

Emmerick Street Community Pre-School
15 Emmerick Street, Lilyfield

Policy

Policy Name:	CHILD PROTECTION
Policy Number:	QA 2 010
Quality Area:	2: CHILDREN'S HEALTH AND SAFETY
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1. Background

Child abuse can occur in any community. Child abuse can be any or a combination of the following: physical, domestic violence, neglect, sexual abuse, psychological harm, prenatal.

Emmerick Street Community Preschool recognises its potential role in protecting children from risk of harm within its capacity as a provider of early childhood education. Children may be protected from abuse or risk of harm through appropriate reporting procedures of reportable conduct and/or risk of harm, referring families and children to appropriate support agencies, involving staff in regular professional development on child protection and educating children and community about child protection issues.

2. Aim

Emmerick Street Community Preschool supports the aims and objectives of Child Protection Legislation, and associated provisions, and will implement all necessary measures to ensure a safe and supportive environment, which endeavours to promote the prevention of child abuse and protect children at significant risk or risk of harm.

3. Practices

Emmerick Street Community Preschool will:

- Complete all legislative working with children employment screening prior to staff commencing work at the preschool;
- Ensure that Individuals or groups of children are not permitted to be withdrawn into areas where they are not visible by other staff members, or taken into rooms that can be locked;
- Ensure that staff remain readily accessible and within the sight or sound of other staff while with the children;
- Ensure that students and volunteers are never alone with children in a direct, un-supervised capacity;
- Ensure that while there is a child on the premises of a service, there is to be a minimum of 2 staff on the premises. It is the responsibility of the Teaching Director to ensure that rosters meet this requirement and it is the responsibility of all staff to ensure this requirement is upheld;
- Ensure that in the event that a child requires bathing whilst at the preschool, two staff members are visibly present during this procedure;
- Promote staff awareness of their own level of tolerance and stress factors and encourage them to acknowledge challenging situations/behaviours and seek assistance from other staff;
- Ensure that team members offer assistance and support to staff during challenging or difficult situations;
- Provide ongoing training and professional development opportunities related to child protection;
- Monitor staff compliance and awareness of the preschool's child protection policy and procedure;

- Ensure that any child related self employed visitors to the preschool provide a copy of their Certificate for self employed people to the service prior to their visit, effective from 1st May 2010; and
- Report all cases of suspected child abuse which meet the significant risk of harm threshold.

3.1. Defining significant risk of harm

A child or young person is at risk of significant harm if the circumstances that are causing concern for the safety, welfare, or wellbeing of the child or young person are present to a significant extent.

This means it is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent.

Something that is significant is not minor or trivial, it may reasonably be expected to produce a substantial and adverse impact on the child or young person's safety, welfare or wellbeing, and it can result from a single act or omission or an accumulation of this.

3.2. Making a report

If a staff member suspects on reasonable grounds that a child or young person may be at risk of significant harm, staff members will:

- Discuss their concerns with the Teaching Director. Discussion and sharing of information is strictly on a "need to know" basis and
- Access the online mandatory reporters guide at, at <https://reporter.childstory.nsw.gov.au> to assess whether a child is at risk of significant harm.

If the mandatory reporters guide identifies that staff concerns are reportable, the Teaching Director will:

- Print out a copy of the final decision report, and save it for preschool records;
- Make a report to the mandatory reporter's line on 133627 within 24 hours;
- Document the hotlines advice and record the reference number supplied by the hotline; and
- If preschool staff are not satisfied that the Teaching Director has made a report, and they still suspect a child is at risk of significant harm then they must make a report to the mandatory reporters line.

If the mandatory reporters guide identifies that the child is not at risk of significant harm, and staff still have concerns for the child's safety and wellbeing, the Teaching Director will:

- Print out a copy of the final decision report and save it for centre records;
- Discuss concerns with relevant staff; and
- Contact the Child Protection Helpline 132 111 (24/7) for further advice and clarification.

If the child protection hotline identifies that the child is not at risk of significant harm, and that the family may benefit from support from agencies, the Teaching Director will:

- Contact the mandatory reporters guide at ChildStory
<https://reporter.childstory.nsw.gov.au>
- Contact the Child Protection Helpline 132 111 support line appropriate strategies for addressing concerns with family members;
- Access HSNet at, www.hsnet.nsw.gov.au, or Families NSW for information regarding suitable referral services;
- Access referral services for advice and support on how to approach and discuss concerns with family members; and
- Refer the family directly to a support service.

3.3. Sharing information with prescribed bodies

Chapter 16A of the Children and Young Persons (Care and Protection) Act 1998 (the Act) allows government agencies and non government agencies who are “prescribed bodies” to exchange information that relates to a child or young person’s safety, welfare or wellbeing, whether or not the child or young person is known to Community Services and whether or not the child consents to the information exchange.

Prescribed bodies under the legislation are:

- NSW Police Force;
- NSW government department or public authority;
- Government school or a registered non-government school or a TAFE;
- Public health organisation or a private hospital;
- Private fostering agency or a private adoption agency ;
- Designated agency which is a department of the Public Service or an organisation that arranges out of home care;
- Agencies that conduct residential child care or a child care service under the 1987 Act;
- Any other organisations that have direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children’s services, residential services, or law enforcement, wholly or partly to children;
- The Family Court of Australia (for the purposes of section 248 but not Chapter 16A);
- Centrelink (for the purposes of section 248 but not Chapter 16A); and
- The Commonwealth Department of Immigration and Multicultural and Aboriginal Affairs (for the purposes of section 248 but not Chapter 16A).

If Emmerick Street Community Preschool receives a request for information, the Nominated Supervisor will:

- Confirm the person’s identity by contacting the agency before providing the information;

- Request that agencies make their request in writing and provides the following information:
 - Identifies the child;
 - Explains how the information relates to the safety, welfare or wellbeing of the child;
 - Explains why the information will assist to make a decision, assessment or plan, or to initiate or conduct an investigation, or to provide any service, or to manage any risk to the child;
 - Provides sufficient detail to assist the centre to understand the purpose of the request and to locate the relevant information in an efficient manner;
 - Provides background information relevant to the request, including whether or not the agency has informed a child's parent or guardian that the information has been sought and if not, why not; and
 - Indication of a realistic time frame for the centre to provide the information.
- Ensure that the information requested relates to a child's safety, welfare or wellbeing;
- Identify whether the information requested can be used to make a decision, assessment or plan; initiate or conduct an investigation; provide a service or manage a risk in relation to the safety, welfare or wellbeing of a child or a class of children;
- Identify whether or not to inform the parent or guardian that a request for information has been made;
- Document all conversations and information that is shared with the agency; and
- File all information in a locked filing cabinet separate to the child's file.

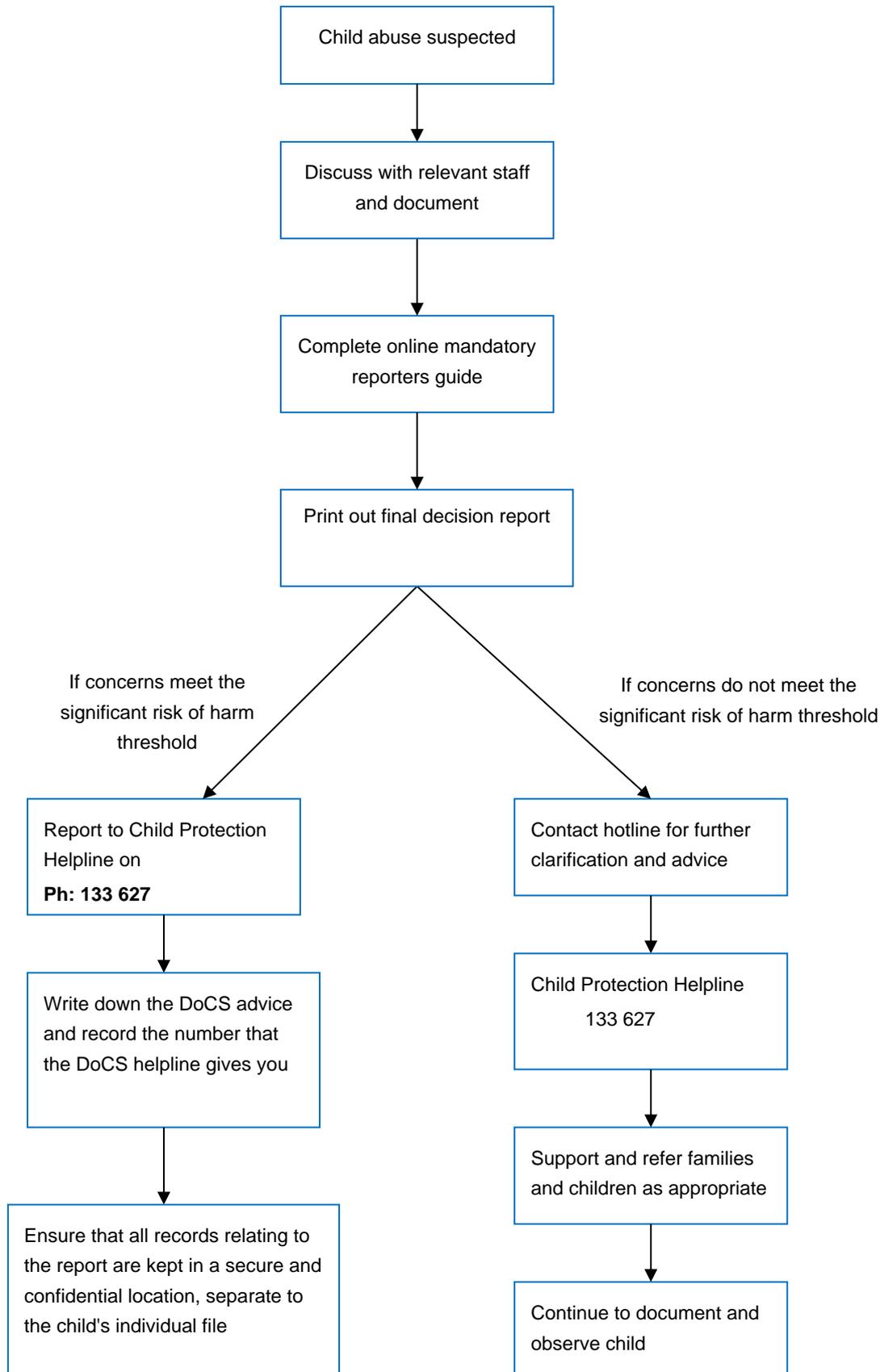
If Emmerick Street Community Preschool makes a request under the Act, the Nominated Supervisor will:

- Ensure that the information requested relates to a child's safety, welfare or wellbeing;
- Identify whether to inform that parent/guardian whether a request for information is being made;
- Put all requests in writing. Written requests will:
 - Identify the child;
 - Explain how the information relates to the safety, welfare or wellbeing of the child;
 - Explain why the information will assist to make a decision, assessment or plan, or to initiate or conduct an investigation, or to provide any service, or to manage any risk to the child;
 - Provide sufficient detail to assist the other agency to understand the purpose of the request and to locate the relevant information in an efficient manner;
 - Provide background information relevant to the request, including whether or not the agency has informed a child, or parent that the information has been sought and if not, why not; and
 - Indicate a realistic time frame for the agency to provide the information.

Emmerick Street Preschool will document suspected cases of child abuse in the following manner:

- Record observations on a piece a paper and label it Child Protection Observation;
- The Child Protection Observation must be completed thoroughly and in a professional manner and must include all telephone and personal conversations that staff have about the case with parents, Community Services, or the Child Protection Hotline. Staff must record the date and time of conversations, who they were with and what was discussed. Staff should print their full name and sign at the end of each entry;
- When staff make and record observations they should:
 - Make sure their comments are clear, decisive and factual;
 - Use their senses and record what they see, hear, smell not what they think; and
 - Never ask questions or examine a child or try to investigate the matter themselves. The wrong questions by the wrong people may mean that the information needed to protect the child is not received. It is Human Services responsibility to investigate suspected reportable conduct. It is not the job of preschool staff.
- If a report is made, and an officer from the Human Services visits the preschool to see the child, centre staff must:
 - Sight the identification details of the officer;
 - Arrange for an interview to take place discreetly;
 - Ensure that a staff member, who the child feels comfortable with is preset during the interview; and
 - Ensure that they do not actively participate in the interview but instead act as a support to the child.
- Gather all relevant information to help with the report to Human Services. Helpful information includes:
 - The name, date of birth, address, and phone number of the child/ren you are concerned about;
 - The full name (including any know aliases), approximate age, address, and phone numbers of the parents/carers;
 - A description of the child and his or her current whereabouts;
 - Why the child is suspected of being at risk of harm (what have you seen heard or been told);
 - Whether a language or sign interpreter may be required; and
 - Contact details of the staff member reporting risk of harm.

The flowchart for making a report at Emmerick Street Community Preschool is as follows:



If a child discloses* that he or she is at risk of harm, staff at Emmerick Street Preschool should:

(*A purposeful disclosure is when a child tells you that he or she has been subjected to harm or a situation that puts them at significant risk of harm).

- Show appropriate, open body language;
- Not act shocked or disgusted;
- Tell the child that they believe the child and that the child has done the right thing in coming forward;
- Tell the child that he or she has not done anything wrong;
- Tell the child that they are pleased that they were told;
- Let the child know that they will need to tell other people in order to help the child; and
- Explain to the child what the next step will be.

Staff should not:

- Ask leading questions e.g. what happened next? Did they hurt you?
- Ask inappropriate questions;
- Say anything judgemental about the perpetrator; and
- Make promises that that they cannot keep;

Staff protection if they make a report to Human Services

The Children and Young Persons (Care and Protection) Act 1998 protects any person who makes a report in good faith to Community Services. Although staff must identify themselves to Human Services when they make a report their identity remains confidential. No one is allowed to identify a person who makes a report to anyone else unless the reporter gives permission or a court order requires the disclosure. The legislation also protects staff in the following circumstances:

- Making a report is not a breach of professional ethics or confidentiality;
- No liability for defamation can be incurred because of a report;
- The report is not admissible in any proceedings as evidence against the person who made the report; and
- A person cannot be compelled in any proceedings to provide the report or give evidence of any of its contents.

4. Staff training and professional development

On induction, staff will be informed of, read and discuss the Preschool's Child Protection Policy with the Nominated Supervisor. Staff members will be encouraged to ask questions of concern and demonstrate that have a thorough knowledge of the Preschool's Child Protection Policy, their individual responsibility and relevant Legislation.

Staff will be provided with journal articles, internet access, in-service training opportunities, and a wide range of information related to child protection as a means of extending their professional development and knowledge of issues on child protection.

Emmerick Street Community Preschool Approved Providers are required to:

- Report to the NSW Ombudsman within 30 days of becoming aware of any allegations or convictions of reportable conduct made against employees; and
- Conduct investigations into reportable conduct of allegations or convictions and take appropriate action as a result.

5. Relevant legislation

The Child Protection (Prohibited Employment) Act 1998.

This act prohibits persons with convictions of serious sexual offences from working in child-related employment, where that employment primarily involves direct, unsupervised contact with children.

As an employer, Emmerick Street Community Pre-school needs to establish that its staff are not "prohibited" persons, as defined by the Act, and must not employ a person who is a prohibited person. Emmerick Street Community Pre-school does this by asking prospective employees to complete a Working with Children Check. Students and volunteers will also be required to complete said form.

The Commissioner for Children and Young People Act 1998

This act was established by the NSW Commission for Children and Young People and mandates the employment screening of preferred applicants for child related employment. Emmerick Street Community Pre-school complies with this act by:

- Asking people to complete employment screening forms before employing them;
- Notifying the NSW Commission of relevant disciplinary proceedings taken as a result of an allegation/conviction of abuse by an employee;
- Notifying the NSW Commission of applications who have not been offered child-related employment as a result of assessment by an approved screening agency; and
- Securely retaining records.

The Children and Young Persons (Care and Protection) Act 1998

This Act outlines the responsibilities of the Department of Community Services in child protection. As part of this responsibility, the Department receives and assesses reports of reportable conduct and acts to maintain the safety of children and young people.

Emmerick Street Community Pre-school ensures that staff are aware of their mandatory reporting obligation to report to the Human Services when a child or young person is considered to be at "risk of harm", and ensure that policies, procedures and practices are in line with the Act in relation to child protection.

The role of staff is to ensure that their practice is in line with principles of the Act and to report concerns that a child or young person is "at risk of harm".

The Ombudsman Amendment (Child Protection and Community Service) Act 1988

This Act ensures that Government and some non-government agencies are aware of their reporting obligations under the Act.

It requires the NSW Ombudsman to:

- Scrutinise systems used for prevention of reportable conduct;
- Monitor investigations into reportable conduct; and
- Investigate a complaint about an agency's inappropriate handling of a response to an allegation of reportable conduct.

The Children Legislation Amendment (Wood Inquiry Recommendations) Act 2009 No13

This legislation raises the reporting threshold from "risk of harm" to "significant risk of harm". It also removes criminal penalties for not reporting, and sets up an alternate reporting process, which includes Child Wellbeing units, and the referral and support to families and children who do not meet the significant risk of harm threshold by services.

6. Emmerick Street Community Preschool are required to be aware of:

6.1. Possible signs of neglect

Signs in children:

- Low weight for age and/or failure to thrive and develop;
- Untreated physical problems e.g. sores, serious nappy rash and urine scalds, significant dental decay;
- Poor standards of hygiene i.e. child consistently unwashed;
- Poor complexion and hair texture;
- Child not adequately supervised for his or her age;
- Scavenging or stealing food and focus on basic survival;
- Extended stays at school, public places, other homes;
- Longs for or indiscriminately seeks adult affection;
- Rocking, sucking, head-banging; and
- Poor school attendance.

Signs in parents or caregivers:

- Unable or unwilling to provide adequate food, shelter, clothing, medical attention, safe home conditions;
- Leaving the child without appropriate supervision;
- Abandons the child;
- Withholding physical contact or stimulation for prolonged periods;
- Unable or unwilling to provide psychological nurturing;

- Has limited understanding of the child's needs; and
- Has unrealistic expectations of the child.

6.2. Possible signs of physical abuse

Signs in children:

- Bruising to face, head or neck, other bruising and marks which may show the shape of the object that caused it e.g. belt buckle, hand print;
- Lacerations and welts;
- Drowsiness, vomiting, fits or pooling of blood in the eyes, which may suggest head injury;
- Adult bite marks and scratches;
- Fractures of bones, especially in children under three years old;
- Dislocations, sprains, twisting;
- Burns and scalds (including cigarette burns);
- Multiple injuries or bruises;
- Explanation of injury offered by the child is not consistent with the injury;
- Abdominal pain caused by ruptured internal organs, without a history of major trauma;
- Swallowing of poisonous substances, alcohol or other harmful drugs; and
- General indicators of female genital mutilation e.g. having a 'special operation'.

Signs in parents and caregivers:

- Frequent visits with their child or children to health or other services with unexplained or suspicious injuries, swallowing of non-food substances or with internal complaints;
- Explanation of injury offered by the parent is not consistent with the injury;
- Family history of violence;
- History of their own maltreatment as a child;
- Fears injuring their child; and
- Uses excessive discipline.

6.3. Possible signs of sexual abuse

Signs in children:

- Bruising or bleeding in the genital area;
- Sexually transmitted diseases;
- Bruising to breasts, buttocks, lower abdomen or thighs;
- Child or child's friend telling you about it, directly or indirectly;
- Describing sexual acts;
- Sexual knowledge or behaviour inappropriate for the child's age;
- Going to bed fully clothed;

- Regressive behaviour e.g. sudden return to bed-wetting or soiling;
- Self-destructive behaviour e.g. drug dependency, suicide attempts, self-mutilation;
- Child being in contact with a known or suspected paedophile;
- Anorexia or over-eating;
- Unexplained accumulation of money and gifts;
- Persistent running away from home; and
- Risk taking behaviours - self harm, suicide attempts.

Signs in parents or caregivers:

- Exposing a child to prostitution or pornography or using a child for pornographic purposes;
- Intentional exposure of a child to sexual behaviour of others;
- Previous conviction or suspicion of child sexual abuse;
- Coercing a child to engage in sexual behaviour with other children; and
- Verbal threats of sexual abuse.

6.4. Possible signs of psychological abuse :

All types of abuse and neglect harm children psychologically, but the term 'psychological harm' or 'emotional abuse' applies to behaviour which damages the confidence and self esteem of a child or young person, resulting in serious emotional deprivation or trauma.

Signs in children:

- Constant feelings of worthlessness about life and themselves;
- Unable to value others;
- Lack of trust in people;
- Lack of people skills necessary for daily functioning;
- Extreme attention-seeking behaviour;
- Is obsessively eager to please or obey adults;
- Takes extreme risks, is markedly disruptive, bullying or aggressive;
- Is highly self critical, depressed or anxious;
- Suicide threats or attempts; and
- Persistent running away from home.

Signs in parents or caregivers:

- Constant criticism, belittling, teasing of a child, or ignoring or withholding praise and attention;
- Excessive or unreasonable demands;
- Persistent hostility and severe verbal abuse, rejection and 'scapegoating';
- Belief that a particular child is bad or 'evil';

- Using inappropriate physical or social isolation as punishment; and
- Domestic violence.

6.5. Possible signs of domestic violence:

Signs in children:

- Show aggressive behaviour;
- Develop phobias & insomnia;
- Experience anxiety;
- Show signs of depression;
- Have diminished self esteem;
- Demonstrate poor academic performance and problem solving skills;
- Have reduced social competence skills including low levels of empathy;
- Show emotional distress; and
- Have physical complaints.

Relevant Legislation

Children (Education and Care Services National Application) Act 2012 104; Children's Education and Care Services National Regulations 2011; The Child Protection (Prohibited Employment) Act 1998; The Commissioner for Children and Young People Act 1998; The Children and Young Person (Care and Protection) Act 1998; The Ombudsman Amendment (Child Protection and Community Service) Act, 1988; The Children Legislation Amendment (Wood Inquiry Recommendations) Act 2009 No13.

Source:

The Department of Community Services Protecting Children, What is Child Abuse, Possible signs of abuse, How do I Report Suspected Abuse or Neglect, and Mandatory Reporters information fact sheets, 2007 www.community.nsw.gov.au; Campbelltown City Council Procedure Document Children Services 2005;