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## Policy and Procedures Child Protection

Acacia Children's Centres (Acacia) is committed to the safety of all children, staff, students and families in our organisation.

***Acacia has a zero tolerance for child abuse.***

Acacia is committed to providing a child safe environment where all children and staff are safe, empowered and their voices are heard about decisions that affect their lives. Close attention will be paid to the cultural safety of Aboriginal children, the cultural safety of children from a culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability.

Every person involved in Acacia has a responsibility to understand the importance and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all children is at the forefront of all they do and every decision they make.

Child safety and wellbeing is embedded in our daily educational program. **This done through:**

- Raising awareness through discussion
- Teach children about all aspects of safety
- Using correct terminology to label body parts
- Being available for children to express their feelings emotions (fears and concerns)

**In its planning, decision making and operations, Acacia will:**

1. Take a preventative, proactive and participatory approach to child safety;
2. Value and empower children to participate in decisions which affect their lives;
3. Foster a culture of openness that supports all persons to safely disclose risk of harm to children;
4. Respect diversity in cultures and child rearing practices while keeping child safety paramount;
5. Provide written guidance according to policies and procedures with appropriate conduct and behaviour towards children;
6. Recruit only the most suitable educator/ staff to work with children while adhering to our robust human resources and recruitment practices;
7. Commit to regularly training and educating our staff and volunteers on child abuse risks.
8. Ensure children know who to talk to if they are worried or feeling unsafe and that they are encouraged to raise such issues;
9. Abide to legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.
10. Share information appropriately and lawfully with other organisation where the safety and wellbeing of children is at risk
11. Value the input of and communicate regularly with families and guardians

**If you believe a child is at immediate risk of abuse phone 000.**



## **Our children**

This policy is intended to empower children who are vital and active participants in our organisation. We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

We promote diversity and tolerance in our organisation, and people from all walks of life and cultural backgrounds are welcome. In particular we:

- promote the cultural safety, participation and empowerment of Aboriginal children
- promote the cultural safety, participation and empowerment of children from culturally and/or linguistically diverse backgrounds
- ensure that children with a disability are safe and can participate equally.

## **Our staff and volunteers**

This policy guides our staff and volunteers on how to behave with children in our organisation.

All of our staff and volunteers must agree to abide by our code of conduct which specifies the standards of conduct required when working with children. All staff and volunteers, as well as children and their families, are given the opportunity to contribute to the development of the code of conduct.

## **Training and supervision**

Training and education is important to ensure that everyone in our organisation understands that child safety is everyone's responsibility.

Our organisational culture aims for all staff and volunteers (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. We train our staff and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

We also support our staff and volunteers through ongoing supervision to: develop their skills to protect children from abuse; and promote the cultural safety of Aboriginal children, the cultural safety of children from linguistically and/or diverse backgrounds, and the safety of children with a disability.

New employees and volunteers will be supervised regularly to ensure they understand our organisation's commitment to child safety and that everyone has a role to play in protecting children from abuse, as well as checking that their behaviour towards children is safe and appropriate (please refer to this organisation's code of conduct to understand appropriate behaviour further). Any inappropriate behaviour will be reported through appropriate channels, including the Department of Health and Human Services and Victoria Police, depending on the severity and urgency of the matter.

Acacia requires all new staff to complete current child protection training as directed by management before commencement of employment. All existing staff must complete the directed training annually. Certification of completion must be shown and filed to the director.

## **Recruitment**

We take all reasonable steps to employ skilled people to work with children. We develop selection criteria and advertisements which clearly demonstrate our commitment to child safety and an



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awareness of our social and legislative responsibilities. Our organisation understands that when recruiting staff and volunteers we have ethical as well as legislative obligations.

We actively encourage applications from Aboriginal peoples, people from culturally and/or linguistically diverse backgrounds and people with a disability.

All people engaged in child-related work, including volunteers, are required to hold a Working with Children Check and to provide evidence of this Check. Please see the [Working with Children Check website <www.workingwithchildren.vic.gov.au>](http://www.workingwithchildren.vic.gov.au) for further information

We carry out reference checks and police record checks to ensure that we are recruiting the right people. Police record checks are used only for the purposes of recruitment and are discarded after the recruitment process is complete. We do retain our own records (but not the actual criminal record) if an applicant's criminal history affected our decision making process.

If during the recruitment process a person's records indicate a criminal history then the person will be given the opportunity to provide further information and context.

Acacia requires all new staff to complete current child protection training as directed by management before commencement of employment. All existing staff must complete the directed training annually. Certification of completion must be shown and filed to the director.

### **Fair procedures for personnel**

The safety and wellbeing of children is our primary concern. We are also fair and just to personnel. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

We record all allegations of abuse and safety concerns using our incident reporting form<sup>1</sup>, including investigation updates. All records are securely stored.

If an allegation of abuse or a safety concern is raised, we provide updates to children and families on progress and any actions we as an organisation take.

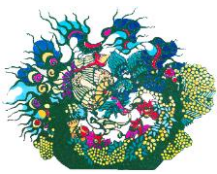
- Acacia commitment to child safety stretches to the view that we have zero tolerance for child abuse, and we are committed to act in children's best interests and keeping them safe, and actively works to empower children.
- Acacia will follow the following child safe standards.

### **Risk management**

In Victoria, organisations are required to protect children when a risk is identified (see information about failure to protect above). In addition to general occupational health and safety risks, we proactively manage risks of abuse to our children.

We have risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments (for example, any doors that can lock), and online environments (for example, no staff or volunteer is to have contact with a child in organisations on social media).

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## The Child Safe Standards

The child safe standards are as follows:

In complying with the child safe standards an applicable entity to which the standards apply must include the following principles as part of their response to each standard:

- promoting the cultural safety of Aboriginal children and young people
- promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds
- promoting the safety of children with a disability.
- promoting involvement of families and communities in organisations' efforts to keep children and young people safe
- managing the risk of child abuse in online environments
- Managing governance, systems and processes to keep children and young people safe.

To create and maintain a child safe organisation, an applicable entity to which the standards apply must have: There are eleven new Child Safe Standards:

**Standard 1: Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued**

**Standard 2: Child safety and wellbeing is embedded in organisational leadership, governance and culture**

**Standard 3: Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously**

**Standard 4: Families and communities are informed, and involved in promoting child safety and wellbeing**

**Standard 5: Equity is upheld and diverse needs respected in policy and practice**

**Standard 6: People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice**

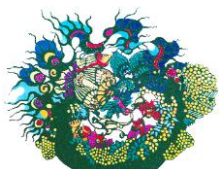
**Standard 7: Processes for complaints and concerns are child focused**

**Standard 8: Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training**

**Standard 9: Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed**

**Standard 10: Implementation of the Child Safe Standards is regularly reviewed and improved**

**Standard 11: Policies and procedures document how the organisation is safe for children and young people**



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## **Definition**

### **Physical violence**

Physical violence occurs when a child suffers or is likely to suffer significant harm from a non-accidental injury or injuries inflicted by another person. Physical violence can be inflicted in many ways, including beating, shaking, burning or use of weapons (such as, belts and paddles).

Possible physical indicators:

- Unexplained bruises
- Burns and/or fractured bones

### **Possible behavioural indicators:**

- Showing wariness or distrust of adults
- Wearing long sleeved clothes on hot days (to hide bruising or other injury)
- Fear of specific people
- Unexplained absences
- Academic problems

### **Sexual offences**

Sexual offences occur when a person involves the child in sexual activity, or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to his/her age and development. Child sexual abuse can involve a range of sexual activity including fondling, masturbation, penetration, voyeurism and exhibitionism. It can also include exposure to or exploitation through pornography or prostitution, as well as grooming behaviour.<sup>2</sup>

Possible physical indicators:

- Presence of sexually transmitted diseases
- Pregnancy
- Vaginal or anal bleeding or discharge

Possible behavioural indicators:

- Displaying sexual behaviour or knowledge that is unusual for the child's age
- Difficulty sleeping
- Being withdrawn
- Complaining of headaches or stomach pains
- Fear of specific people
- Showing wariness or distrust of adults
- Displaying aggressive behaviour

### **Serious emotional or psychological abuse**

Serious emotional or psychological abuse occurs when harm is inflicted on a child through repeated rejection, isolation, or by threats or violence. It can include derogatory name-calling and put-downs, or persistent and deliberate coldness from a person, to the extent where the behaviour of the child is disturbed or their emotional development is at serious risk of being impaired. Serious emotional

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or psychological abuse could also result from conduct that exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risky behaviours.

Possible physical indicators:

- Delays in emotional, mental, or even physical development
- Physical signs of self-harming

Possible behavioural indicators:

- Exhibiting low self-esteem
- Exhibiting high anxiety
- Displaying aggressive or demanding behaviour
- Being withdrawn, passive and/or tearful
- Self-harming

### **Serious neglect**

Serious neglect is the continued failure to provide a child with the basic necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the child's health, safety and/or development is, or is likely to be, jeopardised. Serious neglect can also occur if an adult fails to adequately ensure the safety of a child where the child is exposed to extremely dangerous or life threatening situations.

Possible physical indicators:

- Frequent hunger
- Malnutrition
- Poor hygiene
- Inappropriate clothing

Possible behavioural indicators:

- Stealing food
- Staying at school outside of school hours
- Aggressive behaviour
- Misusing alcohol or drugs
- Academic issues

Child abuse is an act by parents or caregivers which endangers a child or young person's physical, emotional, health or development. Child abuse is not usually a single incident, but takes place over time.

Abuse adversely affects a child's development and leads to certain common behaviours. The early detection of signs of abuse is assisted by keeping detailed developmental records on each child. If a child is being abused then prompt intervention is essential.

Confidentiality is essential to ensure a child is not placed at risk of further abuse or intimidated to change their story; or that an adult who is wrongly accused does not suffer damage to reputation and livelihood.

In Victoria, a child or young person is a person under eighteen (18) years of age.

### **If a child discloses an incident of abuse to you**

- Try and separate them from the other children discreetly and listen to them carefully.
- Let the child use their own words to explain what has occurred.





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- Reassure the child that you take what they are saying seriously, and it is not their fault and that they are doing the right thing.
  - Explain to them that this information may need to be shared others, such as with their parent/carer, specific people in your organisation, or the police.
  - Do not make promises to the child such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
  - Do not leave the child in a distressed state. If they seem at ease in your company, stay with them.
  - Provide them with an incident report form to complete, or complete it together, if you think the child is able to do this.
  - As soon as possible after the disclosure, record the information using the child's words and report the disclosure to your manager or your organisation's child safety officer/champion,<sup>3</sup> police or child protection.
  - Ensure the disclosure is recorded accurately, and that the record is stored securely.

### Legal responsibilities

While the child safe standards focus on organisations, every adult who reasonably believes that a child has been abused, whether in their organisation or not, has an obligation to report that belief to authorities.

The **failure to disclose** criminal offence requires all adults (aged 18 and over) who hold a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child under 16 to disclose that information to police (unless they have a reasonable excuse not to, for example because they fear for their safety or the safety of another).

While failure to disclose only covers child sexual abuse, all adults should report other forms of child abuse to authorities. Failure to disclose does not change mandatory reporting responsibilities.

**Mandatory reporters** (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

See the Department of Families, Fairness and Housing (DFFH) website for information about [how to make a report to child protection](https://services.dffh.vic.gov.au/reporting-child-abuse) <https://services.dffh.vic.gov.au/reporting-child-abuse>

The **failure to protect** criminal offence (commenced on 1 July 2015) applies where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk, but negligently failed to do so.

The penalty for the offence is up to three years imprisonment.

The full text of Sect 237 of the Crime Act 1958 can be read on [http://www5.austlii.edu.au/au/legis/vic/consol\\_act/ca195882/s327.html](http://www5.austlii.edu.au/au/legis/vic/consol_act/ca195882/s327.html)

In addition, the centre's educators and staff have an ethical and moral duty to make a notification to Child Protection if they believe, based on reasonable grounds, that a child is in need of protection because the child has suffer, significant harm as a result of physical injury or sexual abuse and the child parents have not protected the child from such a harm.

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It is strongly recommended that ALL early childhood service staff follow the Four Critical Actions (see attached) as soon as they witness an incident, or form a reasonable belief that a child has, or is at risk of being abused.

Identity of a notifier/reporter will remain confidential under the Act.

The responsibility for investigating an allegation of child abuse rests solely with Child Protection and/or Victoria Police. Educators and staff must not investigate an allegation or a concern. They should only enquire sufficiently to form a belief that may then require further action.

### **Cultural Differences**

Working with families from the different cultural backgrounds, cross-cultural understanding has played a crucial role in the child protection's issues. It is important that consultation with an agency or a worker associated with the same ethnic background as the family is highly recommended.

Living in a multicultural society, families have a right to bring up their children within the customs and beliefs of their cultural provided that this is not harmful. However regardless the cultural background of a family, all children have basic needs for food, shelter, clothing, stimulation and education, safety, and emotional care.

### **Following are some points a staff might need to aware of:**

- Families from different countries may not understand the laws that apply here or the legal aspect of child abuse.
- Families from different countries may not be aware of the range of services that exist to support families when need it.
- The experience of torture or extreme deprivation can have predictable effects on family relationship.
- Interpreter's involvement in a suspected child abuse can be a negative or positive factor.
- When families come from societies which depend on the extended family network and do not have resources to assist in childrearing, special assistance for the families may be needed from other support systems.

### **Notification**

- Decision on child abuse issues should not be made by one worker.
- Discussions regarding decisions on child protecting with the director and with another educator familiar with the family need to take place before submitting a formal notification to Child Protection
- Consultation in regard to cultural differences with appropriate authorities might need to consider.
- Informally seek advises from Child Protection staff
- Identify all other agencies working with the family to get necessary information about the family.

### **Record Keeping**

- To ensure that developmental records are sufficiently detailed to indicate possible child abuse/neglect.
- To ensure that staff are trained and skilled in identifying physical signs of abuse and noticing behaviour or developmental problems which may indicate that a child has been or is being abused in some way.





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- Fill out incident report that aligns to 4 critical actions, SEE ATTACHMENT 2.

### **Some aspects of records keeping need to be considered**

- Individual health and developmental records are kept for each child.
- Staff are made familiar with the grounds for notification to assist in identifying possible occurrence of abuse whether in the form of neglect or physical, emotional or sexual abuse.
- Each child is observed for signs of illness/injury that could affect participation in activities. Any signs of abuse is noted in the personal health file and dated.
- Any records dealing with child abuse are kept securely in a locked filing cabinet.

### **If a child discloses an incident of abuse to you**

- Try and separate them from the other children discreetly and listen to them carefully.
- Let the child use their own words to explain what has occurred.
- Reassure the child that you take what they are saying seriously, and it is not their fault and that they are doing the right thing.
- Explain to them that this information may need to be shared others, such as with their parent/carer, specific people in your organisation, or the police.
- Do not make promises to the child such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
- Do not leave the child in a distressed state. If they seem at ease in your company, stay with them.
- Provide them with an incident report form to complete, or complete it together, if you think the child is able to do this.
- As soon as possible after the disclosure, record the information using the child's words and report the disclosure to your manager or your organisation's child safety officer/champion,<sup>4</sup> police or child protection.
- Ensure the disclosure is recorded accurately, and that the record is stored securely.

### **If a parent/carer says their child has been abused in your organisation or raises a concern**

- Explain that your organisation has processes to ensure all abuse allegations are taken very seriously.
  - Ask about the wellbeing of the child.
  - Allow the parent/carer to talk through the incident in their own words.
  - Advise the parent/carer that you will take notes during the discussion to capture all details.
  - Explain to them the information may need to be repeated to authorities or others, such as the organisation's management or Child Safety Officer, the police or child protection.
  - Do not make promises at this early stage, except that you will do your best to keep the child safe.
  - Provide them with an incident report form to complete, or complete it together.
  - Ask them what action they would like to take and advise them of what the immediate next steps will be.
  - Ensure the report is recorded accurately, and that the record is stored securely.
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You need to be aware that some people from culturally and/or linguistically diverse backgrounds may face barriers in reporting allegations of abuse. For example, people from some cultures may experience anxiety when talking with police, and communicating in English may be a barrier for some. You need to be sensitive to these issues and meet people's needs where possible, such as having an interpreter present (who could be a friend or family member).

If an allegation of abuse involves an Aboriginal child, you will need to ensure a culturally appropriate response. A way to help ensure this could include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal community controlled organisations to review policies and procedures.

Some children with a disability may experience barriers disclosing an incident. For example, children with hearing or cognitive impairments may need support to help them explain the incident, including through sign language interpreters. Advice on [communicating with people with a disability](#) can be found on the Department of Families, Fairness and Housing (DFFH website < <https://providers.dffh.vic.gov.au/> **If you believe a child is at immediate risk of abuse phone 000.**

### Intervention orders

In general terms, an intervention order is a discretionary order which was made against a person by a magistrate who is satisfied that the person has committed acts of family violence or stalking. The courts have power to grant intervention orders in specific circumstances.

Applications cannot be made against just anyone however an interim intervention order can be made against a person without their knowledge. The court must be satisfied that the applicant is a 'family member' or a victim of stalking.

To get an intervention order the applicant needs to apply at the Magistrates' Court. If the respondent (the person the order is against) is aged under 18, the case may be heard in the Children's Court.

An intervention order can be granted even if there has been no physical violence. However, a magistrate will only make an order if the applicant fear the behaviour will continue.

An intervention order can restrain the respondent from contacting (in any manner whatsoever) another person:

- being within a specified distance of the person or any place where the person lives or works;
- assaulting or threatening the person; or
- damaging a person's property

An intervention order can even prevent a person from being in his or her own home. If the respondent breaks any of the conditions the police can charge them with a criminal offence. The respondent can be arrested and fined or taken to jail.

Legal Aid produces a booklet providing more information about the nature of intervention orders and the application process. This document can download at [www.legalaid.vic.gov.au/find-legal-answers/family-violence-intervention-orders/applying-for-intervention-order](http://www.legalaid.vic.gov.au/find-legal-answers/family-violence-intervention-orders/applying-for-intervention-order)

### Training and induction

Training and education is an important tool to help people understand that child safety is everyone's responsibility. Employees and volunteers (in addition to parents/guardians and children) need to be supported to discuss child protection issues and to detect signs of potential child abuse.

Staff should receive induction and ongoing training. New staff will need support and information when they begin their new role, and existing staff might need to develop new skills and knowledge to meet the requirements of their positions and expand their career options.



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Acacia requires all new staff to complete current child protection training as directed by management before commencement of employment. All existing staff must complete the directed training annually. Certification of completion must be shown and filed to the director.

Training and support also promotes an awareness of the appropriate standards of care required to be met by employees and volunteers to ensure that the organisation meets its duty of care when providing services to children.

It is essential that your staff commit to promoting the safety and wellbeing of children, for example by signing your organisation's code of conduct. Training should enhance the skills and knowledge of your employees and volunteers, and reduce exposure to risks.

**Employees and volunteers working with children need to receive training in the following areas:**

- identifying, assessing and reducing or removing child abuse risks
- your organisation's policies and procedures (including the code of conduct and child safe policy)
- legislative requirements, such as obligations to report child abuse<sup>5</sup>, reduce and remove known risks of child abuse<sup>6</sup>, and to hold Working with Children Checks<sup>7</sup> where required
- how to handle a disclosure or suspicion of abuse, including your organisation's reporting guidelines
- cultural awareness training.

**Training can be formal such as:**

- higher education training and accreditation
- training offered by external organisations
- training developed and delivered internally
- on-the-job training meeting key objectives.

**Training can also be informal such as:**

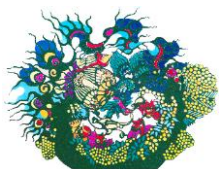
- inviting other professionals to speak at meetings or functions
- inviting local Aboriginal Elders, Aboriginal community controlled organisations and community members to speak at meetings and events
- inviting local culturally and/or linguistically diverse community members to speak at meetings and events
- internal mentoring and coaching.

**Supervision**

Supervision of employees and volunteers should be managed in a way that protects children from abuse and improves accountability and performance, without being onerous or heavy-handed. For instance, where practical, two staff members should be present during activities with children. In particular, children with a disability may require additional supervision.

As a matter of good practice, new employees and volunteers should be supervised regularly to ensure they understand their role and learn skills, as well as to check that their behaviour towards children is appropriate. Any warning signs should be reported through appropriate channels, including your organisation's internal reporting procedures (such as your child safety officer and

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leadership), the Department of Families, Fairness and Housing (DFFH (child protection)), or police if a child is believed to be at imminent risk.

### **Performance and development review**

A proactive performance development strategy should be used to improve employees and volunteers skills and knowledge on child safety. This is also an opportunity to improve knowledge and skills in working with children, as well as recognising and responding to suspected abuse.

**Performance should be measured against the organisation's standards of conduct and care to ensure that employees and volunteers meet expected outcomes. These standards must align with those of the code of conduct and child safe policy so everyone can be aware of the expectations of your organisation and appropriate behaviour**

### **Privacy**

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, parents or children, unless there is a risk to someone's safety. We have safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it.

## **RESPONSIBILITIES**

**The Approved Provider and Persons with Management or Control are responsible for:**

- providing leadership for an organisational culture of accountability for child safety which is open to scrutiny and is continuously reviewed and improved
- advising staff of current child protection legislation, and their legal and duty of care obligations (Regulation 84)
- undertaking child safety reviews and developing an action plan in consultation with staff, parents/guardians and children to maintain Child Safe Standards at Acacia Children's Centres
- conducting recruitment and induction processes for staff in line with this policy
- screening contractors, volunteers and students in line with their roles
- ensuring that contractors, volunteers, students, parents/guardians and other visitors to the service are not left with sole supervision of individual children or groups of children
- ensuring that contact is prevented or responding if it has occurred, when the service has been notified of a court order prohibiting an adult from contacting an enrolled child
- ensuring staff, and where appropriate, contractors, volunteers and students undertake appropriate training on child safety, including recognising the signs and symptoms of child abuse, knowing how to respond, and understanding responsibilities and processes for reporting
- ensuring procedures for reporting and responding to suspected child abuse or neglect are promoted across the service and regularly reviewed in partnership with staff and parents/guardians, and where appropriate contractors, volunteers, students and children
- fulfilling legal obligations, including mandatory reporting and duty of care obligations
- 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 Acacia Children's Centres
- maintaining co-operative relationships with appropriate services and/or professionals (including Child FIRST/Orange Door) in the best interests of children and their families
- 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



**Acacia Indochinese Community Support Association  
Inc.**

**ACACIA CHILDREN'S CENTRES**

Reg No: A0039290V

ABN: 76 707 214 671



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- It is strongly recommended that ALL early childhood service staff follow the Four Critical Actions (see attached) as soon as they witness an incident, or form a reasonable belief that a child has, or is at risk of being abused
  - notifying DET within 24 hours of a serious incident occurring at the service
  - notifying DET within 24 hours in writing of becoming aware of a notifiable complaint or allegation regarding the safety, health and/or welfare of a child at the service
  - notifying the Commission for Children and Young People who the nominated head of organisation and maintaining the currency of the information
  - notifying the Commission for Children and Young People within 3 business days of becoming aware of a reportable allegation
  - investigating an allegation (subject to police clearance on criminal matters or matters involving family violence), advising the Commission for Children and Young People who is undertaking the investigation
  - managing the risks to children whilst undertaking the investigation
  - updating the Commission for Children and Young People within 30 calendar days with detailed information about the reportable allegation and any action
  - notifying the Commission for Children and Young People of the investigation findings and any disciplinary action taken (or the reasons no action was taken)
  - maintaining confidentiality at all times (refer to *Privacy and Confidentiality Policy*)
  - reviewing this policy in consultation with staff, volunteers, parents/guardians, and children
  - providing appropriate resources and training to assist staff, contractors, volunteers and students to implement this policy (refer to *Sources*)
  - protecting the rights of children and families, and encouraging their participation in decision-making
  - keeping staff, contractors, parents/guardian, volunteers and students informed of any relevant changes in legislation and practices in relation to this policy
  - ensuring all staff, students, contractors, parents/guardians, volunteers and visitors abide by the *Code of Conduct Policy*
  - ensuring an explicit statement Acacia's commitment to child safety is included in all advertising promotion for the organisation.

**The Nominated Supervisor and Persons in Day-to-Day Charge are responsible for:**

- keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy
- ensuring continuous improvement in the implementation of the Child Safe Standards in promoting an organisational culture of accountability for child safety which is open to scrutiny and is continuously reviewed and improved (refer to *Sources*)
- ensuring the implementation of strategies to prevent child abuse in consultation with the Approved Provider and staff
- providing appropriate resources and training to assist staff, contractors, volunteers and students to implement this policy (refer to *Sources*)
- 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 (refer to
- fulfilling legal obligations, including mandatory reporting and duty of care obligations
- 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 Acacia Children's Centres





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- offering support to the child and their family, and to educators and staff in response to concerns or reports relating to the safety, health and wellbeing of a child at Acacia Children's Centres
  - making all staff aware of this policy, the Code of Conduct Policy and the Interactions with Children Policy and holding them to account for the behavioural expectations identified.
  - implementing and reviewing this policy in consultation with the Approved Provider or Person with Management or Control, educators, staff, contractors and parents/guardians and children
  - planning so that no child is left alone (or is out of sight) with a contractor, volunteer, student, parent/guardian or visitor, at the service.
  - It is strongly recommended that ALL early childhood service staff follow the Four Critical Actions (see attached) as soon as they witness an incident, or form a reasonable belief that a child has, or is at risk of being abused

**All staff are responsible for:**

- keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy
- contributing to an organisational culture of child safety
- identifying the potential for child abuse at Acacia Children's Centres, and developing and implementing effective prevention strategies in consultation with the Approved Provider and Person with Management or Control and the Nominated Supervisor and Person in day to day Charge
- fulfilling their legal responsibilities, including mandatory reporting (refer to *Definitions*) and duty of care obligations
- following processes for responding to and reporting suspected child abuse
- undertaking appropriate training on child protection, including recognising the signs and symptoms of child abuse, knowing how to respond, and understanding responsibilities and processes for reporting
- supporting the maintenance of Child Safe Standards in Acacia Children's Centres in consultation with the Approved Provider and Person with Management or Control and Nominated Supervisor and Person in day to day Charge at the service
- notifying the Nominated Supervisor, Person in day to day Charge, the Approved Provider or the Person with Management or Control immediately on becoming aware of any concerns, complaints or allegations regarding the safety, health and welfare of a child at Acacia Children's Centres
- offering support to the child and their family in response to concerns or reports relating to the safety, health and wellbeing of a child at Acacia Children's Centres
- co-operating with other services and/or professionals (including Child FIRST) in the best interests of children and their families
- informing families of support services available to them (such as Child FIRST), and of the assistance these services can provide
- conducting activities so that no child is left alone (or is out of sight) with a contractor, visitor, volunteer, student or parent/guardian at the service following the Acacia Children's Centres
- processes where the service has been notified of a court order prohibiting an adult from contacting an enrolled child
- maintaining confidentiality at all times (refer to *Privacy and Confidentiality Policy*)
- contributing to a review of this policy in consultation with the Approved Provider, Person with Management or Control, Nominated Supervisor and Person in day to day Charge





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- educating and empowering children to talk about events and situations that make them feel uncomfortable
- ensuring that children at the service are not subjected to any form of corporal punishment, or any discipline that is unreasonable or excessive in the circumstances
- using appropriate resources and undertaking training to assist with the implementation of this policy
- It is strongly recommended that ALL early childhood service staff follow the Four Critical Actions (see attached) as soon as they witness an incident, or form a reasonable belief that a child has, or is at risk of being abused
- abiding by the service's *Code of Conduct Policy* and *Interactions with Children Policy*.

**Parents/guardians are responsible for:**

- reading and complying with this policy
  - reporting any concerns, including in relation to potential child abuse, to the appropriate child protection authorities or the police if immediate police attention is required
- abiding by the service's *Code of Conduct*.

Note: Contactors, volunteers and students, while at the service, are responsible for following this policy and its procedures.

**References:**

Department of Education

- *Belonging, Being & Becoming - The Early Years Learning Framework for Australia* Commonwealth of Australia 2009

Dept. of Education and Services and Training, Dept. family fairness and housing

- *Protecting the Safety and Wellbeing of Children and Young People*, Melbourne, May 2010  
<https://providers.dffh.vic.gov.au/child-safe-standards>

Dept. of Education and Training and Victorian Curriculum and Assessment Authority

- *Victorian Early Years Learning and Development Framework*, 2017

State of Victoria

- *Criminal Act 1958*
- *Children, Youth and Families Act 2005*

Victoria Legal Aid

- *Legal Aspects of Childcare, a Guide for workers in Childcare Centres, Preschools & Parents*, 5<sup>th</sup> Edition, Victoria Legal Aid, 1997 [www.legalaid.vic.gov.au/interventionorders.htm](http://www.legalaid.vic.gov.au/interventionorders.htm)

Commission for Children and Young People (CCYP): <https://ccyp.vic.gov.au/>

National Children's Commissioner: [www.humanrights.gov.au](http://www.humanrights.gov.au)

Victorian Department of Families, Fairness and Housing (DFFH *Responding to Child Abuse*, State of Victoria 2002

**BREACH OF THIS POLICY**

Any educator or staff found to have violated this policy may be subject to disciplinary action.

<b>Version 6</b>	<b>Endorsed By: CoM</b>	<b>Approved Date: 2008</b>	<b>Reviewed: March 2022</b>
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## Attachment 1

# FOUR CRITICAL ACTIONS FOR EARLY CHILDHOOD SERVICES

## Responding to Incidents, Disclosures and Suspicions of Child Abuse

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.

### ACTION 1: RESPONDING TO AN EMERGENCY

If there is no risk of immediate harm go to ACTION 2.

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

- separating alleged victims 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.

### ACTION 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.

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

##### VICTORIA POLICE

You must\* report all instances of suspected 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.acecqa.gov.au/national-quality-agenda-it-system](http://www.acecqa.gov.au/national-quality-agenda-it-system) or by contacting **1300 307 415**.

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



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## 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 had, 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.acecqa.gov.au/national-quality-agenda-it-system](http://www.acecqa.gov.au/national-quality-agenda-it-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.

## ACTION 3: CONTACTING PARENTS/CARERS

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

- **not to contact** the 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 has requested that their parent/carer not 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).

## ACTION 4: PROVIDING ONGOING SUPPORT

Your service should\* take reasonable steps to make a child feel safe and supported whilst they are attending your service.

Your service should also consider providing support for children impacted by abuse. Eg. Referral to wellbeing professionals.

MCH nurses should follow the MCH Service Practice Guidelines to determine appropriate support.

You **must** follow the **Four Critical Actions** every time you become aware of a further instance or risk of abuse. This includes reporting new information to authorities.

\*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 about how these obligations apply to you, see the **Identifying and Responding to All Forms of Abuse in Early Childhood Services**.

^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.



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## ATTACHMENT 2

### Incident Report

#### Responding to suspected child abuse:

##### when to use this

It is strongly recommended that **all\*** early childhood service staff utilise this form to document any suspicion that a child has been, is being, or is at risk of being abused.

If needed, staff should be supported by management to complete this template, and to ensure that they meet their obligations.

This form should be used in conjunction with following the **Four Critical Actions For Early Childhood Services: Responding to Incidents, Disclosures and Suspicions of Child Abuse.**

Completing this form should not impact on reporting times. If a child is in immediate danger staff should immediately contact Victoria Police on 000.

Whilst you may need to gather the information to make a report, remember it is not the role of staff to investigate abuse, leave this to Victoria Police and/or DFFH Child Protection.

##### Why record this information?

When completing this form your aim should be to provide as much information as possible. This information will be critical to any reports and may be sought at a later date if the matter is the subject of Court proceedings. These notes may also later assist you if you are required to provide evidence to support any decisions.

**All incident reports must be stored securely**



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**Responding to an Incident, Disclosure or Suspicion of Child Abuse**

**PLEASE NOTE: IF YOU ARE MAKING A REPORT TO CHILD PROTECTION OR VICTORIA POLICE YOU MUST SEEK ADVICE BEFORE CONTACTING PARENTS/CARERS SO AS NOT TO COMPROMISE ANY INVESTIGATION OR PLACE A CHILD AT FURTHER RISK**

STAFF MEMBER LEADING THE RESPONSE
NAME:
JOB TITLE:
LOCATION ADDRESS):
RELATIONSHIP TO CHILD:

**Critical action 1: immediate response to an incident**

**If anyone is in immediate danger staff should report immediately to Victoria Police on 000.**

See action 1 of Four Critical Actions For Early Childhood: Responding to Incidents, Disclosures and Suspicions of Child Abuse.

RESPONDING TO AN EMERGENCY
DID THE CHILD REQUIRE FIRST AID? PROVIDE DETAILS IF 'YES'.
WHO ADMINISTERED THIS? (NAME AND TITLE)
DID THE CHILD REQUIRE FURTHER IMMEDIATE MEDICAL ASSISTANCE?
CURRENT LOCATION AND SAFETY STATUS: <i>E.G. ARE ALL IMPACTED STUDENTS SAFE AND NOT IN ANY IMMEDIATE DANGER? IF A CHILD IS IN IMMEDIATE DANGER STAFF SHOULD REPORT IMMEDIATELY TO VICTORIA POLICE ON 000</i>



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**Information of the alleged victim**

<b>CHILD'S PERSONAL DETAILS</b>	
NAME:	GENDER:
RELATIONSHIP TO SERVICE: (E.G. 2 DAY, 3 YEAR OLD KINDER)	DATE OF BIRTH:
RESIDENTIAL ADDRESS:	
PARENT/CARER NAME/S AND CONTACT:	PARENT/CARER NAME/S AND CONTACT:
LANGUAGE(S) SPOKEN BY CHILD:	
DISABILITIES, MENTAL OR PHYSICAL HEALTH ISSUES:	
CULTURAL STATUS AND RELIGIOUS BACKGROUND	
PREVIOUS HISTORY OR INDICATORS OF SUSPECTED ABUSE	

<b>FAMILY BACKGROUND</b>
FAMILY COMPOSITION (IF KNOWN): <i>LIST PARENTING OR CARE ARRANGEMENTS AND SIBLING NAMES AND AGES</i>
ANY OTHER PEOPLE LIVING WITH THE CHILD (IF KNOWN):
DISABILITY, MENTAL OR PHYSICAL HEALTH ISSUES IN FAMILY (IF KNOWN):
LIKELY REACTION TO A REPORT BEING MADE (IF KNOWN):





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**Details of the incident, disclosure or suspicion**

**GROUNDINGS 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/CHILDREN ARE SUBJECT TO CHILD ABUSE, OR AT RISK OF ABUSE:

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

ANY PHYSICAL INDICATORS OF ABUSE:

ANY 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:**

**DATE OF BIRTH:**

**GENDER:**

**RELATIONSHIP TO CHILD:**

**ADDRESS:**

**CONTACT DETAILS**



**Critical action 2: reporting**

See Action 2 of Four Critical Actions for Early Childhood Services: Responding to Incidents, Disclosures and Suspicions of Child Abuse

**REPORTING TO AUTHORITIES**

TICK THE AUTHORITIES YOU HAVE REPORTED TO:

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

IF YOU'VE DECIDED NOT TO REPORT, LIST YOUR REASONS HERE. ALSO INCLUDE ANY FOLLOW-UP ACTIONS UNDERTAKEN BY YOU BELOW:

PROVIDE OF YOUR REPORT

DATE:

TIME:

AUTHORITY:

NAME OF PERSON SPOKEN TO:

OUTCOMES FROM THE REPORT:



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REPORTING INTERNALLY	
<b>PROVIDE DETAILS OF YOUR DISCUSSION WITH LICENSEE OR APPROVED PROVIDER</b>	
TIME:	DATE:
NAMES:	
DISCUSSION OUTCOMES:	
NOTIFICATION TO THE REGULATOR (LICENSED AND APPROVED SERVICES): <i>ALL LICENSED AND APPROVED SERVICES MUST NOTIFY THE QUALITY ASSESSMENT AND REGULATION DIVISION IF THERE IS AN INCIDENT AT THE SERVICE AND/OR THE HEALTH, SAFETY OR WELLBEING OF A CIHLD HAS BEEN COMPROMISED WHILST ATTENDING THE SERVICE.</i>	
TIME:	DATE:
NAMES:	
DISCUSSION OUTCOMES:	



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**Critical action 3: contacting parents/carers**

See Action 3 of Four Critical Actions For Early Childhood Services: Responding to Incidents, Disclosures and Suspicions of Child Abuse

<b>ACTIONS TAKEN (ALLEGED VICTIM)</b>
<b>PROVIDE DETAILS OF YOUR DISCUSSION WITH PARENTS/CARERS (IF APPROPRIATE):</b> 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 DHHS CHILD PROTECTION OR VICTORIA POLICE? <input type="checkbox"/> NO <input type="checkbox"/> YES IS IT APPROPRIATE TO CONTACT PARENT/CARER <input type="checkbox"/> NO <input type="checkbox"/> YES LIST 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:



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**CRITICAL ACTION 4: PROVIDING ONGOING SUPPORT**

See Action 4 of Four Critical Actions For Early Childhood Services: Responding to Incidents, Disclosures and Suspicions of Child Abuse

<b>PLANNED ACTIONS</b>
INCLUDE DETAIL ON WHAT FOLLOW-UP ACTIONS HAVE OCCURRED TO SUPPORT THE STUDENT (FOR EXAMPLE, REFERRAL TO SPECIALISED SERVICES):
FOLLOW UP ACTIONS
SUPPORT:
REFERRALS(S):



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### PROCESS OF REVIEW

COMPLETE THIS SECTION BETWEEN 4-6 WEEKS AFTER AN INCIDENT, SUSPICION OR DISCLOSURE OF ABUSE IN CONJUNCTION WITH YOUR MANAGEMENT/APPROVED PROVIDER. THIS WILL SUPPORT YOU AND YOUR SERVICES TO CONTINUE TO PROTECT CHILDREN IN YOUR CARE AND TO REFLECT ON YOUR PROCESSES AND THE NEED FOR ANY FOLLOW-UP ACTION.

### SAFETY AND WELLBEING

CURRENT SAFETY AND WELLBEING OF THE CHILD	
IS THE CHILD SAFE FROM ABUSE AND HARM? <input type="checkbox"/> NO <input type="checkbox"/> YES <i>IF NOT CONSIDER THE NEED TO MAKE A FURTHER REPORT</i>	DOES THE CHILD HAVE ANY WELLBEING ISSUES THAT ARE NOT CURRENTLY BEING ADDRESSED? <input type="checkbox"/> NO <input type="checkbox"/> YES <i>IF SO, CONSIDER HOW THESE CAN BE ADDRESSED AND CAPTURED WITHIN A STUDENT SUPPORT PLAN</i>

CURRENT WELLBEING OF OTHER CHILDREN WHO MAY BE IMPACTED BY THE ABUSE	
ARE THERE ANY OTHER CHILDREN WHO MAY BE IMPACTED BY THE ABUSE? <input type="checkbox"/> NO <input type="checkbox"/> YES	IF SO HAVE THEIR WELLBEING NEEDS BEEN MET <input type="checkbox"/> NO <input type="checkbox"/> 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 ANY SUPPORT? <input type="checkbox"/> NO <input type="checkbox"/> YES	IF SO HAS THIS BEEN RECEIVED? <input type="checkbox"/> NO <input type="checkbox"/> YES

REVIEW OF ACTIONS TAKEN	
<b>HAVE STAFF FOLLOWED THE FOUR CRITICAL ACTIONS FOR EARLY CHILDHOOD SERVICES: RESPONDING TO INCIDENTS, DISCLOSURES OR SUSPICIONS OF CHILD ABUSE?</b>	
WAS AN APPROPRIATE DECISION MADE IN RELATION TO WHEN TO ACT? <input type="checkbox"/> NO <input type="checkbox"/> YES COULD THE SUSPECTED ABUSE HAVE BEEN DETECTED EARLIER? <input type="checkbox"/> NO <input type="checkbox"/> YES <b>ACTION 1</b> DID THE STAFF TAKE APPROPRIATE ACTION IN AN EMERGENCY? <input type="checkbox"/> NO <input type="checkbox"/> YES <b>ACTION 2</b> WAS A REPORT MADE TO THE APPROPRIATE AUTHORITIES AND INTERNALLY? <input type="checkbox"/> NO <input type="checkbox"/> YES WERE SUBSEQUENT REPORTS MADE IF NECESSARY? <input type="checkbox"/> NO <input type="checkbox"/> YES	<b>ACTION 3</b> DID THE SCHOOL CONTACT THE PARENTS/CARERS ASAP? <input type="checkbox"/> NO <input type="checkbox"/> YES HAVE THE PARENTS CONTINUED TO BE ENGAGED IF APPROPRIATE? <input type="checkbox"/> NO <input type="checkbox"/> YES <b>ACTION 4</b> HAS THE SERVICE PROVIDED ADEQUATE ON-GOING SUPPORT FOR THE CHILD? <input type="checkbox"/> NO <input type="checkbox"/> YES HAVE ANY COMPLAINTS BEEN RECEIVED? <input type="checkbox"/> NO <input type="checkbox"/> YES HAVE THE COMPLAINTS BEEN RESOLVED? <input type="checkbox"/> NO <input type="checkbox"/> YES