

CHILD PROTECTION POLICY



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| Related Quality Area | QA2: Children’s Health and Safety |
| Related Policies | Interactions with Children, Family and Staff Policy Privacy and Confidentiality Policy Respect for Children Policy Responsible Person Policy Staffing Arrangements Policy Student and Volunteer Workers Policy Supervision Policy |

PURPOSE

The Nightcliff Family Centre (the Centre) will ensure all employees and volunteers understand the meaning, importance and benefits of providing a child safe environment and critically, understand their obligations and requirements as Mandatory Reporters.

At all times, management, staff and volunteers will treat children with the utmost respect and understanding. Our Centre believes that:

- Children are capable of the same range of emotions as adults
- Children’s emotions are real and need to be accepted by adults
- A reaction given to a child from an adult in a child’s early stages of emotional development can be positive or detrimental depending on the adult’s behaviour
- Children who enhance their understanding of their body’s response to a situation are more able to predict the outcome and ask for help or evade a negative situation.

All Educators, staff and volunteers are committed to identifying possible risk and significant risk of harm to children and young people at the Centre. We comprehend our duty of care responsibilities to protect children from all types of abuse and neglect and will adhere to our moral and legislative obligations at all times.

We aim to implement effective strategies to assist in ensuring the safety and wellbeing of all children. Our Centre will act in the best interest of each child, assisting them to develop to their full potential in a secure and child safe environment.

SCOPE

This policy applies to management, staff, families, visitors and children of the Centre.

NORTHERN TERRITORY SPECIFICATIONS

In the Northern Territory under the *Care and Protection of Children Act 2007* (NT) a child is a person under 18 years of age. Child abuse refers to significant harm or injury to a child that is not caused by an accident. Harm can be one or more of the following:

- Physical harm

- Sexual harm
- Emotional harm
- Neglect
- Exposing a child to violence

Territory Families is responsible for overseeing and upholding child protection in the Northern Territory. The acts that help govern and guide the process of child protection in the Northern Territory include:

- *Child Protection (Offender Registration and Reporting) Act 2016*
- *Care and Protection of Children Act 2007*

Mandatory Reporting requirements are outlined in the *Care and Protection of Children Act 2007* which impose a legal responsibility on **EVERY PERSON** in the Northern Territory to report child abuse and neglect and cases where children have been or are likely to be a victim of sexual offence.

A person should report their concern if they believe on reasonable grounds a child has been harmed or is likely to be harmed.

Persons reporting are safeguarded under the law from legal or professional liability, if the report has been made in good faith.

Working with children clearance- OCHRE Card

All people working or volunteering in early childhood education and care services must hold a working with children clearance, also called an Ochre Card.

| REPORTING AUTHORITY | CONTACT DETAILS |
|---------------------|--|
| Territory Families | Child Protection Hotline Ph. 1800 700 250 (24hours) Crime Stoppers 1800 333 000 |

WHAT IS CHILD ABUSE?

Child abuse is any action towards a child or young person that harms or puts at risk their physical, psychological or emotional health or development. Child abuse can be a single incident or can be a number of different incidents that take place over time.

DEFINITIONS

Maltreatment refers to non-accidental behaviour towards another person, which is outside the norms of conduct and entails a substantial risk of causing physical or emotional harm. Behaviours may be intentional or unintentional and include acts of omission and commission. Specifically abuse refers to acts of commission and neglects acts of omission. Note that in practice, the terms child abuse and child neglect are used more frequently than the term child maltreatment.

Risk of Significant Harm (ROSH) refers to circumstances causing concern for the safety, welfare and wellbeing a child or young person present to a significant extent. This means it is sufficiently serious to warrant a response by a statutory authority irrespective of the family's consent.

What is significant is not minor or trivial, and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child's 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 impact on the child.

Reasonable grounds refer to the need to have an objective basis for suspecting that a child may be at risk of abuse and neglect based on:

- First hand observation of the child or family
- What the child, parent or other person has disclosed
- What can reasonably be indirect based on observation, professional training and/ or experience

Mandatory reporting is the legislative requirement for selected classes of people to report suspected child abuse and neglect to government authorities. ([see above for detailed information about the requirement in the NT](#)).

All staff have a responsibility to recognise and respond to concerns for safety, welfare and the wellbeing of children and young people, and to report these concerns to management.

INDICATORS OF ABUSE

There are common physical and behavioural signs that may indicate abuse or neglect. The presence of one of these signs does not necessarily mean abuse or neglect. Behavioural or physical signs which assist in recognising harm to children are known as indicators. The following is a guide only. One indicator on its own may not imply abuse or neglect. However, a single indicator can be as important as the presence of several indicators. Each indicator needs to be deliberated in the perspective of other indicators and the child's circumstances. A child's behaviour is likely to be affected if he/she is under stress. There can be many causes of stress and it is important to find out specifically what is causing the stress. Abuse and neglect can be single incidents or ongoing, and may be intentional or unintentional.

General indicators of abuse and neglect may include:

- Marked delay between injury and seeking medical assistance
- History of injury
- The child gives some indication that the injury did not occur as stated
- The child tells you someone has hurt him/her
- The child tells you about someone he/she knows who has been hurt
- Someone (relative, friend, acquaintance, and sibling) tells you that the child may have been abused.

NEGLECT

Child neglect is the continuous failure by a parent or caregiver to provide a child with the basic requirements needed for their growth and development, such as food, clothing, shelter, medical and dental care, and adequate supervision. Some examples are:

- Inability to respond emotionally to the child
- Child abandonment
- Depriving or withholding physical contact
- Failure to provide psychological nurturing
- Treating one child differently to the others

Indicators of Neglect in children

- Poor standard of hygiene leading to social isolation
- Scavenging or stealing food
- Extreme longing for adult affection
- Lacking a sense of genuine interaction with others

- Acute separation anxiety
- Self-comforting behaviours, e.g. rocking, sucking
- Delay in development milestones
- Untreated physical problems

PHYSICAL ABUSE

Physical abuse is when a child has suffered, or is at risk of suffering, non-accidental trauma or injury, caused by a parent, caregiver or other person. Educators will be particularly aware of looking for possible physical abuse if parents or caregivers:

- Make direct admissions about fear of hurting their children
- Have a family history of violence
- Have a history of their own maltreatment as a child
- Make repeated visits for medical assistance

Indicators of Physical Abuse

- Facial, head and neck bruising
- Lacerations and welts
- Explanations are not consistent with injury
- Bruising or marks that may show the shape of an object
- Bite marks or scratches
- Multiple injuries or bruises
- Ingestion of poisonous substances, alcohol or drugs
- Sprains, twists, dislocations
- Bone fractures
- Burns and scalds

PSYCHOLOGICAL ABUSE

Psychological harm occurs where the behaviour of the parent or caregiver damages the confidence and self-esteem of the child, resulting in serious emotional deficiency or trauma. In general, it is the frequency and duration of this behaviour that causes harm. Some examples are:

- Constant or excessive criticism, condescending, teasing of a child or ignoring or withholding admiration and affection
- Excessive or unreasonable demands
- Persistent hostility, severe verbal abuse, and rejection
- Belief that a specific child is bad or 'evil'
- Using inappropriate physical or social isolation as punishment
- Exposure to domestic violence
- Intimidating or threatening behaviour.

Indicators of psychological abuse

- Feeling of worthlessness about them
- Inability to value others
- Lack of trust in people and expectations
- Lack of 'people skills' necessary for daily functioning
- Extreme attention seeking behaviours
- Extremely eager to please or obey adults
- May take extreme risks, is markedly disruptive, bullying, or aggressive
- Other behavioural disorders (disruptiveness, aggressiveness, bullying)
- Suicide threats (in young people)
- Running away from home.

SEXUAL ABUSE

Sexual abuse is when someone involves a child in a sexual activity by using their authority over them or takes advantage of their trust. Children are often bribed or threatened physically and psychologically to make them participate in the activity. Sexual abuse includes:

- Exposing the child to the sexual behaviours of others
- Coercing the child to engage in sexual behaviour with other children or adults
- Verbal threats of sexual abuse
- Exposing the child to pornography

Indicators of Sexual Abuse

- The child describes sexual acts
- Direct or indirect disclosures
- Age inappropriate behaviour and/or persistent sexual behaviour
- Self-destructive behaviour
- Regression in developmental achievements
- Child being in contact with a suspected or known perpetrator of sexual assault
- Bleeding from the vagina or anus
- Injuries such as tears to the genitalia

DOMESTIC VIOLENCE

Domestic violence involves violent, abusive or intimidating behaviour carried out by an adult against a partner or former partner to control and dominate that person.

Domestic violence causes fear, physical, and/or psychological harm. It is most often violent, abusive, or intimidating behaviour by a man against a woman, but can also be these behaviours by a woman against a man. Living with domestic violence has a profound effect upon children and young people and therefore constitutes a form of child abuse. (*The NSW Domestic and Family Violence Action Plan, June 2010*)

Indicators of Domestic Violence

The child may:

- Demonstrate 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 skills including low levels of empathy
- Show emotional distress
- Have physical complaints

IMPLEMENTATION

Our Centre strongly opposes any type of abuse against a child and endorses high quality practices in relation to protecting children. Educators have an important role to support children and young people and to identify concerns that may jeopardise their safety, welfare, or wellbeing. To ensure best practice, all educators will attend approved Child Protection training certified by a registered training organisation. Educators will continue to maintain current knowledge of child protection and Mandatory Reporter requirements by completing Child Protection Awareness Training at least once every three years ensuring they keep up to date with the current mandatory reporting responsibilities.

The Approved Provider/ Nominated Supervisor will ensure:

- Any person in day-to-day charge of the Centre has successfully completed a course in child protection approved by the Regulatory Authority.
- All educators', staff, and volunteers' Working with Children Checks are validated unless the person meets the criteria for exemption from a WWCC. Further information is available at <https://nt.gov.au/emergency/community-safety/working-with-children-clearance-before-you-apply/people-who-do-not-need-clearance>

- All employees and volunteers are:
 - Provided with a copy of the current Child Protection policy as part of the induction process at the Centre
 - Clear about their roles and responsibilities regarding child protection.
 - Aware of indicators showing a child may be at risk of harm or significant risk of harm.
 - Aware of their requirements to immediately report suspected risk or significant risk of harm to the Child Protection Helpline.
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- Training and development are provided for all educators, staff, and volunteers in child protection.
- Educators are provided with a reporting procedure and professional standards to safeguard children and protect the integrity of educators, staff and volunteers.
- Access is provided to all staff regarding relevant legislations, regulations, standards and other resources to help educators, staff, and volunteers meet their obligations.
- Records of abuse or suspected abuse are kept in line with our Privacy and Confidentiality Policy.
- to notify the regulatory authority through the NQA-ITS (within 7 days) of any incident where it is reasonably believed that physical and/or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the Centre.
- to notify the regulatory authority through the NQA-ITS (within 7 days) of any allegation that sexual or physical abuse of a child has occurred or is occurring while the child is being educated and cared for by the Centre.
- Casual educators from agencies (this excludes the permanent casuals) are not allowed to assist children in toileting this includes nappy change.
- “Ensure students, volunteers, visitors or casual from agencies are never left alone with a child whilst at the Service under any circumstance”
- the Office of the Children’s Guardian is notified within 7 business days of becoming aware of any allegations and/or convictions of abuse or neglect of a child made against an employee or volunteer and ensure they are investigated, and appropriate action taken. [7-day notification form](#)

Accusations against Educators

Accusations of abuse or suspected abuse against educators, staff members, and volunteers, the Nominated Supervisor or Approved Provider are treated in the same way as allegations against other people. Reports will be made to the Child Protection Helpline where a child is at risk of significant abuse by a person at the Centre. If the Supervisor is involved in the abuse then the Approved Provider or most senior educator will assist in notifying the Child Protection Helpline.

Educators will:

- Contact the police on 000 if there is an immediate danger to a child and intervene if it is safe to do so
- Be able to recognise indicators of abuse
- respect what a child discloses, taking it seriously and follow up on their concerns through the appropriate channels
- Comprehend their obligations as mandatory reporters and their requirement to report any situation where they believe, on reasonable grounds, that a child is at risk of significant harm to the Child Protection Helpline (available 24 hours/7 days a week).
- Be aware of the “Reporting Child Abuse and Neglect” Guide which is available at <https://nt.gov.au/community/child-protection-and-care/child-abuse> to help make decisions about reporting abuse and neglect.
- Promote the welfare, safety, and wellbeing of children at the Centre

- Allow children to be part of decision-making processes where appropriate
- Prepare accurate records recording exactly what happened, conversations that took place and what was observed to pass on to the relevant authorities to assist with any investigation.
- Understand that allegations of abuse or suspected abuse against them are treated in the same way as allegations of abuse against other people
- NOT investigate suspicion of abuse or neglect but collect only enough information to substantiate concerns and pass on to the Child Protection Helpline or appropriate authority.

DOCUMENTING A SUSPICION OF HARM

If educators have concerns about the safety of a child they will:

- Record their concerns in a non-judgmental and accurate manner as soon as possible
- Record their own observations as well as precise details of any discussion with a parent (who may for example explain a noticeable mark on a child).
- Not endeavour to conduct their own investigation
- Document as soon as possible so the details are accurate including:
 - child's personal details (name, address, DOB, details of siblings)
 - time, date and place of the suspicion
 - full details of the suspected abuse
 - date of report and signature

DOCUMENTING A DISCLOSURE

A disclosure of harm emerges when someone, including a child, tells you about harm that has happened or is likely to happen. When a child discloses that he or she has been abused, it is an opportunity for an adult to provide immediate support and comfort and to assist in protecting the child from the abuse. It is also a chance to help the child connect to professional services that can keep them safe, provide support and facilitate their recovery from trauma. Disclosure is about seeking support and your response can have a great impact on the child or young person's ability to seek further help and recover from the trauma.

When receiving a disclosure of harm, the Centre will:

- Remain calm and find a private place to talk
- Not promise to keep a secret
- Tell the child/person they have done the right thing in revealing the information but that they'll need to tell someone who can help keep the child safe
- Only ask enough questions to confirm the need to report the matter because probing questions could cause distress, confusion and interfere with any later enquiries
- Not attempt to conduct their own investigation or mediate an outcome between the parties involved.
- Document as soon as possible so the details are accurately captured including:
 - time, date and place of the disclosure
 - *'word for word'* what happened and what was said, including anything they (the staff member/educator) said and any actions that have been taken
 - date of report and signature.

In addition, an educator receiving a disclosure from a child will:

- Give the child or young person their full attention
- Maintain a calm appearance
- Reassure the child or young person it is right to tell

- Accept the child or young person will disclose only what is comfortable and recognise the bravery/strength of the child for talking about something that is difficult
- Let the child or young person take his or her time
- Let the child or young person use his or her own words
- Don't make promises that can't be kept. For example, never promise that you will not tell anyone else
- Honestly tell the child or young person what you plan to do next
- Do not confront the perpetrator.

CONFIDENTIALITY

It is important that any notification remains confidential, as it is vitally important to remember that no confirmation of any allegation can be made until the matter is investigated. The individual who makes the notification should not inform the suspected perpetrator (if known). This ensures the matter can be investigated without contamination of evidence or pre-rehearsed statements. It also minimises the risk of retaliation on the child for disclosing.

Protection for reporters

Reporters are safeguarded under the law from legal or professional liability if the report was made in good faith. The identity of the reporter is protected by law from being disclosed, except in certain exceptional circumstances. Provided the report is made in good faith:

- The report will not breach standards of professional conduct
 - The report cannot lead to defamation and civil and criminal liability
 - The report is not admissible in any proceedings as evidence against the person who made the report
 - A person cannot be compelled by a court to provide the report or disclose its contents
- The identity of the person making the report is protected.

BREACH OF CHILD PROTECTION POLICY

All educators and staff working with children have a duty of care to support and protect children. A duty of care is breached if a person:

- Does something that a reasonable person in that person's position would not do in a particular situation
- Fails to do something that a reasonable person in that person's position would do in the circumstances or
- Acts or fails to act in a way that causes harm to someone the person owes a duty of care.

MANAGING A BREACH IN CHILD PROTECTION POLICY

Management will investigate the breaches in a fair, unbiased and supportive manner by:

- Discussing the breach with all people concerned and advising all parties of the process
- Giving the educator/staff member the opportunity to provide their version of events
- Documenting the details of the breach, including the versions of all parties
- Recording the outcome clearly and without bias
- Ensuring the matters in relation to the breach are kept confidential
- Reach a decision based on discussion and consideration of all evidence.

OUTCOME OF A BREACH IN CHILD PROTECTION POLICY

Depending on the nature of the breach outcomes may include:

- Emphasising the relevant element of the child protection policy and procedure

- Providing closer supervision
- Further education and training
- Providing mediation between those involved in the incident (where appropriate)
- Disciplinary procedures if required
- Reviewing current policies and procedures and developing new policies and procedures if necessary

EDUCATING CHILDREN ABOUT PROTECTIVE BEHAVIOUR

Our program will educate children:

- about acceptable and unacceptable behaviour, and what is appropriate and inappropriate contact at an age appropriate level and understanding
- about their right to feel safe at all times
- to say 'no' to anything that makes them feel unsafe or uncomfortable
- about how to use their own knowledge and understanding to feel safe
- to identify feelings that they do not feel safe
- that there is no secret or story that cannot be shared with someone they trust
- that educators are available for them if they have any concerns
- to tell educators of any suspicious activities or people
- to recognise and express their feelings verbally and non-verbally
- that they can choose to change the way they are feeling.

REVIEW

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| POLICY REVIEWED BY | Josepha Minani Anu Thapa Kathy Man Anju Bali Olive Asis Mei Mei Archie Servai Judy Rondon | Staff and Director | May 2022 |
| POLICY REVIEWED | May 2022 | NEXT REVIEW DATE | May 2024 |
| MODIFICATIONS | <ul style="list-style-type: none"> • Policy reviewed as per review cycle | | |
| POLICY REVIEWED BY | | Staff and Director | June 2024 |
| POLICY REVIEWED | June 2024 | NEXT REVIEW DATE | May 2026 |
| MODIFICATIONS | <ul style="list-style-type: none"> • Casual educators from agencies (this excludes the permanent casuals) are not allowed to assist children in toileting this includes nappy change. • "Ensure students, volunteers, visitors or casual from agencies are never left alone with a child whilst at the Service under any circumstance" | | |