**CHILDRENS SERVICES POLICY CS-0021.A**

**KEEPING CHILDREN SAFE**

<table>
<thead>
<tr>
<th>Rationale</th>
<th>Every member of our learning community has the right to be safe and treated respectfully.</th>
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<td>Aim</td>
<td>Campus Experience Early Childhood Centres will ensure that all children, families and staff who access our Centers will be kept safe from harm or the risk of serious harm as defined by the Australian Government through ‘Keep Them Safe’ and the ‘Children and Young Persons (Care and Protection) Act 1998-Section 23’. We will meet our legal responsibilities in regards to Child protection for all members of our learning communities in a manner that reflects our Centres’ philosophies.</td>
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<td>Scope</td>
<td>All of Campus Experiences Children’s Services</td>
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<td>Definitions</td>
<td>For the purpose of this policy:</td>
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<td>1) if current concerns exist for the safety, welfare or well-being of the child or young person because of the presence, to a significant extent, of any one or more of the following circumstances:</td>
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<td>(a) the child’s or young person’s basic physical or psychological needs are not being met or are at risk of not being met,</td>
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<td>(b) the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive necessary medical care,</td>
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<td>(b1) in the case of a child or young person who is required to attend school in accordance with the Education Act 1990 -the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education in accordance with that Act,</td>
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<td>(c) the child or young person has been, or is at risk of being, physically or sexually abused or ill-treated,</td>
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<td>(d) the child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm,</td>
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<td>(e) a parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered or is at risk of suffering serious psychological harm,</td>
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<td>(f) the child was the subject of a pre-natal report under section 25 and the birth mother of the child did not engage successfully with</td>
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support services to eliminate, or minimise to the lowest level reasonably practical, the risk factors that gave rise to the report. **Note:** Physical or sexual abuse may include an assault and can exist despite the fact that consent has been given.

(2) Any such circumstances may relate to a single act or omission or to a series of acts or omissions.

- The **definition of ‘significant harm’** according to NSW government through ‘Keep Them Safe’ (2010) is:
  
  “… Something which is sufficiently serious to warrant a response by a statutory authority irrespective of a family’s consent. What is significant is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse effect on the child or young person’s safety, welfare or wellbeing. In the case of an unborn child, what is significant is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse effect on the child after the child’s birth. “Significance” can result from a single act or omission or an accumulation of acts or omissions.”


According to the Keep them Safe’s Mandatory Reporters Guide, the following definitions apply:

- The governmental guidelines for reporting a child at risk of **significant harm for physical abuse** is:
  
  o You see that a child/young person has an injury ranging from a bruise, cut or burn, to a severe injury, including genital mutilation; OR
  o You suspect that a child/young person has an injury even if you cannot see it. For example:

    - The child/young person tells you he/she has an injury that you are unable to see because it is covered by clothing;
    - The child/young person is acting as if he/she may have injuries to joints, bones or muscles such as limping, holding an arm or leg in an awkward position; or, not bearing weight;
    - The child/young person is acting as if he/she may have internal injuries such as being in pain, vomiting, growing pale or losing consciousness;
    - The child/young person is acting as if he/she may have head injuries such as losing consciousness, blurred vision or stopped breathing;
    - The child/young person is acting as if he/she may have experienced genital mutilation, such as being reluctant to be involved in sports/activities he/she previously enjoyed, has difficulty toileting or difficulty
with menstruation.

And
- The injury is current. Include injuries that are present at this time, including any bruises regardless of colour.

- The governmental guidelines for reporting a child at risk of significant harm for neglect is:
  - A child/young person has been or is going to be alone.
  - A parent/carer is not paying enough attention to protect child/young person.
  - A child/young person is a danger to self or others and parent/carer is not providing supervision. A child/young person or family is homeless.
  - A child/young person is living in a dangerous environment.
  - A child/young person is refusing to stay in an available safe place.
  - A child/young person is not receiving appropriate nutrition.
  - A child/young person has an untreated/inappropriately treated medical condition.
  - A child/young person has an untreated/inappropriately treated mental health condition.
  - A child/young person is a danger to self or others and parent/carer is not providing intervention.
  - A child/young person of compulsory school age is not enrolled.
  - A child/young person of compulsory school age is habitually absent.

- The governmental guidelines for reporting a child at risk of significant harm for sexual abuse is:
  - For a Child: The reported victim or potential victim is under age 16.
  - For a Young Person: The reported victim or potential victim is age 16 or 17.
  - You are concerned that a child/young person has initiated sexually abusive behaviour.

- The governmental guidelines for reporting a concern about a child's carer:
  - Use this when a child/young person discloses significant substance use by a parent/carer.
  - You observe a parent/carer to be significantly impaired by substance use.
  - Inappropriate parent/carer substance use is reported to you by a third party.
  - A child is born and there is evidence that the child was
exposed to alcohol or drugs.
  - A child/young person discloses significant parent/carer mental health concerns.
  - You observe a parent/carer to be significantly impaired by mental health concerns.
  - Parent/carer mental health concerns are reported to you by a third party.
  - You are aware of an incident of domestic violence (observed by you or reported to you) that did not result in injury to a child/young person or psychological harm to a child/young person.
  - You suspect domestic violence based on observations of extreme power/control dynamics (e.g., extreme isolation) or threats of harm to adults in household

- The governmental guidelines for reporting a risk of significant harm for an unborn child is:
  - You have information (which may be gathered in consultation with CWU and/or CS as well as from the parent or third party) that:
    - The expectant mother or another adult who will be living with the baby after birth has previous abuse or neglect reports in which he/she is the perpetrator. The victim may be any child, regardless of whether that child is part of the current household.
    - The expectant mother or another adult who will be living with the baby after birth has previously had a child removed from his/her care by CS.
    - The expectant mother or another adult who will be living with the baby after birth has been involved in a child death that was reviewed by the Ombudsman.

Retrieved from:

- A parent is someone who has legal responsibility for a child. This may
be a natural parent (through birth) or a legal guardian (legally appointed) but does not include a parent who is prohibited by a court order from having contact with the child.

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<th>Key Strategies</th>
<th>Mandatory Reporting:</th>
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<td>• Ensure staff understand their responsibilities as Mandatory Reporters: ‘All early childhood staff must report cases of suspected Risk of Significant Harm to the Community Services Child Protection Helpline. Before doing so, staff must have completed the Mandatory Reporter Guide’ (KTS Training for the Early Childhood Sector, 2009 p5) and that as mandatory reporters their reports are confidential but their identity may be made known to law enforcement agencies ‘if this is needed in connection with the investigation of a serious offence against a child or young person’. (NSW Government 2009, Child Well Being &amp; Child Protection: NSW interagency Guidelines Fact Sheet)</td>
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If you suspect a child is at risk of significant harm according to the definition above:
• Complete an Mandatory Reporters Guide found on the Keep Them Safe website:

• Follow the recommendations on provided by the Mandatory Reporters Guide

If a child discloses risk or significant harm according to the government’s definitions follow the advice provided on the Keep Them Safe Website:


• You should respond to a disclosure by being calm and listening carefully and non-judgmentally. Let the child tell their story freely and in their own way. Acknowledge how difficult it may have been to disclose and reassure the child or young person that it was the right thing to do.
• The role of the person hearing the disclosure is not to interview or gather evidence. This is the responsibility of specially trained Community Services caseworkers and/or police officers.
• Immediately after the disclosure write down and date the comments and statements made by the child using their exact words. Record any observations about the child’s mood or demeanor. Communicate this information to the Child Protection Helpline or the Child Wellbeing Unit to assist in the assessment and investigation process.

If a Parent discloses risk or significant harm according to the government’s definitions follow the advice provided on the Keep Them Safe Website:


• It is important to suspend personal judgment about the parent. Do not either minimise or exaggerate their behaviour or attitudes. It is
also important not to ignore the role of the parent or carer who has failed to protect their child or young person, or to prematurely regard them as an innocent party or a minimally responsible party.

- The reporter’s focus should remain on how the child/young person is experiencing the parental or carer behaviours, their particular vulnerabilities and any risk of significant harm. The obligation to report current concerns exists regardless of a parent’s remorse or their stated intention to seek help.

If a Staff member is accused of placing a child at risk of significant harm:

- Make a report to the licensee, The Human Resources Department, the NSW Ombudsman, Family and Community Services, and, if necessary, the Police
- Follow the recommendations made by the above bodies in regards to the accused person’s future employment.

Evaluation

This policy will be used and evaluated by all Community members of Campus Experience Children’s Centres

NQS Reference

Standard 2.3

References

Children and Young Persons (Care and Protection) Act 1998- Section 23


http://www.keepthemsafe.nsw.gov.au/reporting_concerns/significant_harm_policy_definition

Date Approved 17th July 2012

Signature

Approval Authority CEO of U@MQ Limited

Date of Commencement 17th July 2012

Amendment Dates N/A
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<th>17th July 2013</th>
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<td>Related Policies, Work</td>
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<td>Instructions, Forms or</td>
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