

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 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 1998 Children and Young Person's (Care and Protection) Act 1998 Children's Guardian Act 2019 Commission for Children and Young People Act 1998 ECA Code of Ethics 2016 Office of the Children's Guardian United Nations Convention on the Rights of the Child
Date effective	August 2025
Date for review	August 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 are 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.

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 all children, including 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 a 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 or role.
- Management and Nominated Supervisors must update their Child Protection training annually.
- Coordinators must update their Child Protection training annually.
- Educators must update their Child Protection training every two years.
- Management, Nominated Supervisors, Coordinators and Educators must complete the *Safe Series Protective Behaviour Program*, provided by the Office of the Children's Guardian, as part of their commitment to providing a Child Safe environment.

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 consider 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 Risk Assessment

AFDC 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 AFDC Management, Nominated Supervisors, Coordinators, Educators and Students must adhere to the AFDC Child Safe Code of Conduct.

Online Safety

AFDC is committed to maintaining safe digital and online environments in collaboration with Family Day Care Educators and staff through the development and implementation of appropriate policies and procedures.

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).

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

Procedure:

- All Coordination Unit Staff, Educators and Board Members 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.
- 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.
- 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 ensure the privacy and confidentiality of any information obtained through screening processes.
- 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 Risk Assessment

AFDC 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, considering 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 AFDC Coordination 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 MRG or the Child Protection Helpline (Ph: 132111) will be consulted to determine if the allegation meets the required reporting threshold.
3. The Approved Provider or the Nominated Supervisor will report the allegation to the Department of Education within 24 hours.
4. In response to an allegation of reportable conduct or a reportable conviction, a Notification Form (Part A) will be completed and lodged with the Office of the Children's Guardian within 24 hours of AFDC becoming aware of the reportable allegation or conviction.
5. In the case of an allegation of Reportable Conduct, the Approved Provider must investigate the reportable allegations or make a determination about the reportable conviction. The investigation or determination must:
 - Be arranged as soon as practicable after the approved provider has become aware of the reportable allegation or reportable conviction,
 - Have regard to the principles of procedural fairness,
 - Give the educator or member of the educator's household opportunity to give a written submission to the approved provider if they would like to, and
 - Be completed within a reasonable timeframe.
6. An initial risk assessment will be conducted by the Approved Provider or the Nominated Supervisor prior to a notification being made to the Office of the Children's Guardian.
7. If a risk assessment conducted by the Approved Provider or Nominated Supervisor indicates that risks arising from the allegation of reportable conduct or a reportable conviction are high to extreme, the Educator will be suspended for the duration of the investigation.
8. Where the risk is deemed to be low or medium, increased supervision measures may be implemented.
9. If the Office of the Children's Guardian issues a written notice of exemption or deferral which exempts AFDC from commencing or continuing investigations, those investigations will be discontinued immediately.

10. An interim or final report, known as an entity report, which reaches a finding on each allegation, must be provided to the Office of the Children's Guardian within 30 calendar days of AFDC becoming aware of the allegation.
11. The report's findings must assess the evidence on the basis of probabilities and provide an analysis of the evidence and rationale for the findings. *See Children's Guardian Act Section 40 (3).*
12. The report must advise the Office of the Children's Guardian of any action the approved provider will be taking, including:
 - Any remedial or disciplinary action that will be taken,
 - If the matter has been referred to another entity,
 - If changes have been made to systems or policies, or
 - If no further action is to be taken.
13. If the investigation proves the allegations are unfounded, the person subject to the allegations will be provided with full support, which may include the offer of appropriate counseling.
14. If a notification is made to Police, AFDC will take the following steps:
 - To confirm with Police that they have commenced an investigation, and
 - To refrain from commencing internal investigative action without Police permission.
15. If a Police investigation is undertaken, AFDC must not alert the Educator of the allegation unless directed to do so by Police.
16. If a Dept. of Communities and Justice (DCJ) investigation is being undertaken, this investigation will take priority over an internal investigation, which AFDC will not undertake without DCJ permission.
17. If an Educator or member of the household is convicted, deregistration will occur immediately.

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 MRG or Child Protection Helpline (Ph: 132111).
2. If the allegation relates to a member of Management or the Nominated Supervisor of AFDC, the person should contact the Approved Provider.
3. When advised of the allegation, the Approved Provider, Management or Nominated Supervisor will obtain a written statement, including a full account of the incident, from the person making the allegation.
4. The Approved Provider or the Nominated Supervisor will report the allegation to the Department of Education within 24 hours.
5. An initial risk assessment will be conducted by the Approved Provider or the Nominated Supervisor prior to a notification being made to the Office of the Children's Guardian.
6. Where the risk is deemed to be low or medium, increased supervision measures may be implemented.
7. If a risk assessment conducted by the Approved Provider or Nominated Supervisor indicates that risks arising from the allegation of reportable conduct or a reportable conviction are high to extreme, the staff member will be suspended at their normal pay rate for the duration of the investigation.

8. In response to an allegation of reportable conduct or a reportable conviction, a Notification Form (Part A) will be completed and lodged with the Office of the Children's Guardian within 24 hours of AFDC becoming aware of the reportable allegation or conviction.
9. In the case of an allegation of Reportable Conduct the approved provider must investigate the reportable allegations or make a determination about the reportable conviction. The investigation or determination must:
 - Be arranged as soon as practicable after the approved provider has become aware of the reportable allegation or reportable conviction,
 - Have regard to the principles of procedural fairness,
 - Give the staff member household opportunity to give a written submission to the approved provider if they would like to, and
 - Be completed within a reasonable timeframe.
10. If the Office of the Children's Guardian issues a written notice of exemption or deferral which exempts AFDC from commencing or continuing investigations, those investigations will be discontinued immediately.
11. An interim or final report, known as an entity report, which reaches a finding on each allegation, must be provided to the Office of the Children's Guardian within 30 calendar days of AFDC becoming aware of the allegation.
12. The report's findings must assess the evidence on the basis of probabilities and provide an analysis of the evidence and rationale for the findings. (See Children's Guardian Act Section 40 (3)).
13. The report must advise the Office of the Children's Guardian of any action the approved provider will be taking, including:
 - Any remedial or disciplinary action that will be taken,
 - If the matter has been referred to another entity,
 - If changes have been made to systems or policies, or
 - If no further action is to be taken.
14. If the investigation proves the allegations are unfounded, the person subject to the allegations will be provided with full support, which may include the offer of appropriate counseling.
15. If a notification is made to Police, AFDC will take the following steps:
 - To confirm with Police that they have commenced an investigation, and
 - To refrain from commencing internal investigative action without Police permission.
16. If a Police investigation is being undertaken, AFDC must not alert the Educator of the allegation unless directed to do so by Police.
17. If a Dept. of Communities and Justice (DCJ) investigation is undertaken, this investigation will take priority over an internal investigation, which AFDC will not undertake without DCJ permission.
18. If a Staff Member is convicted, dismissal will occur.

General Information

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

1. Record indicators including dates, and direct observations or words spoken.
2. Speak to the Approved Provider or management about the indicators, consult the Child Protection Helpline (132 111) or MRG to determine if the report meets the ROSH threshold.
3. Be watchful for the appearance of other indicators.

A Notification 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:

1. Listen to the child (let the child speak, do not talk for them).
2. Use a calm reassuring voice at the child's level.
3. Do not ask leading questions or pry.
4. Believe the child.
5. Do not make promises you can't keep. Don't try to make it better.
6. Comfort the child.
7. Avoid expressing doubt, judgment, or shock.
8. Convey messages that it is not their fault, it was right to tell, it is not OK for adults to harm children, they are not alone, it happens to others as well.
9. Tell them that you need to talk to other people whose job it is to help children to be safe.
10. In the case of any abuse or neglect – do not alert the alleged offender about the disclosure.

Role and Responsibilities:

Roles	Responsibilities
Approved provider	• 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. • 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, vapes, 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	• 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. • To verify Working With Children Checks for Educators and their Adult Household Members annually at time of the Educator's re-registration. • When required, to work collaboratively with appropriate services and/or professionals to support children's access, inclusion and participation in the program.
Educators	• 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. • 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, vapes, illicit drugs and alcohol within service operation hours. • To recognise and respond effectively to children in care, considering 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

AFDC 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 relevant legislative bodies.

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/ Board of Management/ Educator