

ARMIDALE FAMILY DAY CARE

CHILD PROTECTION AND CHILD SAFE POLICY AND PROCEDURE (INCLUDING PROVIDING A CHILD SAFE ENVIRONMENT)

Related Policies:	Assessment, Approval and Reassessment of Educators Premises; Code of Ethical Conduct; Delivery/Collection of Children and Parental Access; Determining the Responsible Person; Educator’s Assistant, Visitors; Complaints Handling; Child Safe Code of Conduct; Emergency Evacuation and Lockdown; Excursion, Motor Vehicle and Transport; Injury, Incident, Trauma and Illness; Promoting Children’s Wellbeing and Resilience; Dealing with Medical Conditions; Nutrition, Food, Beverage and Dietary Requirements; Social Media; Privacy; Recruitment of Educators; Student and Volunteer; Sun Safe; Children’s Sleep and Rest; Water Safety.
Related Procedures:	Confidentiality; De-registration; Safe Sleep; Supervision, Work, Health and Safety; Child Safe Standard Risk Assessment; Photo and Camera.
Regulation/s/ Standards:	National Education and Care Regulations - Clauses, 82- 84, 103, 115, 122-124, 145, 157, 160, 165-166, 168- 172, 175. National Quality Standards- 2, 4, 5, 6, 7. National Law- Sections 1 (5), 162A, 165-167.
References:	Australian Children’s Education and Care Quality Authority Australian Human Rights Commission Child Protection (Prohibited Employment) Act 1998 Child Protection (Working with Children) Act Children and Young Person's (Care and Protection) Act 1998 Commission for Children and Young People Act 1998 Department of Skills, Education and Employment ECA Code of Ethics 2016 NSW Ombudsman Office of the Children’s Guardian Ombudsman Amendment Child Protection and Community Services Act 1998 United Nations Convention on the Rights of the Child
Date effective	February 2025
Date for review	February 2026
Purpose	To ensure the safety and wellbeing of children within Armidale Family Day Care (AFDC), fostering a child safe, responsive culture. Children’s safety and wellbeing is paramount in AFDC. We aim to take all necessary steps to protect children from harm.

Responsibility	Directors, Management, Nominated Supervisor, Staff, Educators, Families, Regular Visitors, Students, Volunteers.
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Policy

Armidale Family Day Care’s Statement of Commitment to Child Safety

We will uphold the rights of children, while actively seeking to listen to and empower them. We will have zero tolerance towards child abuse. We will take all allegations very seriously and respond to them consistently. We are committed to promoting a safe environment for children from diverse backgrounds and for children with disabilities.

Key information

Armidale Family Day Care will use its best endeavours to ensure a safe environment for all children. Children’s health, mental and physical wellbeing, online and personal safety and sense of security will be protected through the creation of child safe culture.

- AFDC will embed the ‘Child Safe Standards’ to enhance a culture of child safety, aligning with the NQS and National Regulations and Law.
- Our comprehensive risk assessments ensure that approved Family Day Care Educator services and venues provide a safe, welcoming environment where children feel secure and have a strong sense of belonging.
- Children will be actively involved in decision-making processes to foster their sense of agency and create an environment that supports them in reaching their full potential.
- All service partners will be fully informed of their legal and professional responsibilities to identify and respond to children at risk of abuse or neglect, and will be familiar with the procedures for reporting any suspected risk of significant harm (ROSH).
- Reasonable precautions will be taken at all times to ensure that children are adequately supervised and protected from harm and hazard.
- AFDC will ensure that procedures are in place to effectively manage incidents and emergencies and that these procedures are regularly rehearsed.
- AFDC will operate in a manner that is sensitive to families in crisis and will maintain awareness of, and sensitivity to, the cultural backgrounds and practices of families. AFDC will do this without deviating from the responsibilities identified in this policy.

Child Safe Recruitment

In alignment with the Child Protection Act and National Regulations, the safety, welfare, and well-being of children remain our highest priority within the Armidale Family Day Care Service and our community. All staff and Educators undergo a thorough recruitment, screening, and assessment process, which includes evaluating their suitability to work with and care for children. A clearance for a Working with Children Check (WWCC) will be obtained for all staff and educators prior to engagement to ensure that person is suitable to work with children. AFDC will ensure that there has been no information that, if the person worked with children, the person would pose a risk to the children, and that the person is not prohibited from remaining in child related employment. AFDC will undertake criminal history checks in relation to all staff and educators prior to engagement.

Working With Children Checks will also be undertaken on all adult occupants and regular visitors to Educator premises.

Induction and Ongoing Training

- Management, Nominated Supervisors, Coordinators and Educators will receive access to frequent training opportunities, including workshops and online training courses.
- Management, Nominated Supervisors, Coordinators and Educators must undertake Child Protection Training prior to commencing their job role.
- Management and Nominated Supervisors must update their training annually.
- Coordinators must update their training annually.
- Educators must update their training every two years.

Children's Safety and Supervision Practices

Children's safety is embedded into day-to-day practices. Family Day Care Educators will provide effective and adequate supervision of children at all times:

- **Active Supervision:** Family Day Care Educators will employ 'active supervision' strategies both within the Family Day Care environment and when transporting children.
- **Consideration of Ages and Abilities:** Educators will take into account the different ages and abilities of children, ensuring that supervision levels are appropriate for the activities being undertaken.
- **Supervision of Sleeping Infants and Toddlers:** Sleeping infants and toddlers will be closely monitored at regular intervals so that the child's breathing and skin colour can be monitored as per AFDC's Safe Sleep Procedure and Supervision Procedure.
- **Injury, Incident, Trauma and Illness Record:** Educators must complete an Injury, Incident, Trauma and Illness Record for all instances involving a child in their care; this must be provided to the Coordination Unit within prescribed timeframes.
- **Injury on Intake Form:** Educators will request parents or guardians to complete an Injury on Intake Form in relation to any significant injury from which a child is suffering when they are delivered into care.
- **Compliance with Educator-to-Child Ratios:** To ensure compliance with regulations, the educator-to-child ratio will be 1:7 (unless additional approval has been granted in line with Regulation 124. Family Day Care Educators may only provide education and care to a maximum of four (4) children of preschool age or under (unless additional approval has been granted in line with Regulation 124.)
- **Toileting Facilities:** Educators will ensure children have access to age-appropriate and safe toileting facilities, in line with developmental and age-appropriate standards.
- **Access to Policies and Procedures:** Educators have access to, and will participate in the revision of, AFDC policies and procedures related to child protection, including but not limited to:
 - Supervision Procedure
 - Visitors to Educator's Premises Policy
 - Confidentiality Policy
 - Nappy Change Policy
 - Photo and Camera Policy

- Student and Volunteer Policy
- Complaints Handling Policy
- Child Protection and Child Safe Policy and Procedure

Child Safe Standards Risk Assessment

Armidale Family Day Care has an important responsibility for keeping children safe. We assess and document all identifiable risks in relation to child safety and implement risk management strategies through the development of AFDC Child Safe Standards Risk Assessments.

Child Safe Code of Conduct

All Armidale Family Day Care Educators must adhere to the AFDC Child Safe Code of Conduct.

Online Safety

AFDC is committed to maintaining a safe online environment in collaboration with Family Day Care Educators and staff through the development and implementation of the AFDC Social Media Policy.

Mandatory Reporting

Staff and Educators of Armidale and District Family Day Care are **MANDATORY REPORTERS**.

Mandatory reporters are required by law to report any situation which involves suspected Risk of Significant Harm to a child.

The law provides safeguards for mandatory reporters.

- **It is not** considered a breach of professional etiquette, ethics, or code to make a report in good faith.
- A Mandatory reporter cannot be sued or be subject to any form of legal action or liability arising out of making a report.
- As far as possible, the anonymity of the reporter will be respected. *A reporter's identity will only be disclosed with their consent or in exceptional cases at the request of the Court that is hearing evidence related to a report.*
- The Nominated Supervisor is not required to inform parents/guardians that a notification has been made. This is the role of the NSW Department of Communities and Justice (DCJ) or the Police (depending on the circumstances).
- A dated, written record of the notification needs to be retained *for 25 years after the child leaves the service.*
- The family's rights to confidentiality must always be respected, though evidence of reasonable grounds for notification can be gathered by:
 - Sharing information with Staff and the relevant Educator before, during and after an allegation is made,
 - Written observations of the child, including behavioral patterns or changes. (These must be signed and dated and kept in a confidential file).
- It is the responsibility of the Department of Communities and Justice (DCJ) to provide feedback to the person reporting. If no feedback has been provided, after 24 hours, the Service may contact the Department to ask for feedback.

Under Chapter 16A of the *Children and Young Person's (Care and Protection) Act 1998 s245A*, prescribed bodies (e.g. the police, schools, hospitals, doctors or other health professionals or child

care services) may exchange information about a child's safety, welfare or wellbeing verbally or in writing.

The CHILD PROTECTION HELPLINE for MANDATORY REPORTERS and the public is 132 111 (24 hrs/7 days).

Armidale Family Day Care welcomes and supports families to ask questions on how we prioritise child safety in our Family Day Care Residences.

Procedure:

- All Coordination Unit Staff and Educators are required to undergo a Working with Children Check and National Police Check prior to commencing work and to update that WWCC and National Police Check every 5 years.
- All adult household members aged 18 or over are required to undergo a Volunteer WWCC prior to the Educator commencing work and to update that WWCC every 5 years.
- Staff, Educators, and members of the Board will be made aware of their responsibilities under all Acts of legislation upon engagement and will be required to read and sign policies that directly relate to child protection.
- Staff will be required to undertake relevant child protection training every year and Educators must undertake relevant child protection training every 2 years and/ or to update qualifications as required.
- AFDC will notify the Commission of Children and Young People of any relevant disciplinary proceedings that have been completed against an Educator or staff member within the last five years.
- AFDC will ensure the privacy and confidentiality of any information obtained through screening processes.
- Where a prospective employee or Educator is considered for employment or registration, AFDC will undertake a formal interview, reference checks, a Working with Children Check and a National Police Check.
- Students on work placement in Educator's services must hold appropriate Working With Children's Check and will not be left unsupervised with children in care.
- Educators will be provided with current information to support their understanding and response to child protection issues through regular training, newsletters and emails.

Child Safe Standards Risk Assessment

Armidale Family Day Care service will adopt the following process for identifying and reducing or removing risks of child abuse;

- Identify the Family Day Care services child safety risks across the range of environments (including excursions, online) using the risk assessment template.
- Identify any existing risk mitigation measures or internal controls.
- Assess and rate the Family Day Care services child safety risks given the existing controls in place, taking into account the likelihood of risk, and the likely consequence of the risk.

- If the risk rating is more than the 'acceptable level', identify further risk management strategies through additional controls or other prevention, detection or mitigation strategies and then reassess the risk.
- The risk management process will be documented, recorded, and reviewed periodically. Effective risk management strategies are dynamic and change over time as new risks arise and others may no longer be relevant.
- Effective risk management strategies need to be transparent, well understood, and diverse, to take account of the increased level of risk associated with the specific nature of some activities and the vulnerability of groups.

Routine Safety Checklists

- Regular safety checks maintain high standards of safety within Family Day Care residences or venues. Family Day Care Educators will complete daily checklists to assist and record inspections of the physical environment where foreseeable risks may be evident and cause harm or injury to a child.
- Any findings that require attention will be either dealt with immediately or as soon as possible. Educators must notify the Coordination Unit of any issues that require immediate attention within the residence. AFDC will then ensure that strategies are put into place to manage risks.

Annual Risk Assessment

- AFDC's Coordination team will conduct an annual risk assessment/safety audit of each Family Day Care residence and approved venue to ensure the health, safety, and well-being of children are safeguarded. This assessment will verify that the residence and venue comply with all regulatory requirements and that all necessary equipment and furniture meet Australian Safety Standards.
- The premises, along with all equipment and furniture within the Family Day Care Educator's residence, are regularly audited during home visits to ensure they are safe, clean, and in good repair. Family Day Care Educators are responsible for regularly checking toys and equipment to ensure they are safe and developmentally appropriate for children. Routine inspections of the Family Day Care residence will be conducted to confirm that all toys, furniture, and equipment are in proper condition and working order.
- Records of all home visits and assessments will be maintained at the Armidale Family Day Care Co-ordination Unit office and the Family Day Care Educator's residence for reference and compliance.

Reporting Child Abuse – Notification Procedures

The Role of the Educator in relation to suspected abuse:

1. If an Educator has reason to suspect that a child attending care is at risk of significant harm, the Educator should immediately contact a Coordinator and/or the Nominated Supervisor of AFDC and report this information.
2. To ensure the child's safety, the Educator must **NOT** discuss their concerns with the family.

3. The Educator and a Coordination Staff member will document the allegations and use the Mandatory Reporters Guide (MRG) <https://reporter.childstory.nsw.gov.au/s/mrg> for guidance in making a report/to determine if a report should be made.

Suspected Abuse of a child by an Educator or a member of the Educators Household

1. If a parent or Coordination Staff Member suspects that an Educator or a member of the educator's household has abused a child in care, they should immediately contact the Nominated Supervisor of AFDC.
2. The allegation will be documented, and the Mandatory Reporters Guide will be used to determine if the allegation meets the required reporting threshold.
3. The Nominated Supervisor will seek advice from the Office of the Children's Guardian or the NSW Ombudsman regarding the investigation of the allegation.
4. In the case of an allegation of Reportable Conduct, the Educator's service will be suspended until investigations have been completed.
5. If an Educator or member of the household is convicted, deregistration will occur immediately.
6. A Notification Form (Part A) will be completed and sent to the NSW Ombudsman and the Office of the Children's Guardian within 30 days of the allegation being made.

Suspected Abuse of a child by a Staff Member

1. If a person suspects that a Staff Member has abused a child in care, that person should contact the Children's Services Manager or the Nominated Supervisor of AFDC or the Mandatory Reporter Child Protection Helpline -132111.
2. If the allegation relates to the Children's Services Manager or the Nominated Supervisor of AFDC, the person should contact the Approved Provider.
3. When advised of the allegation, the Approved Provider, Children's Services Manager or Nominated Supervisor will obtain a written statement from the person making the allegation with a full account of the incident.
4. Advice will be sought from the NSW Ombudsman regarding investigation of the allegation.
5. In the case of Reportable Conduct, the Approved Provider or AFDC Management will liaise with the investigating parties so that an informed conclusion can be made.
6. In the case of Reportable Conduct, the Staff Member may be suspended, without loss of pay, until the investigations have been completed.
7. The NSW Ombudsman will need to be formally notified on Notification Form Part A within 30 days of the allegation being made.
8. A copy of Notification Form Part A must also be completed and sent to the Office of the Children's Guardian
9. If the investigation proves the allegations are unfounded, the person subject to the allegations will be provided with full support and will be offered appropriate counseling.
10. If a Staff Member is convicted, dismissal will occur.
11. Detailed records of the investigation and any disciplinary procedures must be kept for an unspecified time.

- An employee may make an application under the Freedom of Information Act 1989 to access the records held by the Service regarding the investigation into the allegation against the employee.

General Information

If any indicators of Risk of Significant Harm (ROSH) are observed, Staff and Educators are advised to:

- Record indicators including dates, and direct observations or words spoken.
- Speak to AFDC Management or a Coordinator about the indicators or contact the Mandatory Reporter’s Helpline (132 111) to determine if the report meets the ROSH threshold.
- Be watchful for the appearance of other indicators.

A Notifications must be made if there is a belief held, on reasonable grounds, that a child is at risk of significant harm.

If a child discloses to you that abuse is occurring:

- Listen to the child (let the child speak, do not talk for them).
- Use a calm reassuring voice at the child’s level.
- Don’t ask leading questions or pry.
- Believe the child.
- Don’t make promises you can’t keep. Don’t try to make it better.
- Comfort the child.
- Avoid expressing doubt, judgment or shock.
- Convey messages that it is not their fault, it was right to tell, it’s not OK for adults to harm children, they are not alone, it happens to others as well.
- Tell them that you need to talk to other people whose job it is to help children to be safe.

In the case of any abuse or neglect – do not alert the alleged offender about the disclosure.

Role and Responsibilities

Roles	Responsibilities
Approved provider	<ul style="list-style-type: none"> To ensure that their obligations under the Education and Care Services National Law and National Regulations are met. To ensure that this policy and related procedures are implemented, that appropriate risk assessments and action plans are completed, and that all identified actions are taken to minimise the risks to children’s health and safety (also known as a risk minimisation and communication plan) To ensure that Management, staff, Educators and students obtain a cleared Working With Children Check prior to their engagement by AFDC. To ensure that Management, staff, Educators and students update their Working With Children Checks every five years. To ensure that Management, staff and Educators undertake a National Police Check upon engagement and update every five years.

	<ul style="list-style-type: none"> • To ensure that all Educators and staff have undertaken current child protection training, including on mandatory reporting requirements and obligations in their state/territory. • To ensure that all students working with Family Day Care Educators hold a valid Working with Children Check. • To ensure that Educators provide an environment that is free from the use of tobacco, illicit drugs and alcohol and ensure no educators or staff are affected by alcohol or drugs (including prescription medication) so as to impair their capacity to supervise or provide education and care to children in the service. • To promote a culture of child safety and wellbeing that underpins all aspects of the service’s operations in order to reduce risk to children (including the risk of abuse) • To ensure the safe use of online environments within AFDC. • To ensure that AFDC policies and procedures promote equity and respect diversity for the safety and wellbeing of children and young people. • To ensure that copies of AFDC policies and procedures are readily accessible to Management, Nominated Supervisors, Coordinators, Educators and staff, volunteers and students and are available for inspection by the Regulatory authority. • To notify families at least 14 days before changing a Policy or Procedures if the changes will a) affect the fees charged or the way they are collected, b) significantly impact the service’s education and care of children or c) significantly impact the family’s ability to utilise the service.
Nominated supervisor	<ul style="list-style-type: none"> • To implement this <i>Child Protection and Child Safe Policy</i> and related procedures and to ensure that any plans developed from risk assessments are in place for individual children and are carried out. • To ensure that all Educators and staff, volunteers and students are aware of current child protection legislation, including their mandatory reporting requirements and obligations in NSW. • To ensure all Educators and staff know where to access this <i>Child Protection and Child Safe Policy</i> . • To have ongoing communication with educators and staff about their responsibilities in relation to policies, procedures and legislation. • To support educators and staff to uphold AFDC’s culture of child safety and wellbeing. • To regularly monitor child protection training schedules and ensure all educators and staff are up to date with their training. • When required, to work collaboratively with appropriate services and/or professionals to support children’s access, inclusion and participation in the program.
Educators	<ul style="list-style-type: none"> • To be aware of current child protection legislation, including the mandatory reporting requirements and obligations • To implement this policy and related procedure, ensuring that any action plans for individual children are carried out.

	<ul style="list-style-type: none"> • To implement AFDC’s culture of child safety and wellbeing. • To be aware of the individual needs and action plans for children in their care. • To maintain current accredited Child Protection, First Aid and approved CPR, Asthma and Anaphylaxis training • To provide an environment that is free from the use of tobacco, illicit drugs and alcohol within service operation hours. • To recognise and respond effectively to children in care, taking into account their diverse needs. • To ensure the safety and wellbeing of children attending the service by keeping a visitors’ record, including signatures and arrival/departure times. • To ensure children participate in decision making in matters affecting them, including in relation to safety issues and risk identification
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Access to Armidale Family Day Care Policies and Procedures

Armidale Family Day Care policies and procedures are located on AFDC’s website (<https://armidaleanddistrictfamilydaycare.com> and at the Coordination Unit (95 Faulkner St Armidale NSW 2350)

Confidentiality

- All information must remain confidential. It should **NOT** be discussed with anyone except the Approved Provider, Management, appropriate staff members and the Department of Communities and Justice (DCJ)
- Once concerns are notified to Department of Communities and Justice all subsequent procedures are the duty and responsibility of that Department and the Police.

Under no circumstances should any investigation of suspected risk of significant harm be carried out by Armidale Family Day Care.

All parties should call 000 immediately if there is a life-threatening situation or immediate danger

Acknowledgement and Declaration

I declare that I have read, understand and agree to comply with this Child Protection and Child Safe Policy and Procedure.

Signature

Date

Name

Role: Approved Provider/Staff Member/Educator