

Child Safe Environment



Related Policies	Confidentiality and privacy Grievance and complaints Hygiene and infection control Illness Workplace health and safety Supervision Students, Volunteers & Visitors Safe Sleep & Rest Hazardous Products	Policy Number	15.0
		Creation Date	23 June 2023
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		Version	5.2
Legislation	Education and Care Services National Law Act (Section 165, 167) Education and Care Services National Regulations (Regulation 83, 84, 165, 167, 168) National Quality Standard: Quality Area 1, 2 and 6 The Charter of Human Rights & Responsibilities Act 2006 and Human Rights Act 2019 (Qld) Australian Human Rights Commission Act 1986, Disability Discrimination Act 1992 (Cth), Disability Services Act 2006 (Qld), Age Discrimination Act 2004 (Cth), Anti-discrimination Act 1991 (Qld), Racial Discrimination Act 1975 (Cth) and Sex Discrimination Act 1984 (Cth) Child Protection Act 1999 (Qld) Fair Work Act 2009 (Cth) and Occupational Health and Safety Act 2004.		

POLICY STATEMENT	Sky Tree Kids Early Learning Centre is committed to child protection and providing child safe environments including providing children with welcoming and safe indoor and outdoor play spaces, together with a supportive environment that promotes the inclusion of all children and families.
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1.0 RATIONAL

Sky Tree Kids Early Learning Centre recognises that early learning services play an important role in recognising and reporting child abuse and neglect, and in promoting the inclusion, safety, welfare and wellbeing of all children using the service.

Important to note:

- i. There is a **shared responsibility** between the service and all stakeholders (including families, children and educators) in implementing and adhering to the Child Safe Environment Policy and procedures, and
- ii. All staff have a duty of care to ensure that all persons are provided with a high level of inclusion, safety and protection during the hours of the service's operations.

Our Child Safe Environment Policy reflects:

- i. Our Centre Philosophy and values;
- ii. Our Code of Conduct and Code of Conduct (Families) Policies which is the ethics and code of conduct for management, staff, educators, children, families, students, volunteers and the community; and
- iii. Federal and state legislation including relevant licensing requirements, child protection and anti-discrimination laws.

Our Child Safe Environment Policy also establishes and demonstrates a commitment to:

- iv. Identifying safe, inclusive and protective behaviours for all persons who access the service's premises, facilities and programs; and
- v. the expectations and procedures for inclusion and child protection matters including identifying, documenting, reporting and managing concerns or incidents.

2.0 VALUES

Sky Tree is committed to:

- i. Creating an environment that supports, reflects and promotes child safe, equitable and inclusive behaviours and practices, regardless of an adult or child's background, ethnicity, culture, language, beliefs, gender, age, socioeconomic status, level of ability, additional needs, family structure or lifestyle.
- ii. Assisting children and families to develop a sense of belonging at the service and ensuring that programs are reflective of, and responsive to, the values and cultural beliefs of families using the service and of those within the local community and broader society;
- iii. Upholding the values and principles of Early Childhood Australia (ECA) and Early Childhood Intervention Australia's (ECIA) *Position Statement on the Inclusion of Children with a Disability in Early Childhood Education and Care*; and
- iv. Its Staff engaging in critical reflection and upskilling in relation to knowledge, skills, practices and



attitudes of staff to encourage and ensure inclusion, equity and child safe environments.

3.0 PROTECTIVE BEHAVIOURS

It is understood that all Staff, Families, children, students and volunteers are all role models and responsible for implementing positive behaviours within the service and will implement the following while at the service:

- i. All adults in the service, including Staff, Families, Students and Volunteers will role model positive and protective behaviours. Children learn through example and role modelling is an important strategy in teaching children about protective behaviours.
- ii. Staff, students and volunteers comply with this Child Safe Environment Policy and additional legislative and regulatory requirements.
- iii. In accordance with Section 83 of the Regulations, staff members, educators and volunteers must not be affected by drugs or alcohol (including prescription medication). The Approved Provider and Nominated Supervisor will take all reasonable steps to ensure that staff at the service do not consume alcohol or be affected by alcohol or drugs while educating and caring for children at the service.
- iv. The Nominated Supervisor and staff must adequately supervise children at all times while children are in attendance at the service.

4.0 EDUCATOR TRAINING, CERTIFICATIONS & QUALIFICATIONS

All educators at Sky Tree must:

- i. Hold a current Blue Card (Working with Children Check);
- ii. Undergo and complete yearly child protection training; and
- iii. Read their Employment Agreement and service's policy and procedures carefully to ensure they have a clear, professional understanding of the expectations and accountability of all staff, including an understanding of their roles and responsibilities in relation to child safe and child protection matters.

5.0 SAFE & INCLUSIVE CHILD ENVIRONMENT

Sky Tree is committed to providing a safe and inclusive environment which covers three (3) main areas:

1. Child Protection
2. Inclusion & Equity; and
3. Risk Minimisation

These are addressed in further detail below.

6.0 CHILD PROTECTION

6.1 Educators as Mandatory Reporters

All educators are Mandatory Reports under the Child Protection Act 1999 and must report to the Department Children, Youth Justice and Multicultural Affairs (Child Safety) if they form a **reasonable suspicion** that a child has suffered, is suffering or is at an unacceptable risk of suffering significant harm caused by physical or sexual abuse, and there is not a parent willing and able to protect the child from harm. (*Please see Definition of "Abuse / Neglect*).

Educators working with children have a duty of care to support and protect every child.

Acting on a belief that child abuse has occurred, or is occurring, can be the first important step in stopping the abuse and protecting the child from further harm. The best interests of the child should always be the primary consideration.

6.2 Procedure when an educator has concerns of abuse / neglect

Where an educator has a concern in relation to a particular child where they have formed a reasonable suspicion that the child may be suffering from significant harm, they:

- i. should discuss this with a Nominated Supervisor or Approved Provider at the service; but
- ii. **MUST** notify the Department of Children, Youth Justice and Multicultural Affairs (Child Safety) Services South East Queensland Office on 1300 679 849.

There is a legal obligation on Educators to report any concern to the authorities. Educators can notify the Department of Children, Youth Justice and Multicultural Affairs anonymously and in also knowing that their identity will be kept confidential and protected by law should they be willing to identify themselves.

Suspicion & disclosure of harm

You can suspect harm if you are concerned by significant changes in behaviour or the presence of new unexplained and suspicious injuries.

A disclosure of harm occurs when someone, including a child, tells you about harm that has happened or is likely to happen. Disclosures of harm may start with:

- "I think I saw..."
- "Somebody told me that..."
- "Just think you should know..."

Receiving a disclosure of harm

When an educator is receiving a disclosure of harm from a child they must:

- i. Remain calm and find a private place to talk.
- ii. Not promise that they will keep a secret; tell them they have done the right thing in telling you but that you will need to tell someone who can help keep them safe.
- iii. Only ask enough questions to confirm the need to report the matter; probing questions should be

avoided as they could cause distress, confusion and interfere with any later enquiries.

- iv. Do not attempt to conduct your own investigation or mediate an outcome between the parties involved.

6.3 Reporting & Documenting disclosure or suspicions of harm

Documenting

If Educators or other staff members have concerns about the safety of a child, they will need to record concerns in a nonjudgmental and accurate manner as soon as possible. If a family member explains a noticeable mark on a child, record your own observations as well as accurate details of the conversation. If you see unsafe or harmful actions towards a child in your care, intervene immediately, provided it is safe to do so. If it is unsafe, call the police for assistance.

If you have received a disclosure of harm, complete an incident report form or record the details as soon as possible so that they are accurately captured. Include:

- i. Time, date and place of the disclosure;
- ii. 'Word for word' what happened and what was said, including anything you said and any actions that have been taken; and
- iii. Date of report and signature.

If there is substantial information and you feel you need to take notes as the person is telling you, explain that you are taking a record in case any later enquiry occurs.

Reporting to authorities

The service will not conduct its own enquiries in relation to the disclosure or suspicion of harm or try to come to an agreement between the parties involved.

The person who receives a disclosure or suspects harm is to contact the Department of Children, Youth Justice and Multicultural Affairs (Child Safety) South East Queensland office on 1300 679 849 or the local police to ensure information is provided timely and is comprehensive and accurate.

If you have concerns about the child's immediate safety and believe they may be life threatening within their family unit, call the local police on 000.

6.4 Additional Information for Educators

How can abuse and neglect be recognised?

Physical signs of abuse including sexual abuse or neglect may include, but are not limited to, bleeding, bruises, burns, sprains, bites, cuts, fractures, frequent hunger, malnutrition, poor hygiene, headaches and stomach pains, displaying sexual behaviour which is unusual for their age, difficulties in sleeping, and inappropriate clothing.

Behavioural signs of abuse (physical, sexual and emotional) or neglect may include, but are not limited to, wariness or distrust of adults, fear of family members and of going home, fear when other children cry/shout,

excessive friendliness to strangers, being very passive and/or compliant, having/claiming to have headaches and/or stomach pains, displaying sexual behaviour that is unusual for the child's age, frequent rocking, sucking and biting, having difficulty sleeping, being withdrawn, aggressive and/or demanding, being highly anxious, having delayed speech, acting like a much younger child, and often being tired and falling asleep.

You will need to consider the following general indicators as well:

- Marked delay between injury and seeking medical assistance.
- History of injury.
- The child gives some indication that the injury did not occur as stated.
- The child tells you someone hurt him/her.
- The child tells you about someone he/she knows who has been hurt.
- Someone (relative, friend, acquaintance, sibling) tells you that the child may have been abused.
- Indicators of physical abuse in parents and caregivers including direct admissions about a fear of hurting their children, history of own maltreatment as a child, repeated visits for medical assistance.

What to consider when reporting

In considering a duty of care to report concerns of child abuse and/or neglect, it is important to remember that it is not necessary to prove that abuse has taken place; you only need to provide reasonable grounds for the belief.

Permission from parents/guardians or caregivers is not required to make a notification, nor do they need to be informed that a notification is being or has been made. If a notification is made in good faith, the notifier cannot be held legally liable for any consequences, regardless of the outcome of the notification.

The identity of the notifier will remain confidential unless the notifier chooses to inform the child and/or family, or if the notifier consents in writing to the disclosure of their identity, or if the court decides that this information must be disclosed.

You may need to report the child's name, address, other family details such as parent names and contact details, what the child said, injuries, other conversations or actions that you have witnessed etc.

Please refer to the following link for further information - <https://www.cjma.qld.gov.au/protecting-children/about-child-protection/mandatory-reporting>

7.0 CHILD INCLUSION & EQUITY

Sky Tree is committed to providing each child, regardless of their additional needs and abilities, with a supportive and inclusive environment that allows each child to participate in their education and care at the service.

"Inclusion involves taking into account all children's social, cultural and linguistic diversity (including learning styles, abilities, disabilities, gender, family circumstances and geographic location) in curriculum decision-making processes" (*Guide to the National Quality Standard, Element 1.1.5*).

Values of inclusion and equity from our service's Philosophy statement is also taken into account as well as best practices from a range of early childhood professionals across diverse settings (e.g. *Practice Guide Four: Equity and Diversity*).

Our service is committed to being proactive and working with children, families, inclusion support services, other agencies and communities to identify, include and support children with additional needs and their families.

It is important for families to note that there is a **shared responsibility** between the service and all stakeholders (including families, children and educators) in implementing and adhering to policies and procedures relating to inclusion. Families must act in partnership with the service and support their child's inclusion by providing the service with any relevant information concerning the child or family.

7.1 Approved Provider & Nominated Supervisor Responsibilities:

Approved Providers are responsible for:

- i. ensuring that service programs are available and accessible to families from a variety of backgrounds.
- ii. encouraging a collaborative approach at the service between the service, Staff and Families.
- iii. ensuring that educational programs are delivered in accordance with an approved learning framework, are based on the developmental needs, interests and experiences of each child, and take into account the individual differences of each child. Support Staff in developing an educational program that is reflective of the service's values, beliefs and philosophy, and embraces the principles of fairness, equity, diversity and inclusion.
- iv. working with individual families to determine the needs of their child and facilitating the inclusion of both the child and the family into the service including providing opportunities for families to contribute to the program.
- v. Supporting and promoting early identification of children who may have barriers to inclusion, be disadvantaged, have additional needs, or be at risk of discrimination / exclusions, and being aware of the support and resources required to ensure that these children are included in the service programs. Working with and in consultation with inclusion support agencies to assist in considering barriers to participation in service programs and activities, and developing strategies to overcome these.

- vi. ensuring that the enrolment process is fair and equitable, and facilitates access for all children (refer to Enrolment and Orientation Policy).
- vii. promoting staff knowledge about inclusion and matters of discrimination and ensuring that they undergo professional development activities that promote a positive understanding of diversity, inclusion and equity to have the skills to implement this policy.
- viii. being aware of the service's expectations regarding positive, respectful and appropriate behaviours when working with children and families (refer to Code of Conduct Policy and Interactions with Children Policy).
- ix. providing service information in various community languages and using language services to assist with communication where required.
- x. considering the employment of a multilingual worker/s to meet the needs of culturally and linguistically diverse families if possible.
- xi. working together and with educators to ensure appropriate program planning and resourcing for children with additional needs and where practicable, accessing resources, support and professional development to facilitate inclusion of children with additional needs who are ineligible for specific support packages
- xii. ensuring that service programs are inclusive of children with medical conditions, including anaphylaxis, asthma, diabetes and epilepsy, and implementing appropriate programs and practices to support vulnerable children and families, including working co-operatively with relevant services.
- xiii. Ensure that individualised programs incorporate opportunities for regular review and evaluation, in consultation with all people involved in the child's education and care.
- xiv. Ensure the programs provide opportunities for children to participate and interact with others.
- xv. For the Nominated Supervisor to notify the Approved Provider of any behaviour or circumstances that may constitute discrimination or prejudice and advising the Approved Provider if they become aware of discrimination against anyone at the service.
- xvi. ensuring that any behaviour or circumstances that may constitute discrimination or prejudice are dealt with in an appropriate manner (refer to Complaints and Grievances Policy)
- xvii. Provide support and guidance to Staff, Families and children where required.
- xviii. ensuring that all policies of Sky Tree, including the Privacy and Confidentiality Policy, are adhered to at all times.

7.3 Staff Responsibilities

Staff are responsible for:



- i. being aware of the service's expectations regarding positive, respectful and appropriate behaviours when working with children and families (refer to Code of Conduct Policy and Interactions with Children Policy).
- ii. working collaboratively with other staff, families, children, specialist services and professionals to implement the program at the service and provide individualised support for children within educator qualifications and abilities if required.
- iii. delivering an educational program that is reflective of the service's values, beliefs and philosophy, and embraces the principles of fairness, equity, diversity and inclusion.
- iv. undertaking professional development to support the safety and inclusion of all children at the service.
- v. understanding and respecting different cultural child-rearing and social practices.
- vi. working with the Approved Provider, Nominated Supervisor and Educational Leader to ensure appropriate program planning and resourcing for children with additional needs (refer to Definitions)
- vii. providing information to families about the support available to assist children if required.
- viii. discussing any concerns regarding individual children with the Nominated Supervisor and / or Families.
- ix. responding to the needs and concerns of Families, and providing support and guidance, where appropriate.
- x. reviewing and evaluating individualised support programs in consultation with all people involved in the child's education and care.
- xi. critically reflecting on practices to ensure that interactions and programs embrace an approach in which children and families feel valued and respected, and that their contributions are welcomed.
- xii. notifying the Nominated Supervisor or Approved Provider of any behaviour or circumstances that may constitute discrimination or prejudice and advising the Nominated Supervisor or Approved Provider if they become aware of discrimination.
- xiii. adhering to the policies of Sky Tree, including the Privacy and Confidentiality Policy, at all times.

7.4 Family Responsibilities:

- i. Adhering to the service's Philosophy and its policies and procedures including this Child Safe Environment Policy at all times;
- ii. Families must act in partnership with the service and support their child's inclusion by providing the service and staff with any relevant information concerning their child or family and communicating with the service to ensure awareness of their child's specific needs;
- iii. Support the service in their child's inclusion by providing the service with any additional resources,

devices or medical equipment and / or professional services that their child may require each day (e.g. hearing aids, walking frames, occupational therapy or physiotherapist sessions, etc).

- iv. Raising any issues or concerns regarding their child's participation in the program promptly;
- v. Being involved in, keeping fully informed about, and providing written consent for any individualised intervention or support proposed / provided for their child;
- vi. Responding to requests from educators for written permission to arrange for an assessment or collect reports on their child.

8.0 RISK MINIMISATION

8.1 Possible Hazards to children in the environment

Sky Tree is committed to the safety and wellbeing of children who access our services. We support the rights of children and will act without hesitation to ensure a safe environment is maintained at all times.

We also support our staff and encourage their active participation in building and maintaining a secure environment for all children.

Approved Provider, Nominated Supervisor and Educators / Staff will comply with the requirements of child protection and anti-discrimination laws to ensure the minimisation of children's risk to harm and discrimination.

8.2 Approved Providers & Nominated Supervisors Responsibilities

Approved Providers and Nominated Supervisors are responsible for:

- i. The Approved Provider will make sufficient allowance within budgets to allow for the replacement of worn and damaged equipment and resources which may provide a safety risk for children and make sufficient allowance for maintenance for all indoor and outdoor environments.
- ii. The Nominated Supervisor will organise groupings to enable adequate supervision of children and so to minimise the risk to children and organise repairs and maintenance to equipment and environments in a timely manner.
- iii. In accordance with Section 165 of the law, the Approved Provider and Nominated Supervisor will ensure that all children being educated and cared for by the service are always adequately supervised while at the service. All staff have a duty of care to ensure children are supervised at all times.
- iv. Ensure a record is kept of all visitors and volunteers entering the service. In accordance with Regulation 165, a record will be kept on the premises of all students, visitors and volunteers who visit the service which will include the signature of

- the visitor, full name, arrival and departure times and reason for their visit.
- v. Complete a Risk Management Plan where a risk has been identified in the environment. The Risk Management Plan must identify, evaluate and plan strategies to minimise the risk of children coming into harm.
 - vi. Implements and uphold the Code of Conduct, role modelling best practices and identifying any inappropriate behaviours and language.
 - vii. Ensure Staff are aware of child protection and inclusion support awareness programs available to them and to keep a record of Staff having completed training.
 - viii. Make any relevant Staff aware of any Inclusion Support applications or programs in place for any child at the service.
 - ix. The Approved Provider must ensure that all educators and staff are familiar with current policies and procedures with regard to child protection, including state and territory legislative responsibilities and their obligations under these laws (Regulation 84).
 - x. Ensure orientation processes for educators, staff and visitors are carried out at the service.
 - xi. Ensure that volunteers/students, families and other visitors to the service are not left with the sole supervision of children which are not their own.
 - xii. Ensuring that where the service has been notified of a court order prohibiting an adult from contacting an enrolled child, such contact does not occur while the child is on the service premises.
 - xiii. Ensuring clear procedures are in place for reporting suspected child abuse and complaints.
 - xiv. Ensure that Management are always available to listen and offer advice.

8.3 Staff Responsibilities

Staff are responsible for:

- i. Checking all equipment both indoor and outdoor environments for hazards. If equipment is broken, it must be removed from the play yard or indoor environment. Educators must organise indoor and outdoor spaces to ensure risks to the health and safety of children are minimised and inform the Nominated Supervisor of any repairs or maintenance needed within the service to ensure the health and safety of children.
- ii. Always carry out adequate supervision of children while at the service. All staff have a duty of care to ensure children are supervised at all times.
- iii. Always consider the environment to ensure that it is not only safe but that it is inclusive. Consider the placement of equipment and the design of the program to cater for all children in the service and make adjustments so all children have an opportunity to be included.

- iv. Ensuring that volunteers/students, parents/guardians and other visitors to the service are not left with sole supervision of individual children which are not their own or groups of children.
- v. Implements and uphold the Code of Conduct and role modelling best practices and identifying any inappropriate behaviours and language at the service.
- vi. Early childhood educators, in daily contact with children and their families, are well placed to observe when a child appears to be at risk of harm arising from abuse or neglect. Services have a duty of care to act immediately to protect and preserve the safety and wellbeing of the children in their care. Any person who believes, on reasonable grounds, that a child is in need of protection must report their concerns.

9.0 EVALUATION

In order to assess whether the values and purposes of this policy have been achieved, the Approved Provider will:

- i. regularly seek feedback from everyone affected by the policy regarding its effectiveness
- ii. monitor the implementation, compliance, complaints and incidents in relation to this policy;
- iii. keep the policy up to date with current legislation, research, policy and best practice; and
- iv. revise the policy and procedures as part of the service's policy review cycle or as required.

10.0 GRIEVANCES & COMPLAINS

Please refer to the service's Grievances and Complaints Policy.

10.0 SUPPORT AGENCIES & FURTHER READING

Further information can be sought through contacting the following organisations:

- i. Queensland Police Service
- ii. Department of Children, Youth Justice & Multicultural Affairs
- iii. KU Queensland Inclusion Support Service
- iv. Queensland Human Rights Commission
- v. Department of Education

Sky Tree can provide additional information about support services which are available to families on request.