheme enables the sharing of relevant information between authorised organisations to assess or manage the risk of family violence.

Head of Organisation: Under the Reportable Conduct Scheme, the Head of the Organisation is required to have systems in place to prevent reportable conduct within the organisation and systems to enable staff to make reportable allegations. The head of the organisation at Denzil Don Kindergarten is the Centre Coordinator and the Educational Leader (Nominated Supervisor).

Information Sharing Entities (ISE): ISEs are authorised to share and request relevant information under the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme (the Schemes) and are required to respond to requests from other ISEs. All ISEs are mandated to respond to all requests for information.

Maltreatment: (in the context of this policy) refers to physical and/or emotional mistreatment and/or lack of care of the child. Eg: the witnessing of family violence and any non-accidental injury to a child.

Mandatory reporting: legal obligation of certain professionals and community members to report when they believe, on reasonable grounds, that a child needs protection from harm. A broad range of

professional groups are identified in the Children, Youth and Families Act 2005 as 'mandatory reporters', including:

- all educators with post-secondary qualifications in the care, education or minding of children and employed or engaged in an education and care service or a children's service
- all proprietors, nominees of a children's service, approved providers, and nominated supervisors of an education and care service.
- educators registered with the Victorian Institute of Teaching (VIT).
- Mandated staff members must make a report to Victoria Police and/or Child Protection as soon as is practicable if, during the course of acting out their professional roles and responsibilities, they form a belief on reasonable grounds (refer to Definitions) that:
 - a child has suffered, or is likely to suffer, significant harm as a result of physical and/or sexual abuse (refer to Definitions) and
 - the child's parents/guardians have not protected, or are unlikely to protect, the child from harm of that type.

Mandatory reporters must also follow processes for responding to incidents, disclosures or suspicions of child abuse to fulfil all their legal obligations (*refer to Attachment 3: Processes for responding to incidents, disclosure and suspicions of child abuse*).

Neglect: see Child abuse definition above.

Negligence: Doing or failing to do something that a reasonable person would or would not do in a certain situation and which causes another person damage, injury or loss as a result

Organisational duty of care: The statutory duty organisations have to take reasonable precautions to prevent sexual and/or physical abuse of a child.

Orange Door: A free service for adults, children and young people who are experiencing or have experienced family violence and families who need extra support with the care of children

Offender: A person who mistreats and/or harms a child or young person.

Perpetrator: A person who mistreats and/or harms a child or young person.

Reasonable belief/reasonable grounds: a person may form a belief on reasonable grounds that a child or young person needs protection after becoming aware that the child or young person's safety, health or wellbeing is at risk and the child's parents/carers are unwilling or unable to protect them. There may be reasonable grounds for forming such a belief if:

- a child or young person states that they have been physically or sexually abused
- a child or young person states that they know someone who has been physically or sexually abused (sometimes the child may be referring to themselves)
- someone who knows the child or young person states that the child or young person has been physically or sexually abused
- a child shows signs of being physically or sexually abused
- the person is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability or other factors that are impacting the child or young person's safety, stability or development
- the person observes signs or indicators of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision
- a child's/young person's actions or behaviour may place them at risk of significant harm and the parents/guardians are unwilling or unable to protect the child.

Reportable allegation: any allegation that an employee, volunteer or student has committed child abuse (*refer to Definitions*)

Reportable Conduct Scheme: aims to improve oversight of how organisations respond to allegations of child abuse and child-related misconduct by their workers and volunteers. There are five types of 'reportable conduct':

- sexual offences committed against, with or in the presence of a child
- sexual misconduct committed against, with or in the presence of a child

- physical violence against, with or in the presence of a child
- any behaviour that causes significant emotional or psychological harm to a child
- significant neglect of a child.

Working with Children (WWC) Check: a legal requirement under the Worker Screening Act 2020 for those undertaking paid or voluntary child-related work in Victoria.

Working with Children Clearance: assesses whether a person meets legal requirements to work with children and that there is no information that the person would pose a risk to children.



SOURCES AND RELATED POLICIES

SOURCES

- Australian Human Rights Commission: www.humanrights.gov.au
- Betrayal of Trust Implementation: www.justice.vic.gov.au
- Charter of Human Rights and Responsibilities Act 2006 (Vic): www.legislation.vic.gov.au
- Child Information Sharing Scheme Ministerial Guidelines: www.vic.gov.au/guides-templates-tools-for-information-sharing
- Commission for Children and Young People (CCYP): [Generic learning or training action plan and training materials](#)
- Commission for Children and Young People (CCYP): <https://ccyp.vic.gov.au>
- Keeping Our Kids Safe: Cultural Safety and the National Principles for Child Safe Organisations: [Keeping our kids safe: Understanding cultural safety in Child Safe Organisations](#)
- Department of Education Mandatory Reporting eLearning Module: <https://www.vic.gov.au/child-protection-early-childhood-online-learning>
- Ministerial Guidelines for the Family Violence Information Sharing Scheme: www.vic.gov.au/family-violence-information-sharing-scheme
- National Children's Commissioner: <https://humanrights.gov.au/our-work/commission-general/national-childrens-commissioner-anne-hollonds>
- National Model Code - Taking images in early childhood education and care: <https://www.acecqa.gov.au/national-model-code-taking-images-early-childhood-education-and-care>
- Quality Assessment and Regulation Division's online guidance: [Early Childhood Guidance on the Child Safe Standards](#)
- Risk Assessment and Management Tool, ACECQA: www.acecqa.gov.au
- Service Agreement Information Kit for Funded Organisations: <https://fac.DFFH.vic.gov.au/service-agreement-requirements>
- Star Health's 'Being Equal' model for change in early childhood services: [Gender Equality and Respect in Early Learning Services](#)
- The United Nations Convention on the Rights of the Child: www.unicef.org
- Victorian Institute of Teaching: www.vit.vic.edu.au
- Working with Children (WWC) Check: www.workingwithchildren.vic.gov.au

RELATED POLICIES

- Acceptance and Refusal of Authorisations
- Behaviour Support
- Code of Conduct
- Complaints
- Delivery and Collection of Children
- eSafety for Children
- Incident, Injury, Trauma and Illness
- Inclusion and Equity
- Information Communication Technologies

- Interactions with Children
- Mental Health and Wellbeing
- Occupational Health and Safety
- Participation of Volunteers and Students
- Privacy and Confidentiality
- Safe Arrival of Children
- Staffing
- Supervision of Children



EVALUATION

To assess if the values and purposes of the policy have been achieved, the Approved Provider will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness, particularly in relation to identifying and responding to child safety concerns
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle or as required
- notifying all stakeholders affected by this policy at least 14 days before making any significant changes to it or its procedures, unless a lesser period is necessary due to risk ([Regulation 172 \(2\)](#)).



ATTACHMENTS

- Attachment 1: How the child safe standards are embedded in service practice, policies and procedures
- Attachment 2: Child safety reporting process
- Attachment 3: Responding to incidents, disclosures and suspicions of child abuse
- Attachment 4: Four Critical Actions for Early Childhood Services
- Attachment 5: Recording incidents, disclosures and suspicions of child abuse
- Attachment 6: Embedding an environment with zero tolerance for racism



AUTHORISATION

This policy was adopted by the approved provider of Denzil Don Kindergarten on 26/09/2024.

REVIEW DATE: 26 / SEPTEMBER / 2026

ATTACHMENT 1: HOW THE CHILD SAFE STANDARDS ARE EMBEDDED IN SERVICE PRACTICE, POLICIES AND PROCEDURES AT DENZIL DON KINDERGARTEN

Denzil Don Kindergarten takes the safety of children seriously and understands that every person who engages with children at the service has a role to play in keeping children safe and identifying and managing risks of child abuse and harm.

OUR COMMITMENT TO THE CULTURAL SAFETY OF ABORIGINAL CHILDREN

Denzil Don Kindergarten is committed to providing a culturally safe environment where the diverse and unique identities and experiences of Aboriginal children are respected and valued.

- We actively support and facilitate the participation and inclusion of Aboriginal children and their families.
- We provide an educational program that strengthens Aboriginal children's culture and identity.
- We actively support and encourage Aboriginal children and their families to express their culture and enjoy their cultural rights.
- Aboriginal and Torres Strait Islander perspectives are embedded in our pedagogy and are a permanent focus within our curriculum.
- Visual representation and acknowledgement of Aboriginal culture is present across the service.
- Important cultural celebrations and events such as NAIDOC and Reconciliation Week are acknowledged in the program.
- We facilitate regular training and education on Aboriginal culture and cultural safety.
- We have established policies, procedures, systems and processes to create a culturally safe and inclusive environment that meets the needs of Aboriginal children, young people and their families.

PRACTICE AND POLICY THAT FOSTERS CHILD SAFETY AND WELLBEING

The *Code of Conduct* Policy guides educators, staff, students, volunteers, and other adults participating in Denzil Don Kindergarten programs, including excursions, with clear behaviour expectations when engaging with children.

- Wellbeing strategies are intentionally taught to assist children in understanding and regulating their emotions. Children are guided to identify and name emotions and choose a regulation strategy to support their self-regulation. This strategy promotes positive life-long outcomes for wellbeing.
- Educators facilitate discussions with children that focus on their rights and empower them to understand that their voice is important and will shape decisions made in the classroom and the service more broadly. For example, all groups write a *Class Charter* that sets out expectations of how the group will engage with one another.
- Children are taught personal safety and body-safe awareness and empowered to speak out when they don't like the way a child or adult is interacting with them or if they feel unsafe. They are encouraged to raise any concerns they have, including about the kindergarten program.
- Information collected from families during the enrolment process assists in preparing for diverse needs and providing appropriate support for those children. Support accessed may include KIS funding, additional staffing, meetings with the family, allied health engagement, etc.
- Children and families from diverse and unique backgrounds are valued and respected at the service.
- Children and families of culturally diverse, linguistically diverse, and/or LBGQTQIA+ backgrounds and children or families living with a disability are represented in the program in many ways, including visuals (flags, posters), books, language (ie, translated resources, non-gendered language), discussions, and more.
- The educational program, physical environment, and online environment reflect the diverse needs, interests, and cultures of the children and families accessing the service and ensure that all children can participate fully.
- The program and environment are regularly assessed to ensure they are inclusive for all, with a particular focus on children living with a disability.
- Children are supported and guided to build strong, respectful relationships with peers, educators and other staff.
- Staff regularly participate in professional development about how to support inclusion and cultural safety.
- Children are intentionally taught about responsible use of technology and involved in discussions about online safety and how to stay safe when using the internet.
- The use of screens in the program is restricted to education and learning, stories, or movement.
- Personal devices are never used to photograph, video or audio record children for documentation.
- Photos of children's faces are never shared online, including in the class Journal (faces are blurred or covered).
- Educators and staff understand their roles and responsibilities regarding child protection.
- Information-sharing and record-keeping requirements are understood and met by all.

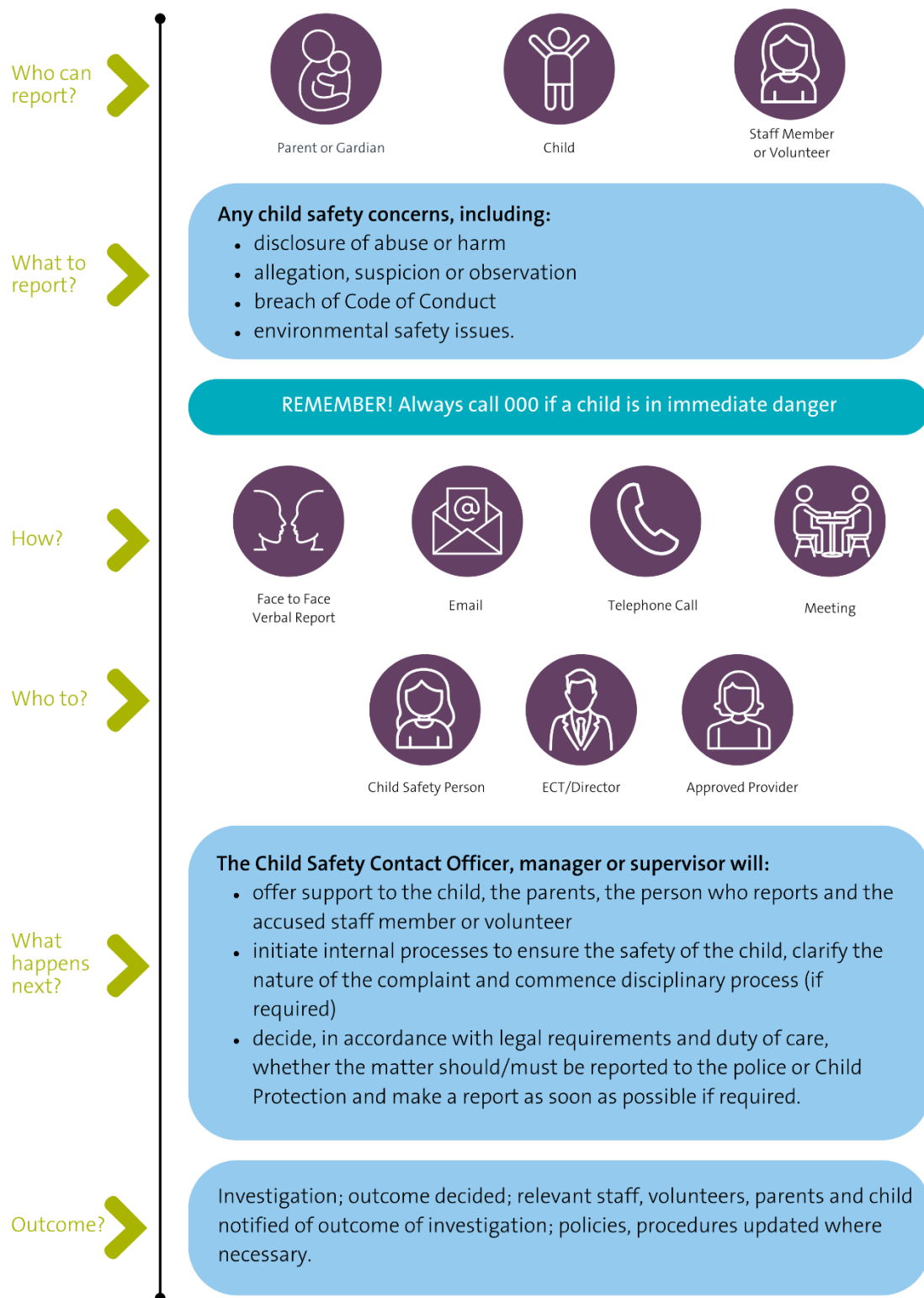
HOW FAMILIES ARE INCLUDED IN CHILD SAFETY AND WELLBEING

- We listen to and collaborate with families regarding their child's development, needs, and education. We know families are the child's first and foremost teachers and respect their views and opinions.
- Families are encouraged to express their ideas and culture with opportunities to come and share their culture or interests with the children.
- Families are encouraged to provide feedback and suggestions about the service. Various methods for providing feedback are offered, such as surveys, face-to-face meetings with teaching teams and/or management, email, or (in the case of complaints) through a formal complaints process (refer to the *Complaints Policy*).
- Families are encouraged to provide input on service decisions via online forms and surveys (eg, setting the timetable).
- Service procedural changes are communicated to families promptly and clearly, explaining why the change was made and how it will improve service operations. Family feedback about the change is welcomed.
- Service tours and pre-start information describe how the service communicates and ensures the safety of children.
- Service wellbeing strategies are shared with families to ensure continuity between the service and home.

ACTIONS AND PROCEDURES EMBEDDED BY LEADERSHIP TO PROMOTE CHILD SAFETY AND WELLBEING

- We have zero tolerance for racism and have embedded processes for identifying and addressing it if it occurs.
- Child safety and wellbeing are embedded in service leadership, governance, and culture.
- Child safety is championed and modelled, and staff and other stakeholders are encouraged to report child safety concerns.
- Staff receive regular child safe training. Staff meetings include regular discussions about how to recognise signs of abuse, report abuse, and changes to regulatory and legal requirements, policies, and processes.
- All staff, students and volunteers receive a thorough induction before working with children. This includes information about service values, expectations, and practices that help maintain a child safe environment.
- Clear reporting processes and procedures are in place to ensure the safety of all children, staff and service stakeholders. Educators and staff understand their requirement to immediately report to appropriate authorities when they believe a child is at risk of significant harm.
- Suspected abuse is always reported to relevant bodies and authorities within the required timeframes.
- An environment of open and direct conversation is modelled and encouraged, and children, families, staff, and other adults know they can voice their views and ask questions.
- Educators and staff are given the tools to perform regular environment (indoor and outdoor) risk assessments and take action to manage identified risks. Identified environmental risks are discussed at staff meetings, and a staff member is assigned to address each risk.
- The effectiveness of child safety and wellbeing across the service is reviewed as a team, at least annually.
- High-quality, active, and engaged supervision of children is expected across the service. Annual supervision training is provided and revisited throughout the year if necessary. Issues with supervision are addressed immediately.
- Students, volunteers, contractors, and other service visitors are always supervised around children and never left alone with a child(ren).
- Confidentiality is respected when dealing with cases of suspected child abuse and neglect. Case details and the identity of the child and their family are only shared with those directly involved in managing the child's situation. Educators and staff understand confidentiality requirements.
- Recruitment processes are robust, including thorough screening of candidates: a commitment to child safety is included in job advertisements, child safety questions are asked during interviews, at least two reference checks are obtained, and a Working with Children Check, VIT, Mandatory Reporting certificate and other relevant paperwork is obtained before a candidate is engaged to help ensure the appropriate person is recruited for the role.
- A *Staff Currency Register* is maintained to ensure WWCC cards, Mandatory Reporting training, certificates, and the Victorian Institute of Training (VIT) are current and renewed before expiry.
- Educators, staff, volunteers, and students know service policies, particularly the *Child Safe Environment and Wellbeing Policy*, *Code of Conduct Policy*, *Complaints Policy*, and *Staffing Policy*.
- Staff are advised of policy updates and changes to regulation as they occur.
- Staff are asked to read and sign the *Code of Conduct Policy* annually.

ATTACHMENT 2: CHILD SAFETY REPORTING PROCESS



This flowchart is adapted from the Commissioner for Children and Young People, Victoria, Flowchart: Child Safety Reporting Process, Flowchart: Child Safety Reporting Process.

ATTACHMENT 3: RESPONDING TO INCIDENTS, DISCLOSURE AND SUSPICIONS OF CHILD ABUSE

Staff must act if they form a reasonable belief or have a suspicion that a child has been or is at risk of being abused.

Regardless of the suspected cause, all safety concerns must be taken seriously and acted on, including concerns about a child's wellbeing when it does not appear to be the result of abuse.

The following actions must be taken:

- Seek advice from management, DFFH Child Protection, Child First and/or Victoria Police if unsure if they have sufficient grounds to form a reasonable belief.
- If they hold a reasonable belief that a child has been or is at risk of being abused, regardless of the advice of the management or another staff member, they must make a report to Child Protection and/or Victoria Police.
- Follow the steps outlined in the Department of Education's Four Critical Actions for Early Childhood Services: *Responding to Incidents, Disclosures and Suspicions of Child Abuse* flowchart (refer to Attachment 4).
- Keep comprehensive records of child safety concerns or complaints, evidence of actions taken, reports made to statutory authorities or professional bodies, and any follow-up actions to be completed. The records must be stored in the *Complaints Register* and must meet the conditions of the *Privacy and Confidentiality Policy*.
- Maintain privacy and disclose information when it promotes the safety or wellbeing of a child. Parents/carers are not required to give permission to make a report when abuse is suspected.

WHEN TO REPORT WELLBEING CONCERNS TO CHILD FIRST (FAMILY REFERRAL AND SUPPORT)

A referral to Child FIRST or Orange Door (refer to Definitions) should be made if a staff member has significant concerns for a child's wellbeing and the **child is not in immediate need of protection**, such as when:

- Parents/carers lacking the skill to support their child's physical, emotional and cognitive development, which may be affecting the child's development
- There is family conflict, including a family breakdown
- There is family pressure due to physical or mental illness in the family, substance misuse, disability or bereavement
- Families are young, isolated and/or unsupported
- Families are experiencing significant social or economic disadvantage, adversely impacting their child's care and/or development.

Child FIRST or Orange Door will link them to relevant services that will support their needs.

WHEN TO REPORT WELLBEING CONCERNS TO DFFH CHILD PROTECTION

Staff will report to DFFH Child Protection if they have significant concerns for the wellbeing of a child and the **parents/carers are unable or unwilling to address the concerns**. This includes concerns that:

- Have a serious impact on a child's safety, stability or development (including abandonment, death or incapacity, extreme risk-taking behaviour, or harm to an unborn child)
- Are persistent and entrenched and likely to have a serious impact on a child's safety, stability or development
- Relate to parents/carers who cannot or will not protect the child from significant harm
- Include a belief that the family will be reluctant and uncooperative in seeking assistance.

MANAGING A DISCLOSURE

If a child makes a disclosure to a staff member, the staff member will validate the disclosure by listening, taking the disclosure seriously, responding to the disclosure, and acting on it by implementing the service reporting procedures.

The following strategies are recommended when receiving a disclosure from a child:

- Let them talk about their concerns in their own time and their own words
- Give them full attention, time and a quiet space in which to do this and be a supportive and reassuring listener
- Remain calm and use a neutral, non-judgmental tone
- Comfort them if they are distressed (seek permission to touch)
- Record the child's disclosure using their words
- Assure the child that telling you is the right thing to do and that what has happened is not their fault
- Let them know that you will act on this information and that you will need to let other people know so that they can help the child

The role of DFFH Child Protection and Victoria Police is to investigate. DO NOT ask invasive questions that may cause the child to withdraw and impede an investigation. Avoid going over information repeatedly.

RESPONDING TO INCIDENTS, DISCLOSURES AND SUSPICIONS OF CHILD ABUSE

To make a report to child protection, a staff member must have formed a reasonable belief (*refer to Definition*) that a child has suffered or is likely to suffer significant harm because of abuse or neglect and that their parent/carer has not protected or is unlikely to protect the child from harm of that type.

ACTION 1: RESPONDING TO AN EMERGENCY

If a child has just been abused or is at immediate risk of harm, staff must take reasonable steps to protect them, including:

- Separating the alleged victim and others involved, ensuring a staff member supervises all parties
- Arranging and providing urgent medical assistance where necessary by:
 - administering first aid
 - calling 000 for an ambulance and following any instructions from emergency service officers/paramedics
 - calling 000 for urgent police assistance if the person who is alleged to have engaged in the abuse poses an immediate risk to the health and safety of any person
 - identifying a contact person at the service for future liaison with police
 - taking reasonable steps to preserve evidence, such as the environment, clothing, other items, and potential witnesses until the police or other relevant authorities arrive on the premises.

ACTION 2: REPORTING TO AUTHORITIES

Once immediate health and safety concerns have been addressed, staff must report all incidents, suspicions and disclosures of child abuse as quickly as possible. Failure to report physical and sexual child abuse may amount to a criminal offence.

IF THE SOURCE OF SUSPECTED ABUSE IS FROM WITHIN THE FAMILY OR COMMUNITY:

REPORT to **DFFH CHILD PROTECTION** if a child is considered to be in need of protection from abuse and/or at risk of harm (or has been harmed), and the harm has had or is likely to have a serious impact on their safety, stability or development.

REPORT all instances of suspected sexual abuse (including grooming) to **VICTORIA POLICE**.

NOTIFY MANAGEMENT.

The Centre Coordinator must **NOTIFY THE REGULATOR** via the DE via the NQAITS system.

If it is believed a child is not subject to abuse but there is significant concerns for their wellbeing, you must act. This may require making a referral or seeking advice from Child FIRST (when the family is open to receiving support), DFFH Child PROTECTION, or Victoria Police.

IF THE SOURCE OF SUSPECTED ABUSE IS FROM WITHIN THE SERVICE:

REPORT to **VICTORIA POLICE** via your local police (where appropriate, they will refer you to the local Sexual Offences and Child Abuse Investigation Team)

NOTIFY MANAGEMENT.

The Centre Coordinator must **NOTIFY THE REGULATOR** via the DE via the NQAITS system.

The Centre Coordinator must **NOTIFY** the **COMMISSION FOR CHILDREN AND YOUNG PEOPLE (CCYP)** within **three** business days of becoming aware of the allegation (*refer to Reportable Conduct Scheme*).

NOMINATE Centre Coordinator or Educational Leader as the contact person for future liaisons with Child Protection and Victoria Police, and for seeking advice about contacting parents/carers.

ACTION 3: CONTACTING PARENTS/CARERS

The service will consult Victoria Police or DFFH Child Protection to determine what information can be shared with parents/carers. Depending on the circumstances, they may advise:

- Not to contact them (eg: in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and has requested that their parent/carer not be contacted)
- Contact them, providing only agreed information as soon as possible (it is a requirement that parents/carers are notified within 24 hours if the suspected abuse occurred at the service).

ACTION4: PROVIDING ONGOING SUPPORT

The service will provide referral advice to wellbeing professionals for children impacted by abuse.

The **Four Critical Actions** (refer to **Attachment 4**) will be followed every time management and/or staff are made aware of further instances or risks of abuse. This includes reporting new information to authorities.

THE REPORTABLE CONDUCT SCHEME

The Centre Coordinator must notify the Commission for Children and Young People (The Commission) of a reportable allegation (refer to **Definitions**) within **three** business days of becoming aware. They must also provide detailed information about the allegation and their proposed response within **30 calendar days**.

The service must investigate the reportable allegation and provide the investigation findings to the Commission. The service must respond to the Commission when contacted for information.

The Commission guides the processes and documentation required when making a report: refer to <https://ccyp.vic.gov.au>

PRIVACY AND INFORMATION SHARING

The Child Information Sharing Scheme and the Family Violence Information Sharing Scheme allow professionals working with children to share information to gain a complete view of the children they work with, making it easier and faster to act on identified wellbeing or safety needs.

Following a report to DFFH Child Protection, Victoria Police and/or ChildFIRST, the service should:

- Consult with management before disclosing information about the report and the child and their family to another information-sharing entity (except to verified Victoria Police and DFFH Child Protection workers in very urgent situations and/or if the information is required to protect the safety of that child) and/or
- Seek consent from a child or their parents/carers before disclosing information about the report, the child and their family to anyone other than authorities and service staff members (provided this does not place the child or another person at risk).

Privacy laws allow for staff to share a child's personal and health information to enable the services to:

- Provide and support the education of the child, plan for individual needs and address any barriers to learning
- Support the social and emotional wellbeing and health of the child
- Fulfil the duty of care obligations to the child, other children, staff and visitors
- Make reasonable adjustments if the child has a disability, including a medical condition or mental illness
- provide a safe and secure workplace.

ATTACHMENT 4: FOUR CRITICAL ACTIONS FOR EARLY CHILDHOOD SERVICES

FOUR CRITICAL ACTIONS FOR EARLY CHILDHOOD SERVICES

Responding to Incidents, Disclosures and Suspicions of Child Abuse

PROTECT  



It is strongly recommended that ALL early childhood service staff follow these **Four Critical Actions** as soon as they witness an incident, or form a reasonable belief that a child has, or is at risk of being abused. This means acting even when you're not sure and have not directly witnessed the abuse (e.g. if another person tells you about the abuse). A reasonable belief is a deliberately low threshold. This enables authorities to investigate and take action.

Following these actions will support you to:

- best protect children in your care
- meet your legal obligations and Duty of Care.*
- It is also strongly recommended that you use the **Responding to Suspected Child Abuse Template** to keep clear and comprehensive notes. MCH services may opt to use this form, but must still utilise their existing information management systems.

1 RESPONDING TO AN EMERGENCY

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

If the child is at immediate risk of harm you **must** ensure their safety by:

- separating alleged victim and others involved
- administering first aid
- calling **000** for urgent medical and/or police assistance to respond to immediate health or safety concerns
- identifying a contact person at the service for future liaison with police

Where necessary you may also need to maintain the integrity of the potential crime scene and preserve evidence.

*In Victoria there are a range of legal obligations which set out the actions you must take if you suspect a child has, or is at risk of being abused. Some of these obligations apply differently across the range of licensed, approved and other early child services and can vary depending on your role within the service. For further information on how these obligations apply to you see the **Identifying and Responding to All Forms of Abuse in Early Childhood Services**.

2 REPORTING TO AUTHORITIES

As soon as immediate health and safety concerns are addressed you **must** report all incidents, suspicions and disclosures of child abuse as soon as possible. Failure to report physical and sexual child abuse may amount to a criminal offence.

Q: Where does the source of suspected abuse come from?

WITHIN THE SERVICE

VICTORIA POLICE

You **must*** report all instances of child abuse which are led by a staff member, contractor or volunteer, or child* to Victoria Police.

REPORT TO MANAGEMENT

You **must*** report to your approved provider or licensee.

NOTIFY THE REGULATOR

Licensed or approved early childhood services* **must** also report to their Quality Assessment and Regulation Division.

Notifications may be made at www.qasrqa.gov.au/national-quality-assessment-system or by contacting **1300 307 415**.

* Sexual offending, involving children 10 years and over.

* Licensed services operate under the Children's Services Act 1996 and approved services operate under Education and Care Services National Law Act 2010.

WITHIN THE FAMILY OR COMMUNITY

DHHS CHILD PROTECTION

You **must*** report to DHHS Child Protection if a child is considered to be:

- in need of protection from child abuse
- at risk of being harmed (or has been harmed) and the harm has, or is likely to have a serious impact on the child's safety, stability or development.

VICTORIA POLICE

You **must also*** report all instances of suspected sexual abuse (including grooming) to Victoria Police.

REPORT TO MANAGEMENT

You **must** report to your approved provider or licensee.

NOTIFY THE REGULATOR

Approved and licensed early childhood services* **must** notify the Quality Assessment and Regulation Division of any serious incidents, circumstances, or complaints which raise concerns about the safety, health, and wellbeing of a child being educated and cared for by a service.

Notifications may be made at www.qasrqa.gov.au/national-quality-assessment-system or by contacting **1300 307 415**.

If you believe that a child is not subject to abuse, but you still hold **significant concerns** for their wellbeing you **must** still act.

This may include making a referral or seeking advice from Child FIRST (in circumstances where the family are open to receiving support), or to DHHS Child Protection or Victoria Police.

3 CONTACTING PARENTS/CARERS

You **must** consult with DHHS Child Protection or Victoria Police to determine what information can be shared with parents/carers. They may advise:

- **not to contact** parents/carers (e.g. in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and does not wish for their parent/carer to be contacted)
- **to contact** the parents/carers and provide agreed information as soon as possible (for licensed and approved services it is a requirement that parents/carers are notified within 24 hours if the suspected abuse occurred at the service)

CONTACT

DHHS CHILD PROTECTION

AREA

North Division **1300 664 9777**

South Division **1300 655 795**

East Division **1300 360 391**

West Division (Rural) **1800 075 599**

West Division (Metro) **1300 664 9777**

AFTER HOURS

After hours, weekends, public holidays **13 1278**

CHILD FIRST

www.dhs.vic.gov.au

VICTORIA POLICE

000 or your local police station

QUALITY ASSESSMENT AND REGULATION DIVISION

NORTH WESTERN

Loddon Mallee (03) **5440 3111**

Northern Metropolitan (03) **8397 0372**

SOUTH-EASTERN

Gippsland Area (03) **5127 0400**

Southern Metropolitan (03) **87 65 5787**

NORTH-EASTERN

Eastern Metropolitan **1300 651 940**

Hume (03) **8392 9500**

SOUTH-WESTERN

Barwon South West (03) **5225 1001**

Western Metropolitan (03) **8397 0246**

Grampians (03) **8337 8444**

ATTACHMENT 5: RECORDING INCIDENTS, DISCLOSURES AND SUSPICIONS OF CHILD ABUSE

(this form is also available online)

STAFF MEMBER LEADING THE RESPONSE

NAME:

ROLE AT THE SERVICE:

RELATIONSHIP TO CHILD:

CRITICAL ACTION 1: IMMEDIATE RESPONSE TO AN INCIDENT

RESPONDING TO AN EMERGENCY

DID THE CHILD REQUIRE FIRST AID? PROVIDE DETAILS IF 'YES'.

WHO ADMINISTERED THIS? (NAME AND ROLE)

DID THE CHILD REQUIRE FURTHER IMMEDIATE MEDICAL ASSISTANCE?

CURRENT LOCATION AND SAFETY STATUS: *ARE ALL IMPACTED CHILDREN SAFE AND NOT IN IMMEDIATE DANGER? IF A CHILD IS IN IMMEDIATE DANGER, REPORT IMMEDIATELY TO VICTORIA POLICE AT 000*

DETAILS OF ALLEGED VICTIM

CHILD'S DETAILS

NAME:

BIRTH SEX:

GROUP ENROLLED IN:

DATE OF BIRTH:

RESIDENTIAL ADDRESS:

PARENT/CARER NAME/S:

PARENT/CARER CONTACT:

LANGUAGE (S) SPOKEN BY CHILD:

DISABILITIES, MENTAL OR PHYSICAL HEALTH ISSUES:

CHILD'S BACKGROUND

CULTURAL AND/OR RELIGIOUS BACKGROUND:

PREVIOUS HISTORY OR INDICATORS OF SUSPECTED ABUSE:

FAMILY BACKGROUND

FAMILY COMPOSITION (IF KNOWN): *LIST PARENTING/CARE ARRANGEMENTS AND SIBLING NAMES AND AGES*

ANY OTHER PEOPLE LIVING WITH THE CHILD (IF KNOWN):

DISABILITY, MENTAL OR PHYSICAL HEALTH ISSUES IN THE FAMILY (IF KNOWN):

LIKELY REACTION TO A REPORT BEING MADE (IF KNOWN):

DETAILS OF THE INCIDENT, DISCLOSURE OR SUSPICION

GROUND'S FOR YOUR BELIEF THAT A CHILD HAS BEEN OR IS AT RISK OF ABUSE

INDICATORS OR INSTANCES WHICH LED YOU TO BELIEVE THAT A CHILD(REN) IS SUBJECT TO ABUSE OR AT RISK OF ABUSE:

DETAIL DISCLOSURES OR INCIDENTS OR SUSPICIONS (INCLUDE NAMES, TIMES AND DATES). DOCUMENT THE CHILD'S EXACT WORDS AS MUCH AS POSSIBLE. INCLUDE SPECIFIC DETAILS ON WHAT LED YOU TO FORM A REASONABLE BELIEF THAT A CHILD HAS BEEN OR IS AT RISK OF BEING ABUSED.

PHYSICAL INDICATORS OF ABUSE:

BEHAVIOURAL INDICATORS OF ABUSE:

ANY PATTERNS OF BEHAVIOUR OR PRIOR CONCERNS LEADING UP TO AN INCIDENT, DISCLOSURE OR SUSPICION:

DETAILS OF PERSONS ALLEGED TO HAVE COMMITTED THE ABUSE (IF KNOWN)

NAME:

BIRTH SEX:

DATE OF BIRTH:

RELATIONSHIP TO CHILD:

ADDRESS:

CONTACT DETAILS:

CRITICAL ACTION 2: REPORTING

REPORTING TO AUTHORITIES

TICK THE AUTHORITIES YOU HAVE REPORTED TO:

- ☐ VICTORIA POLICE
- ☐ DHHS CHILD PROTECTION
- ☐ CHILD FIRST
- ☐ DECISION NOT TO REPORT

If you have decided not to report, detail your reasons below. Also, include any follow-up actions you have undertaken.

DATE AND TIME OF REPORT:

NAME OF PERSON REPORTED TO:

OUTCOMES FROM THE REPORT:

REPORTING INTERNALLY

PROVIDE DETAILS OF YOUR DISCUSSION WITH SERVICE MANAGEMENT

DATE AND TIME OF REPORT:

NAME OF MANAGER(S) REPORTED TO:

DISCUSSION OUTCOMES:

PROVIDE DETAILS OF YOUR NOTIFICATION TO THE REGULATOR

THE QUALITY ASSESSMENT AND REGULATORY DIVISION (QARD) MUST BE NOTIFIED OF AN INCIDENT AT THE SERVICE AND/OR IF THE HEALTH, SAFETY OR WELLBEING OF A CHILD HAS BEEN COMPROMISED WHILST ATTENDING THE SERVICE.

DATE AND TIME OF REPORT:

NAME OF PERSON(S) THE INCIDENT WAS REPORTED TO:

DISCUSSION OUTCOMES:

CRITICAL ACTION 3: CONTACTING PARENTS/CARERS

ACTIONS TAKEN (ALLEGED VICTIM)

PROVIDE DETAILS OF YOUR DISCUSSION WITH PARENTS/CARERS (IF APPROPRIATE):

YOU MUST CONSULT WITH VICTORIA POLICE AND/OR DHHS CHILD PROTECTION TO DETERMINE IF IT IS APPROPRIATE TO CONTACT PARENTS; IF IT IS DEEMED APPROPRIATE, PARENTS MUST BE CONTACTED AS SOON AS POSSIBLE (WITHIN 24 HOURS OF THE INCIDENT, DISCLOSURE OR SUSPICION).

HAVE YOU SOUGHT ADVICE FROM DHS CHILD PROTECTION OR VICTORIA POLICE?

☐ NO ☐ YES

IS IT APPROPRIATE TO CONTACT THE PARENT/CARER

☐ NO ☐ YES

PROVIDE REASONS IF IT IS NOT APPROPRIATE TO CONTACT PARENT/CARER:

IF CONTACTING PARENT/CARER, PROVIDE THE FOLLOWING DETAILS:
NAME OF STAFF MEMBER MAKING THE CALL:
NAME OF PARENT/CARER RECEIVING THE CALL:
DISCUSSION OUTCOMES:

CRITICAL ACTION 4: PROVIDING ONGOING SUPPORT

PLANNED ACTIONS
INCLUDE DETAILS ON WHAT FOLLOW-UP ACTIONS HAVE OCCURRED TO SUPPORT THE CHILD (FOR EXAMPLE, REFERRAL TO SPECIALISED SERVICES):
FOLLOW UP ACTIONS:
SUPPORT:
REFERRAL(S):

REVIEW OF THE PROCESS

Complete this review 4-6 WEEKS after an incident, suspicion or disclosure of abuse in conjunction with management.

CURRENT SAFETY AND WELLBEING OF THE CHILD

IS THE CHILD SAFE FROM ABUSE AND HARM?

☐ NO ☐ YES

IF NO, CONSIDER THE NEED TO MAKE A FURTHER REPORT

DOES THE CHILD HAVE ANY WELLBEING ISSUES THAT ARE NOT CURRENTLY BEING ADDRESSED?

☐ NO ☐ YES

IF SO, CONSIDER HOW THESE CAN BE ADDRESSED AND CAPTURED WITHIN A STUDENT SUPPORT PLAN

CURRENT WELLBEING OF OTHER CHILDREN WHO MAY BE IMPACTED BY THE ABUSER

ARE THERE ANY OTHER CHILDREN WHO MAY BE IMPACTED BY THE ABUSER?

☐ NO ☐ YES

ARE SO, HAVE THEIR WELLBEING NEEDS BEEN MET?

☐ NO ☐ YES

CURRENT WELLBEING OF IMPACTED STAFF MEMBERS

DOES THE STAFF MEMBER WHO MADE THE REPORT/WITNESSED THE INCIDENT, FORMED A SUSPICION OR RECEIVED A DISCLOSURE REQUIRE SUPPORT?

☐ NO ☐ YES

IF SO, HAS IT BEEN RECEIVED?

☐ NO ☐ YES

REVIEW OF ACTIONS TAKEN

HAVE STAFF FOLLOWED THE FOUR CRITICAL ACTIONS FOR EARLY CHILDHOOD SERVICES, INCLUDING RESPONDING TO INCIDENTS DISCLOSED FOR SUSPICION OF CHILD ABUSE?

Was an appropriate decision made in relation to when to act?

☐ NO ☐ YES

Could the suspected abuse have been detected earlier?

☐ NO ☐ YES

ACTION 1

Did staff take appropriate action in an emergency?

☐ NO ☐ YES

ACTION 2

Was a report made to the appropriate authorities and internally?

☐ NO ☐ YES

Were subsequent reports made if necessary?

☐ NO ☐ YES

ACTION 3

Did the service contact parents/carers as soon as possible?

☐ NO ☐ YES

Have the parents/carers continued to engage if appropriate?

☐ NO ☐ YES

ACTION 4

Has the service provided adequate ongoing support for the child?

☐ NO ☐ YES

Have any complaints been received?

☐ NO ☐ YES

If yes, have they been resolved?

☐ NO ☐ YES

ATTACHMENT 6: EMBEDDING AN ENVIRONMENT WITH ZERO TOLERANCE FOR RACISM

Denzil Don Kindergarten has zero tolerance for racism and exclusion and is dedicated to promoting equality, diversity, and inclusion.

HOW DO WE DO THIS?

Through Prevention and Education

Regular staff training and professional development:

- Conducting team training sessions for staff on cultural competence and anti-racism.
- Staff individually access and participate in training that promotes inclusion.
- With zero tolerance to behaviours that might exclude others – ‘calling out’ behaviour that may be exclusive, offensive or hurtful to others and encouraging others, including the children, to do the same.
- With a Reconciliation Action Policy (RAP) written with all staff.

Curriculum and environment

- Aboriginal and Torres Strait Islander perspectives are an intentional focus in our pedagogy, ensuring Aboriginal and Torres Strait Islander perspectives are embedded in our curriculum and can be observed in daily practice.
- Educators write an *Acknowledgement of Country* with their group.
- Celebrating days of cultural significance to Aboriginal Peoples.
- The Aboriginal, Torres Strait Islander and Pride flags are featured throughout the service.
- Celebrating the success of Aboriginal People – past and present.
- Using Aboriginal words and symbols in the classroom (approval provided).
- Displaying and providing posters, books, and toys that reflect the diverse ways of being in the world.
- Age-appropriate class discussions about Australia’s history and past.
- Age-appropriate discussions about different ways of being – family structures, the importance of being your true self, challenging gendered stereotypes, etc.
- Removing gendered language and symbols from the service.
- Actively discussing and celebrating differences with the children.
- Not celebrating days that may be hurtful to others, such as Australia Day, Mother's and Father's Day.

Identification and Reporting

All staff and people attending programs and activities at Denzil Don Kindergarten (such as volunteers, students, and allied health workers) must report any instances of racism they observe or experience, including during offsite excursions.

Staff are educated about the subtle and overt forms of racism and how to report them.

Process for reporting racism

Reports of racism can be made verbally or in writing to the Centre Coordinator, Educational Leader, staff member or a member of the Committee of Management. For further information, please refer to the [Complaints Policy](#).

The following steps will be taken when racism is witnessed or reported:

- Addressed immediately, ensuring the safety and well-being of those involved.
- A thorough investigation of the incident or report will be undertaken and will involve all parties and witnesses.
- The incident will be documented in the Complaints Register, including actions and outcomes (refer to the [Complaints Policy](#)).
- Support will offered/provided to all impacted individuals, including counselling if needed.
- Families of those involved will be contacted to inform them of the incident and the steps being taken.
- Appropriate consequences will be applied to those found responsible for racist behaviour.
- The situation will be monitored to ensure no further incidents occur.
- Policies and procedures will be updated as necessary.
- In some instances, the Centre Coordinator will notify the Committee of Management. This includes if it involves a member of staff.
 - Reports involving a staff member may require the Committee to form a complaint subcommittee to investigate further and decide on appropriate actions for the person accused/involved.

- It may be necessary for the staff member to be removed from working with children while the investigation takes place. They may be given non-contact duties or asked to take leave (whether it is sick leave or leave without pay will be determined by circumstance and employment law – advice may be obtained).
- If the staff member is found to be at fault, disciplinary action will be taken as appropriate. It may include training, coaching, removal from contact with children, a written warning or suspension from the role.
- Support may be obtained from FairWork, the Department of Education (DE), ELAA, external Human Resources support, and/or other regulatory or advice bodies.
- Committee will always be involved in decisions made around appropriate disciplinary action decisions for staff.