

ARMIDALE OUT OF SCHOOL HOURS CARE <i>CHILD PROTECTION AND CHILD SAFE POLICY AND PROCEDURE</i> <i>(INCLUDING PROVIDING A CHILD SAFE ENVIRONMENT)</i>

Related Policies:	Child Safe Code of Conduct, Code of Conduct; Delivery and Collection of Children and Parental Access; Determining the Responsible Person; Student and Volunteers;
Related Procedures:	Complaints Handling; Emergency Evacuation and Lockdown; Excursion, Motor Vehicle and Transport; Incident, Injury, Trauma and Illness; Dealing with Medical Conditions; Nutrition, Food, Beverage and Dietary Requirements; Social Media; Privacy; Sun Safe; Rest and Relaxation; Water Safety.
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 Office of the Children’s Guardian United Nations Convention on the Rights of the Child
Date effective	July 2025
Date for review	July 2026
Purpose	To ensure the safety and wellbeing of children within Armidale Out of School Hours Care (OSHC), fostering a child safe, responsive culture. Children’s safety and wellbeing is paramount in Armidale OSHC. We aim to take all necessary steps to protect children from harm.
Responsibility	Directors, Management, Nominated Supervisor, Educators, Families, Regular Visitors, Students, Volunteers.

Policy

Armidale OSHC 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 OSHC 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. We will:

- Embed *Child Safe Standards* to enhance a culture of child safety, aligning with the NQS and National Regulations and Law.
- Use our best endeavours to ensure, through comprehensive risk assessments, that our service provides a safe, welcoming environment where children feel secure and have a strong sense of belonging.
- Actively involve children in decision-making processes to foster their sense of agency and create an environment that supports them in reaching their full potential.
- Fully inform all service partners of their legal and professional responsibilities to identify and respond to children at risk of abuse or neglect, making them familiar with the procedures for reporting any suspected risk of significant harm (ROSH).
- Take reasonable precautions at all times to ensure that children are adequately supervised and protected from harm and hazard.
- Ensure that procedures are in place to effectively manage incidents and emergencies and that these procedures are regularly rehearsed.
- Operate in a manner that is sensitive to families in crisis, maintaining awareness of, and sensitivity to, the cultural backgrounds and practices of families. We 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 the highest priority of Armidale OSHC. Our 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) is obtained for all educators prior to engagement to ensure that the person is suitable to work with children. We use our best endeavours to 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.

Induction and Ongoing Training

- Management, Nominated Supervisors and Educators will receive access to frequent training opportunities, including workshops and online training courses.

- Management, Nominated Supervisors and Responsible Persons must undertake Child Protection Training prior to commencing their job role.
- Management and Nominated Supervisors must update their training annually.
- Responsible Persons update their training every two years.
- Management and Nominated Supervisors 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.

Armidale OSHC Educators will provide effective and adequate supervision of children at all times:

- **Active Supervision:** Armidale OSHC Educators will employ 'active supervision' strategies both within the service environs 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.
- **Injury, Incident, Trauma and Illness Record:** Educators, in conjunction with the Nominated Supervisor, must complete an Injury, Incident, Trauma and Illness Record for all instances involving a child in care; where a child requires attention from a medical practitioner or emergency services, this must be lodged with the Department of Education within 24 hours.
- **Access to Policies and Procedures:** Educators will have access to all Armidale OSHC policies and procedures related to child protection, including but not limited to:
 - Child Safe Code of Conduct
 - Supervision Procedure
 - Confidentiality Policy
 - Complaints Handling Policy
 - This Child Protection and Child Safe Policy and Procedure.

Child Safe Risk Assessment

Armidale OSHC 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 accordingly.

Child Safe Code of Conduct

All Armidale Out of School Hours Care stakeholders must adhere to the Armidale OSHC's Child Safe Code of Conduct.

Online Safety

Armidale OSHC is committed to maintaining safe digital and online environments through the development and implementation of appropriate policies and procedures.

'Mandatory Reporting

Management, Nominated Supervisors and Educators of Armidale OSHC 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 Out of School Hours Care welcomes and supports families to ask questions on how we prioritise child safety in our Family Day Care Residences.

Procedures:

- All Armidale OSHC Management and Nominated Supervisors 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 Armidale OSHC Responsible Persons and Educators are required to undergo a Working with Children Check prior to commencing work and to update that WWCC every 5 years.

- Management, Nominated Supervisors and Educators are to be required to be aware of their responsibilities under all Acts of legislation upon engagement and are required to read and sign policies that directly relate to child protection.
- Management and Nominated Supervisors are required to undertake relevant child protection training every year.
- Responsible Persons and Educators must undertake relevant child protection training every 2 years.
- Armidale OSHC 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, Armidale OSHC will undertake a formal interview, reference checks and a Working with Children Check.

Child Safe Risk Assessment

Armidale Out of School Hours Care will adopt the following processes for identifying and reducing or removing risks of child abuse:

- Identifying child safety risks across the range of environments (including excursions, online) using a risk assessment template.
- Identifying any existing risk mitigation measures or internal controls.
- Assessing and rating 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', identifying further risk management strategies through additional controls or other prevention, detection or mitigation strategies and then reassess the risk.
- Documenting, recording and reviewing the risk management process periodically. Effective risk management strategies are dynamic and change over time as new risks arise and others may no longer be relevant.
- Ensuring the effectiveness of risk management strategies; that they are 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 the Armidale OSHC service. The Nominated Supervisor or Responsible Persons 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. Armidale OSHC will then ensure that strategies are put into place to manage risks.

Reporting Child Abuse – Notification Procedures

The Role of Armidale OSHC Management, Nominated Supervisors and Educators in relation to suspected abuse:

1. If an individual has reason to suspect that a child attending care is at risk of significant harm, they should immediately contact Management or Nominated Supervisor of Armidale OSHC and report this information.
2. To ensure the child's safety, the individual must **NOT** discuss their concerns with the family.
3. The individual and Management representative or Nominated Supervisor 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 Armidale OSHC 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 Armidale OSHC or the Mandatory Reporter Child Protection Helpline -132111.
2. The allegation will be documented, and the Mandatory Reporters Guide or the Child Protection Hotline (Ph: 132111) will be used to determine if the allegation meets the required reporting threshold.
3. If the allegation relates to the Children's Services Manager or the Nominated Supervisor of AFDC, the person should contact the Approved Provider.
4. 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.
5. The Approved Provider or the Nominated Supervisor will report the allegation to the Dept. of Education within 24 hours.
6. An initial risk assessment will be conducted by the Approved Provider or Nominated Supervisor prior to a Notification being made to the Office of the Children's Guardian.
7. Where the risk is deemed to be of a low or medium nature, increased supervision measures will be implemented.
8. If the risk assessment conducted indicates that the risks arising from the reportable allegation or reportable conviction are high to extreme, the staff member will be suspended at their normal pay rate for the duration of the investigation.
9. 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 Armidale OSHC becoming aware of the reportable allegation or conviction
10. 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 the opportunity to give a written submission to the approved provider if they would like to, and
 - Be completed within a reasonable timeframe.
11. If the Office of the Children's Guardian issues a written notice of exemption or deferral which exempts Armidale OSHC from commencing or continuing investigations, those investigations will be discontinued immediately.
 12. 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 Armidale OSHC becoming aware of the allegation.
 13. 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)*).
 14. 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.
 15. 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 counselling.
 16. If a notification is made to Police, Armidale OSHC will take the following steps:
 - To confirm with Police that they have commenced an investigation, and
 - To refrain from undertaking an internal investigation without Police permission.
 17. If a Dept. of Communities and Justice (DCJ) investigation is being undertaken, this investigation will take priority over an internal investigation, which will not be undertaken without DCJ permission.
 18. If a Police investigation is being undertaken, Armidale OSHC will not alert the staff member of the allegation without Police permission.
 15. If a Staff Member is convicted, dismissal will occur.
 16. Detailed records of the investigation and any disciplinary procedures must be kept for an unspecified time.
 17. A staff member 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 staff member.

General Information

If any indicators of Risk of Significant Harm (ROSH) are observed, all stakeholders are advised to:

1. Record indicators including dates, and direct observations or words spoken.
2. Speak to Armidale OSHC Management or Nominated Supervisor about the indicators or contact the Mandatory Reporter's Helpline (132 111) to determine if the report meets the ROSH threshold.
3. 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:

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. Don't ask leading questions or pry.
4. Believe the child.
5. Don't 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's 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, Nominated Supervisors, Responsible Persons, Educators and students obtain a cleared Working With Children Check prior to their engagement by Armidale OSHC. • To ensure that all above stakeholders upgrade their Working with Children Check every five years. • To ensure that Management and Nominated Supervisors undertake a National Police Check upon engagement and update every five years. • To ensure that Management and Nominated Supervisors have undertaken current child protection training, including on mandatory reporting requirements and obligations in their state/territory. • To ensure that Armidale OSHC provides an environment that is free from the use of tobacco, vapes, illicit drugs and alcohol and ensure no 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 Armidale OSHC.

	• To ensure that Armidale OSHC policies and procedures promote equity and respect diversity for the safety and wellbeing of children and young people. • To ensure that copies of Armidale OSHC policies and procedures are readily accessible to Management, Nominated Supervisors, Responsible Persons, Educators, 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 Responsible Persons, Educators, volunteers and students are aware of current child protection legislation, including their mandatory reporting requirements and obligations in NSW. • To ensure all stakeholders know where to access this <i>Child Protection and Child Safe Polic</i> . • To have ongoing communication with all stakeholders about their responsibilities in relation to policies, procedures and legislation. • To support Responsible Persons and Educators to uphold Armidale OSHC'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	• 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 Armidale OSHC's culture of child safety and wellbeing. • To be aware of the individual needs and action plans for children in their care. • In the case of Responsible Persons, to maintain accredited Child Protection, First Aid and approved CPR, Asthma and Anaphylaxis training. • To recognise and respond effectively to children in care, taking into account their diverse needs. • To ensure children participate in decision making in matters affecting them, including in relation to safety issues and risk identification

Access to Armidale Out of School Hours Care Policies and Procedures

Armidale Out of School Hours Care policies and procedures are located on AFDC's website (<https://armidaleanddistrictfamilydaycare.com>), at the Company's Coordination Unit (95 Faulkner St Armidale NSW 2350) and in the Out of School Hours Care service.

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 Out of School Hours 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: Nominated Supervisor/Educator