

Children's Health & Safety

# Child Protection and Safeguarding Policy.

## Our Vision.

To give every child **the best start in life.**

## Our Mission.

To deliver high quality childcare and exciting learning opportunities for every child, giving them a head start as they prepare for school.

## Our Values.

### Care

We take care of the children entrusted to us and our dedicated staff. All are appreciated and diversity is valued.

### Quality

We maintain the highest standards in care and safety and provide exceptional early years education.

### Service

We provide exceptional service and are integral to supporting parents bringing up children.

### Value

We provide outstanding value for our families.





Busy Bees Early Learning Australia is committed to the safety, wellbeing and support of all children and Families, providing safe and welcoming environments, and will treat all children with the utmost respect and understanding. Our employees will act in the best interest of the child, assisting them to develop to their full potential in a secure and caring environment.

NATIONAL QUALITY STANDARDS (NQS)	
QUALITY AREA 2 - Children's Health and Safety	
2.2 - Safety	2.2.1 - Supervision
	2.2.2 - Incident and Emergency Management
	2.2.3 - Child Protection

EDUCATION AND CARE SERVICES NATIONAL LAW AND REGULATIONS	
Part 6	Operating an Education and Care Service (Law - 162A, 166, 167)
Part 4.2	Children's Health and Safety (Reg - 84)
Part 4.3	Physical Environment (Reg - 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115)
Part 4.7	Governance and Leadership (Reg - 168)

RELATED POLICIES	
Child Safe Environment Policy	Incident, Injury, Trauma and Illness Policy
Child Enrolment and Orientation Policy	Respectful Relationships with Children Policy
Code of Conduct Policy	Responsible Person Policy
Confidentiality and Privacy Policy	Supervision Policy
Educational Program Policy	Student and Volunteer Policy
Delivery and Collection of Children Policy	Work Health and Safety Policy

## PURPOSE

This policy sets out the requirements relating to child protection legislation and our organisation across Australia. Busy Bees Early Learning Australia follows best practice to the highest state requirements as a national approach.

As an organisation, we implement effective strategies to ensure we are providing a child safe environment.

All Busy Bees employees are mandatory reporters and undergo regular training to ensure they are competent in identifying indicators of child abuse and or neglect, comprehend their duty of care responsibilities to protect children from all types of harm, and will always adhere to legislative and organisational policy obligations.

## SCOPE

Children, Busy Bees Employees, Management, Visitors, Families and Contractors

### Definitions

**Safeguarding** is the preventative action that is taken to promote the welfare of children and protect them from harm. **Safeguarding means:** protecting children from abuse, neglect, and maltreatment; preventing harm to children's health, wellbeing, or development; ensuring children grow up with the provision of safe and effective care; ensuring children have a voice in decisions that affect them; empowering children to reach their full potential, actively promote the inclusion and participation of children; and build a child safe culture and environment.

**Harm, Risk of Harm, Abuse, Neglect and Maltreatment** refers to any behaviour/action by a parent, caregiver, adult, or older adolescent that is outside the norms of conduct and entails a substantial risk of causing physical or emotional harm to a child. Behaviours may be intentional or unintentional and can include acts of omission (i.e., neglect) and commission (i.e., abuse). Note that in practice the terms *child abuse* and *child neglect* are used more frequently than the term *child maltreatment*.

**Significant Harm** refers to circumstances causing concern for the safety, welfare, and wellbeing of a child 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 safety, welfare, or wellbeing.

**Reasonable grounds** refers 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 that causes the mandated reporter to believe the child has been abused or is likely to be abused; signs of physical injury or sexual conduct leading to the belief that the child has been abused.

**Failure to disclose** refers to the failure of a mandated reporter who has reasonable belief that a child has had a sexual offence committed to them by an adult to make a report to the police.

**Failure to protect** refers to a person of authority in the organisation who has the power or responsibility, but who negligently fails to reduce or remove the threat of substantial risk of child sexual abuse.

**Reportable Conduct Schemes** are **allegation-based** schemes. Under the scheme, a Head of Organisation is required to notify authorities of all allegations of reportable conduct by an employee or volunteer.

**Mandatory Reporting** is the legislative requirement for certain classes of people to report suspected child abuse and neglect to government authorities.

**Mandatory Reporters** is a person who is legally required to report any suspicion of child abuse or neglect to the relevant authorities.

**Designated Safeguarding Lead (DSL)** is a named person that takes principal responsibility for the safeguarding, welfare, and child protection of children in the Service.

Please note that you do not need to be certain that abuse or neglect of a child has occurred to call the authorities. If you suspect a child is at risk of harm, you may call the authority to discuss your concerns and they will decide whether an investigation is required.

## **POLICY**

Busy Bees Early Learning Australia is committed to the welfare and protection of children. We believe that child and Family protection is both a corporate and individual responsibility. Every person engaged within our organisation shares in the responsibility of taking every precaution to protect the children and Families we provide education and care to. A strong sense of wellbeing promotes children's confidence and optimism, which maximises their learning and development.

We strongly oppose any type of abuse against a child and endorses high quality practices in relation to protecting children. To ensure such practices are maintained, all employees will complete approved Child Protection training and continue completing Child Protection training annually, ensuring they keep up to date with current responsibilities and obligations.

Building collaborative, supportive relationships with Families of children in our care allows employees to listen and respond sensitively to Families' comments or observations, which may indicate that they or their child are experiencing serious problems or crises in their lives. We will make available to Families, our Child Protection and Safeguarding Policy, Child Protection - A Guide for Parents booklet, and provide current information on community resources that can support families and children in relation to mental health, domestic violence and child abuse and neglect.

To create and maintain our child safe organisation, Busy Bees safeguards the children by providing training, recording incidents, and documenting observations, and implementing Child Safe Standards and Principles across the entire organisation. These standards and principles aim to provide a nationally consistent approach to creating organisational cultures that foster child safety and wellbeing.

## Child Safe Standards:

**Child Safe 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

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

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

**Child Safe Standard 4** – Families and communities are informed, and involved in promoting child safety and wellbeing

**Child Safe Standard 5** – Equity is upheld, and diverse needs respected in policy and practice

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

**Child Safe Standard 7** – Processes for complaints and concerns are child focused

**Child Safe Standard 8** – Employees and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training

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

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

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

## Principles:

1. Child safety and wellbeing is embedded in organisational leadership, governance, and culture
2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously
3. Families and communities are informed and involved in promoting child safety and wellbeing
4. Equity is upheld and diverse needs respected in policy and practice
5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice
6. Processes to respond to complaints and concerns are child focused
7. Employees and volunteers are equipped with the knowledge, skills, and awareness to keep children and young people safe through ongoing education and training
8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed
9. Implementation of the national child safe principles is regularly reviewed and improved
10. Policies and procedures document how the organisation is safe for children and young people



## Recruitment Process

We have a robust recruitment process that consists of all, or a combination of; pre-screening reference checks, tailored behavioural interview questions, National Police Checks, Working with Children/Vulnerable People checks, Qualifications etc. to minimise risks to children within our organisation.

All employees are required to hold a **valid** Working with Children/Vulnerable People check **before** they commence work. Failure to comply with this obligation is an offense by both the employee and Nominated Supervisor/Responsible Person. Validation of all employee cards must be completed no less than three monthly by managers.

Child protection expectations are outlined during the on boarding process and enhanced with ongoing training on mandatory reporting and child safety in the education and care environment. The implementation of our Busy Bees Employee Assistance Program and Speak Up program for all employees places a large focus on child safety. Busy Bees also promotes engagement with Be You and Bravehearts for support and further education.

All employees are committed to developing partnerships with parents and caregivers by engaging in conversation, maintaining knowledge of care arrangements, and informing them of organisations they can access if they are ever in need of assistance.

## Designated Safeguard Lead

A Designated Safeguarding Lead (DSL) will be named for each Service. The DSL takes principal responsibility for the safeguarding, welfare, and child protection of children in the Service.

The Area Manager, Regional Manager and Pedagogy and Compliance Partner will always hold DSL status but any other individual who may be the most senior member of staff on the Service premises at any time must also hold DSL status, if requested. The DSL is always expected to be immediately contactable to ensure that child protection concerns are managed without delay.

DSL's must hold up to date Busy Bees Safeguarding and Designated Safeguarding Lead Training when requested to enable them to undertake their role effectively and confidently. The training will ensure that the DSL has thorough knowledge of national legislation and guidance in relation to Safeguarding and Child Protection. DSLs are expected to keep their local knowledge up to date through links with external safeguarding partners; this may be through e-mail update services and regularly accessing relevant websites or attending Local Authority training events.

Whilst understanding that the most effective way to minimise harm to children is to be proactive, within our organisation we use strategies that provide children and employees with education that will assist in minimising harm.

## What is harm, risk of harm, abuse, and neglect?

Harm, risk of harm, child abuse and neglect are any action towards a child under the age of 18 years that harms or puts at risk their physical, psychological, or emotional health or development. Child abuse can be a single incident or can be several different incidents that take place over time.

### Abuse is classified into several sub-types;

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• Physical abuse</li> <li>• Grooming</li> <li>• Emotional or psychological harm</li> <li>• Neglect, harm, risk of harm</li> </ul> | <ul style="list-style-type: none"> <li>• Family and domestic violence</li> <li>• Online Abuse / Cyber Bullying</li> <li>• Children exhibiting inappropriate sexual behaviour</li> </ul> |
|--|---|

## Receiving and Reporting a Suspicion of or Disclosure of Harm

When confronted with disclosures of harm to children, we will respond professionally and in the best interests of the child subjected to the alleged harm. All disclosures must be acted upon.

All employees and volunteers are to report their suspicions or disclosures **immediately**.

Any person who has a suspicion of harm towards a child must keep reporting until they receive an appropriate response.

Our organisation will act upon all reporting with sensitivity and dignity towards the child, Family and the person reporting and ensure that the person against who the allegation is made (if internal) is stood down pending a full investigation of the incident, by both internal and external investigators.

## 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.

Ensure detailed documentation is recorded and stored confidentially following any suspicion of harm or disclosure.

## 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 complaint should not inform the person they have made the complaint about. This ensures the matter can be investigated without prior knowledge and contamination of evidence.

## Reportable Conduct

Our organisation is committed to the safety, wellbeing, and support of all children in our care by ensuring that timely reports are made and investigated should there be an allegation against an employee, volunteer, or visitor of the Service. It is imperative that all employees have thorough knowledge of the Reportable Conduct scheme appropriate for their state or territory. Currently ACT, NSW, SA, VIC, and WA are the only governments to implement an official Reportable Conduct Scheme which requires the Head of Organisation to report allegations of reportable conduct to an oversight body in each jurisdiction.

Please note these are;

- [ACT - ACT Ombudsman](#)
- [NSW - Office of the Children's Guardian](#)
- [SA - Department for Child Protection](#)
- [VIC - Commission for Children and Young People](#)
- [WA - WA Ombudsman](#)

However, Busy Bees requires all employees regardless of their location, to report to the Head of Organisation immediately. For detailed Reportable Conduct procedures refer to the Busy Bees Manage Child Protection procedure.

## Head of Organisation

Our nominated 'Head of Organisation' who is responsible for responding to and the reporting of any reportable allegations made against an employee, volunteer, or visitor, is our Chief Pedagogy and Safeguarding Officer.

All staff are required to know who the Head of Organisation is and must ensure all allegations are brought to the attention of the Head of Organisation immediately. Failure to comply with Reportable Conduct Scheme requirements may lead to Working with Children/Vulnerable People Checks being revoked.

## Protection for Reporters

Reports made to Child Protection Services are kept confidential. However, a law enforcement agency may access the identity of the reporter if this is needed in connection with the investigation of an alleged serious offence against a child.

The identity of the reporter must remain confidential unless; the reporter chooses to inform the child or family of the report; the reporter consents in writing to their identity as the reporter being disclosed; a court or tribunal decides it needs this information to ensure the safety and wellbeing of the child; a court or tribunal decides that in the interests of justice the evidence needs to be given.

## Parenting Arrangements

Busy Bees recognises that each Family is unique, and we are committed to supporting each individual Family and child regarding parenting arrangements. As one of the primary influences in their child's lives, parents hold strong beliefs and values regarding the education and care of their child. Effective relationships between Families and employees are fundamental to the quality of education and care their child receives, and safeguarding.

Details regarding parenting arrangements are requested and must be provided upon enrolment. If a change to parenting arrangements occurs during the child's time at the Service, it is the responsibility of the parent or caregiver to advise the Service of the situation as soon as possible.

It is important to note that the Service cannot legally prevent a mother or father if she or he is known to staff, or can present appropriate identification (child's birth certificate and photographic ID), from collecting their child unless a photocopy of a stamped Parenting Order provides for specific arrangements for time with each parent, or provides for one parent or carer to have sole parental responsibility of the child. Additionally, Domestic Violence Orders may prevent a parent or caregiver from coming within a certain distance of the Service or child despite no parenting orders being in place.

When the Service has a photocopy of a Parenting or Domestic Violence Order that plans for sole parental responsibility or, in the latter case, ordering that a parent not be in contact with the child, the following shall apply if the non-custodial parent should arrive at the centre and attempt to collect a child:

- The parent is to be informed that the Service has a copy of the relevant Court Order
- Should the parent attempt to take the child and/or causes a disturbance, the local police station should be called, and the matter reported. The police should be informed whether the parent causes a nuisance, is abusive or appears to be under the influence of drugs or alcohol if applicable
- The parent with parental responsibility is contacted and informed of the situation as soon as practicable
- If, after this procedure has been followed, the police have been called, and it is no longer possible to prevent the child being taken without risk to the child, other children, and staff, then regretfully, the Service must allow the parent to take the child and police should be updated immediately

- If Police arrive with a warrant to collect a child, the Nominated Supervisor must carefully check the warrant to ensure it states that the child is to be taken. If correct, the parent who enrolled the child must be contacted and informed before the child is allowed to leave with the Police
- In any situation where emergency services are called or attend the service a notification must be logged on the NQAITS portal
- Contact the police on 000 if there is an immediate danger

A completed Person Prohibited to Collect Child form/notice, and photograph, must be provided by the parent or caregiver along with any parenting arrangement plans and/or court orders. The Person Prohibited to Collect notice must be displayed in a confidential staffing only area of the Service to ensure all employees are aware that an order and restrictions are in place.

If no hardcopy parenting arrange or court order has been made available, but the Service has been informed that there are tensions or potential safety issues regarding parenting arrangements, staff will attempt to delay the child from being taken, while another employee attempts to telephone the other parent or caregiver (if possible). However, the Service cannot refuse the collection of the child by a parent who is named on the child's enrolment form.

### **Busy Bees Out of Hours Babysitting**

Busy Bees are responsible for any actions or activities that employees may engage in that could breach confidentiality protocols. This would apply whether at the Service or situations that may arise outside of operating hours. Therefore, due to possible legal implication, child protection legislation and privacy, we strongly discourage employee's minding children enrolled at a Busy Bees Service outside of work.

**Child-minding Exemption** - If an employee has a pre-existing relationship prior to the child's enrolment at the Service (relative, Family friend etc.) child-minding is not discouraged. However, to ensure the children's health and safety employees will disclose the relationship to management upon enrolment, be authorised or provided with written permission to take a child from the Service and understand that the Service will not be held responsible for any health or safety issues that may arise from private arrangements. (Refer to Out of Hours Babysitting Policy)

### **Australian Contact Details for Each State and Territory**

Refer to the appropriate state or territory Mandatory Reporter Reference Sheets for specific details and contact information relevant to your location, or visit the Australian Government website to view the [Reporting Authority in each Australian state and territory table](#).

### **Record Retention**

Any record relating the child sexual abuse that has or is alleged to have occurred, must be retained for at least 45 years from the date the record was made.

### **SOURCES**

[ACECQA](#)

[National Quality Standard](#)

[Education and Care services National Regulations](#)

[Education and Care Service National Law Act 2010](#)

[Early Childhood Australia](#)

[Australian Government - Reporting Abuse & Neglect](#)

[Australian Child Protection Legislation](#)

[Victorian Child Safety Standards](#)

# Child Protection and Safeguarding Policy.



[National Principles for Child Safe Organisations](#)

[Child Protection Legislation by Jurisdiction](#)

[Australian Government Mandatory Reporting](#)

[Cultural safety of Aboriginal children:](#)

[Cultural safety of children from culturally and/or linguistically diverse backgrounds:](#)

[Safety of children with a disability](#)

[ECA Code of Ethics.](#)

[National Comparison of Child Protection Systems](#)

[Australian Human Rights Commission - Child Safe Organisations](#)

[Bravehearts](#)

[Be You](#)

[NSW Child Story Reporter](#)

[Children's Guardian Act 2019](#)

[NSW Office of the Children's Guardian - Reportable Conduct Scheme](#)

## VERSION CONTROL

This policy will be reviewed every 2 years and/or in line with legislation and organisation requirements.

Version	Date	Owner	Responsibility	Change Description
1	01/10/2023	Chief Pedagogy & Safeguarding Officer	Policy Development Officer	Replace all previous versions

This document is uncontrolled when printed and may be varied, replaced, or terminated without notice.