



## Child Protection

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### NQS

QA2	2.2.3	Child protection - Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.
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### National Regulations

Regs	84	Awareness of child protection law
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### Aim

Splash Centre recognises its moral and legal responsibility to:

- Provide a safe and respectful environment for all children in its care.
- Minimise the risk of child abuse.
- Report all and any instance or suspicion of child abuse to appropriate authorities.
- Offer resources, information, and guidance to ensure a child safe environment.

### Scope

This policy applies to:

- 'Staff': the approved provider, persons with management or control, nominated supervisor, paid workers, volunteers, work placement students, and third parties who carry out child-related work at our service (e.g., contractors, subcontractors, self-employed persons, employees of a labour hire company)
- Children who are in our care, their parents, families and care providers
- Visitors to our service who carry out child-related work, including allied health support workers

It applies to all physical, digital and online environments of our service (including off-site and outside of operating hours)

It should be read in conjunction with our related policies and procedures for child safety and wellbeing (referenced throughout the policy)

## Definitions

Child-related work	is used in this policy to refer to the work of our service (an education and care service for children). It does not apply where contact with children is incidental or would not reasonably be expected to occur, or where the service or activity is provided by a relative of the child's (e.g. a grandparent, aunt or uncle)
'Harm' and 'risk of harm'	are used in this policy as overarching terms that cover neglect and various forms of abuse. It includes physical, sexual and psychological abuse; neglect; ill-treatment; grooming; exposure to family violence; commercial child sexual exploitation; online child sexual abuse; and sexual abuse that is perpetrated by other children and young people  'Harmful sexual behaviours' - a general term to describe behaviour in children under 18 years that fall across a spectrum of sexual behaviour problems, including those that are problematic to the child's own development, as well as those that are coercive, sexually aggressive and predatory towards others
Inappropriate conduct	means conduct that a reasonable person would consider to be inappropriate in an education and care service. Includes behaviour that is inconsistent with professional standards; causes or is likely to cause emotional, psychological or physical harm; or has violent or sexual connotations (see <a href="#">Child Safe Code of Conduct</a> for a list of prohibited conduct)
'Mandatory reporting'	terms are defined in the policy statement under the heading 'Mandatory reporting'
'Parents'	includes guardians and persons who have parental responsibilities for the child under a decision or order of court
'Reportable conduct'	terms are defined in the policy statement under the heading 'reportable conduct'
'Sexual misconduct'	is defined <i>Children's Guardian Act 2019</i> , Part 4, as conduct with, towards, or in the presence of a child that is sexual in nature but is not a sexual offence (descriptions of sexual acts without a legitimate reason to provide the descriptions; sexual comments, conversations or communications; comments to a child that express a desire to act in a sexual manner towards the child or another child
'Sexual offence'	is defined in the <i>Children's Guardian Act 2019</i> , Part 4, as an offence of a sexual nature under a law of the State, another State, a Territory, or the Commonwealth, committed against, with or in the presence of a child (e.g., sexual touching of a child; a child grooming offence; production, dissemination or possession of child abuse material; voyeurism
'Staff'	unless indicated otherwise, refers to the approved provider, persons with management or control, the nominated supervisor, paid employees, volunteers, students, and third parties who are covered in the scope of this policy. Note: 'staff', 'employees' and 'workers' etc may have their own, different definitions in legislation covered in this policy

## Related Policies

Educator and Management Policy  
Privacy and Confidentiality Policy  
Record Keeping and Retention Policy

### Related Documentation

Incident Injury Trauma and Illness Record  
Child Protection Annual Review  
Educator Induction Processes  
Educator Appraisal Processes  
Educator Recruitment Processes  
Educator Professional Development Processes  
Educator Job Descriptions  
Staff Records  
Risk Management Plans

## Implementation

### Duty of Care

Role	Responsibilities
Approved Provider /Management	<ul style="list-style-type: none"><li>The approved provider and nominated supervisor must ensure that every reasonable precaution is taken to protect children in our care from the harm and any hazard likely to cause injury</li></ul>
Splash Staff	<ul style="list-style-type: none"><li>Management, educators, and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect</li><li>Our duty of care extends to reporting to the police and/or other authorities (where appropriate), arranging internal and external support for affected children and families, and sharing information with authorised individuals and agencies to support child safety and wellbeing</li></ul>

### Child-focused complaint system

Role	Responsibilities
Approved Provider /Management	<ul style="list-style-type: none"><li>Must ensure our complaint handling system is child focused, and can effectively deal with a complaint that alleges a child is exhibiting harmful sexual behaviours</li></ul>

<b>Role</b>	<b>Responsibilities</b>
Management	<ul style="list-style-type: none"> <li>• Will encourage a culture where staff, children and families feel confident and supported to speak up about suspicions, disclosures, or observations of harm or risk of harm or breaches of our child safe code of conduct</li> </ul>
Staff	<ul style="list-style-type: none"> <li>• Must understand that they are required to report concerns internally and externally, even if they are unsure</li> <li>• We will take all concerns seriously and respond in a timely, respectful and appropriate way, following our child protection reporting procedures and obligations under the law</li> <li>• We will encourage reporting by having clear policies and procedures, visible information for children and families, open and trusting relationships, and protective behaviour education that gives children the language and confidence to speak up</li> <li>• Victimisation, silencing or failure to act on a concern are not tolerated</li> </ul>

## Child Protection

<b>Role</b>	<b>Responsibilities</b>
Approved Provider	<ul style="list-style-type: none"> <li>• Ensure our service meets its obligations under the <i>Education and Care Services National Law and Regulations</i>, including to take every reasonable precaution to protect children from harm and hazards likely to cause injury. Ensure that no child is subjected to inappropriate conduct, any form of corporal punishment or any discipline that is unreasonable</li> <li>• Ensure that our service's governance, management, operations, policies, plans, (including risk management/action plans), systems, practices and procedures for child protection matters are appropriate in practice, best practice, comply with the Child Safe Standards and comply with all relevant legislation</li> <li>• Ensure that for any action or decision that concerns a particular child, the safety, welfare and wellbeing of the child is paramount; and that the rights and best interests of each child prevail over other interests or obligations in line with s4 of the <i>National Law</i></li> <li>• Ensure we have a child-focused complaint management system that responds properly to any complaints or concerns about child safety and wellbeing and any allegations of harmful sexual behaviour in children</li> <li>• Ensure our <u>Child Protection Policy and Procedures</u> is in place and available for inspection</li> </ul>

**Role****Responsibilities**

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- Take reasonable steps to ensure this policy and procedures are followed (e.g. through clear and accessible communication, and systemised inductions, training and monitoring of all staff – including volunteers, students)
  - Ensure that systems are in place to identify and minimise or eliminate risks of harm to a child in line with our policies/procedures (including our [Child Safe Risk Management Plan](#)) and our legal requirements. Ensure we conduct and document regular child protection risk assessments in line with this policy. Ensure staff can and do use the risk assessments/plans, including children’s individual action plans
  - Promote a culture of reporting. Act on any incidents, allegations, disclosures and suspicions of: criminal conduct; harm or risk of harm to a child; harmful sexual behaviour in children; inappropriate conduct by staff; a child appearing to have been involved in serious incident, including a sexual offence or sexual misconduct; or reportable conduct by staff. Report where necessary to the relevant authorities and in line with our procedures and legal obligations
  - Ensure staff are familiar with and can easily access the [NSW Early Learning Commission's Reporting Guide](#) and our internal child protection reporting procedures
  - Ensure we maintain a confidential register for child protection concerns in line with this policy, and that the register is appropriately reviewed to ensure that issues are being addressed and patterns or trends of behaviour are identified
  - Ensure we have a protected disclosures policy in place and that staff and provide regular training and awareness sessions to staff about the importance of, and protections for, anyone who is making a protected disclosure
  - Ensure our service complies with the Reportable Conduct Scheme, including by having systems, policies and procedures in place to prevent, detect and respond to reportable conduct
  - Ensure that we meet our obligations for mandatory child protection training and providing advice on current child protection laws, including keeping evidence of inductions and training on the person’s records
  - Ensure child protection related records are made and confidentially stored according to our policies and legal obligations. Keep all child protection matters confidential unless we are legally required to disclose
  - Debrief and critically reflect on incidents, give support to staff and update related policies, procedures and risk assessments and plans as required
  - Regularly review this [Child Protection Policy and Procedures](#) in consultation with children, families, communities and staff. Keep it available for inspection
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Role	Responsibilities
	<ul style="list-style-type: none"> <li>• Notify families at least 14 days before changing this <u>Child Protection Policy and Procedures</u> if the changes will: affect the fees the charged or the way they are collected; or significantly impact the service’s education and care of children; or significantly impact the family’s ability to utilise the service.</li> <li>• Work collaboratively with support services and or/professionals to support children (and their families) and staff members who have been impacted by harm or the risk of harm</li> </ul>
Nominated Supervisor/pers	<ul style="list-style-type: none"> <li>• Ensure our service meets its obligations under the <i>Education and Care Services National Law and Regulations</i>, including to take every reasonable precaution to protect children from harm and hazards likely to cause injury. Ensure that no child is subjected to inappropriate conduct any form of corporal punishment or any discipline that is unreasonable</li> <li>• Support the approved provider to ensure that our service’s management, operations, policies, plans, (including risk management/action plans), systems, practices and procedures for child protection matters are appropriate in practice, best practice, comply with the Child Safe Standards and all relevant legislation</li> <li>• Ensure that for any action or decision that concerns a particular child, the safety, welfare and wellbeing of the child is paramount; and put the rights and best interests ahead of other interests or obligations in line with s4 of the <i>National Law</i></li> <li>• Implement this <u>Child Protection Policy and Procedures</u> and all other parts of our child-focused complaint management system that responds properly to any complaints or concerns about child safety and wellbeing, and any allegations of harmful sexual behaviour in children</li> <li>• Take reasonable steps to ensure this policy and procedures are followed (e.g. through clear and accessible communication, and systemised inductions, training and monitoring of all staff – including volunteers, students)</li> <li>• Identify and minimise or eliminate risks of harm to a child in line with our policies/procedures (including our <u>Child Safe Risk Management Plan</u>) and our legal requirements. Support the approved provider to ensure we conduct and document regular child protection risk assessments in line with this policy. Ensure staff can and do use the risk assessments/plans, including children’s individual action plans</li> <li>• Promote a culture of reporting. Act on any incidents, allegations, disclosures and suspicions of: criminal conduct; harm or risk of harm to a child; harmful sexual behaviour in children; inappropriate conduct by staff; a child appearing to have been involved in serious incident, including a sexual offence or sexual misconduct; or reportable conduct by staff. Report where necessary to the approved provider and relevant authorities and in line with our procedures and legal obligations</li> </ul>

Role	Responsibilities
	<ul style="list-style-type: none"> <li>• Support the approved provider to ensure staff are familiar with and can easily access the <a href="#">NSW Early Learning Commission's Reporting Guide</a> and our internal child protection reporting procedures</li> <li>• Support the approved provider to maintain a confidential register for child protection concerns in line with this policy, and that the register is appropriately reviewed to ensure that issues are being addressed and patterns or trends of behaviour are identified</li> <li>• Successfully complete approved mandatory child protection training and other relevant professional development activities within the prescribed time</li> <li>• Ensure we meet our obligations for mandatory child protection training and awareness in relation to staff, contractors, students and volunteers, including keeping evidence of inductions and training on the person's records</li> <li>• Ensure child protection related records are made and confidentially stored according to our policies and legal obligations. Keep all child protection matters confidential unless we are legally required to disclose</li> <li>• Debrief and critically reflect on incidents, give support to staff and update related policies, procedures and risk assessments and plans as required</li> <li>• Contribute to policies and procedure reviews and risk assessments and plans in consultation with children, families, communities and staff. Support the approved provider to notify families of changes according to legislation and our policies and procedures</li> <li>• Work collaboratively with support services and or/professionals to support children (and their families) and staff members who have been impacted by harm or the risk of harm</li> </ul>
Splash Staff	<ul style="list-style-type: none"> <li>• Discharge your duty of care (e.g. by taking every reasonable precaution to protect children from harm or hazards likely to cause injury). Do not subject a child to inappropriate conduct, any form of corporal punishment or any discipline that is unreasonable</li> <li>• Ensure that for any action or decision that concerns a particular child, the safety, welfare and wellbeing of the child is paramount; and that the rights and best interests of each child prevail over other interests or obligations in line with s4 of the <i>National Law</i></li> <li>• Follow our child-focused complaint management system - including this <a href="#">Child Protection Policy and Procedures</a> - to respond properly to any complaints or concerns about child safety and wellbeing and any allegations of harmful sexual behaviour in children</li> </ul>

**Role****Responsibilities**

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- Be familiar with and know where to access the [NSW Early Learning Commission's Reporting Guide](#) and our internal child protection reporting procedures
  - Act on any incidents, allegations, disclosures, and suspicions of: criminal conduct; harm or risk of harm to a child; harmful sexual behaviour in children; inappropriate conduct by staff; a child appearing to have been involved in serious incident, including a sexual offence or sexual misconduct; or reportable conduct by staff. Report where necessary to the nominated supervisor, approved provider and the relevant authorities and in line with our procedures and legal obligations (including reportable conduct, mandatory reporting, reporting criminal conduct)
  - Report any issues with our child protection policies and procedures to the appropriate person (e.g. approved provider, nominated supervisor, lead educator)
  - Identify and minimise or eliminate risks of harm to a child in line with our policies/procedures (including our [Child Safe Risk Management Plan](#), child protection risk assessments and other risk assessments/plans such as children's individual action plans)
  - Complete child protection records when required. Provide them to the approved provider/nominated supervisor as soon as practicable
  - Keep all child protection matters confidential unless we are legally required to disclose
  - Must be trained to prevent, respond and report harm or risk of harm to a child
  - The must follow all relevant children protection procedures (see procedures attached):
    - Managing an emergency (child protection)
    - Managing disclosures and suspicions of harm
    - Reporting to child protection helpline and/or notifications to the regulatory authority
    - Contacting parents
    - Providing support
    - Managing allegations of harmful sexual behaviour in children
    - Managing allegations of reportable conduct
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## Managing a Disclosure or a Suspicion

A disclosure or suspicion can also be about a child harming another child or a child who is at risk of being harmed by another child

<b>Role</b>	<b>Responsibilities</b>
Splash Staff	<ul style="list-style-type: none"><li>If a staff member receives a disclosure or has a suspicion about harm or risk of harm to a child regardless of whether the suspected/disclosed harm or risk of harm takes place at or outside of the service, they must follow our procedure for managing disclosures or suspicions of harm (Attached)</li></ul>

## Criminal Conduct

In NSW, it is a criminal offence for adults not to report to information to police if they know, believe or reasonably ought to know that a child has been abused or that they have information that might materially assist in securing the apprehension, prosecution, or conviction of the offender (known as 'failure to report').

It is also a criminal offence for an adult working in an organisation that engages workers in child-related work if they know that an adult worker engaged by the organisation in child related work poses a serious risk of abusing a child (under 18 years), and they have, the power or responsibility to reduce or remove the risk, and they negligently fail to reduce or remove that risk (known as 'failure to protect').

<b>Role</b>	<b>Responsibilities</b>
Splash Staff	<ul style="list-style-type: none"><li>We must report and protect against criminal offences involving children</li><li>Must report to police anything that could be considered a criminal offence. This includes sexual assault, physical assault, grooming offences, and producing, disseminating or possessing child abuse material</li></ul>

## Mandatory Reporting

'at risk of significant harm' means current concerns exist for the safety, welfare, or wellbeing of the child because of the presence, to a significant extent, of any of the following:

- A child's basic physical or psychological needs are not or are at risk of not being met;
- The parents have not arranged or unable or unwilling to arrange for the child to receive necessary medical care;
- The parents have not arranged and are unwilling to arrange for a school-age child to receive an education according to NSW law;

- The child or young person has been, or is at risk of being, physically or sexually abused or ill-treated;
- The child is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm;
- A parent has behaved in such a way towards the child that the child or young person has suffered or is at risk of suffering serious psychological harm

<b>Role</b>	<b>Responsibilities</b>
Staff (but not unpaid volunteers)	<ul style="list-style-type: none"> <li>• Are 'mandated reporters; under NSW mandatory reporting laws</li> <li>• By law, mandated reporters must make a report to the Child Protection Helpline (NSW Department of Communities and Justice) when there are reasonable grounds to suspect that a child or young person is at 'risk of significant harm'. And those grounds arise in the course of, or from their work or specified role</li> </ul>

## Reportable Conduct

Reportable conduct covers allegations or convictions of a sexual offence; sexual misconduct; ill-treatment of a child; neglect of a child; an assault of a child; failure to protect and failure to report – offences under the Crimes Act 1900; or a behaviour that caused significant emotional or psychological harm to a child

Allegations do not require proof that the conduct has occurred or that it is likely to have occurred

Our service has systems in place such as policies and procedures to prevent, detect and deal with reportable conduct and reportable conditions.

<b>Role</b>	<b>Responsibilities</b>
Approved Provider/Nominated Supervisor	<ul style="list-style-type: none"> <li>• Must respond to and notify the NSW Office of Children's Guardian of Reportable Conduct by individuals engaged directly or indirectly by our service (including employees, volunteers, and in some circumstances, contractors), irrespective of whether this related to their employment or activities at the service</li> <li>• Will report reportable conduct as soon as practicable (and must report it within 7 business days of becoming aware of it)</li> <li>• Must follow our procedure for managing allegations of reportable conduct (Attached)</li> </ul>
Staff and volunteers	<ul style="list-style-type: none"> <li>• Must report allegations and convictions of reportable conduct they become aware of (including any made against them (to the approved provider as soon as practicable)</li> </ul>

Role	Responsibilities
	<ul style="list-style-type: none"> <li>• If a staff member becomes aware that the approved provider is the subject of reportable conduct or the approved provider is not satisfactorily meeting our obligations, the staff member must notify the Children’s Guardian directly</li> </ul>

## Notifiable Incidents or Circumstances

Role	Responsibilities
Approved Provider/Nominated Supervisor	<ul style="list-style-type: none"> <li>• provider must notify the regulatory authority in writing within the prescribed time of the following incidents or circumstances (<i>National Law</i> ss 173, 174 and <i>National Regulations</i> regs 175, 176): <ul style="list-style-type: none"> <li>○ any serious incident at the service and any complaints alleging that a serious incident has occurred or is occurring while a child was/is being cared for by our service – including a child being subjected to inappropriate conduct or inappropriate discipline, or appearing to have been involved in a sexual offence or sexual misconduct (within 24 hours)</li> <li>○ circumstances at the service which pose a risk to the health, safety or wellbeing of children (within 7 days)</li> <li>○ any incident or allegation that physical or sexual abuse of a child or children has occurred or is occurring while the child or children are being educated and cared for by the service (within 24 hours)</li> <li>○ if there has been a change relevant to whether the approved provider is a fit and proper person to be involved in our service (within 7 days)</li> <li>○ a staff member being issued with a negative notice in relation to their working with children check or a change in relation to an educator’s accreditation or registration as a teacher (notify in writing, within 24 hours)</li> <li>○ disciplinary proceedings of a nominated supervisor under an education law (within 7 days)</li> </ul> </li> <li>• must also notify SafeWork of notifiable workplace incidents, where required</li> </ul>

## Reporting Staff

We take all inappropriate conduct and breaches to our child safe code of conduct seriously. The nominated supervisor and approved provider act in line with our child safe and HR policies in responding to any allegations or incidents.

Role	Responsibilities
Staff	<ul style="list-style-type: none"> <li>● must report following our reporting procedure (attached) if they witness, suspect or receive a disclosure about another staff member (including contractors and volunteers) engaging in: <ul style="list-style-type: none"> <li>○ Conduct that breaches our Child Safe Code of Conduct</li> <li>○ Inappropriate conduct</li> <li>○ Any conduct that reaches the threshold for mandatory reporting, reportable conduct, sexual misconduct, or is potentially criminal conduct (including sexual offences)</li> </ul> </li> <li>● must notify the approved provider and nominated supervisor as soon as practicable and complete a Child Safety and Wellbeing Breach – Incident Report Form (template attached)</li> </ul>

## Harmful Sexual Behaviour in Children

Role	Responsibilities
Staff	<ul style="list-style-type: none"> <li>● must respond appropriately and promptly to concerns or complaints about harm or risk of harm to a child (either by adults or by other children), or that a child is exhibiting harmful sexual behaviour (<i>National Regulations reg 168(2)(o)</i>)</li> <li>● will be trained to recognise appropriate and inappropriate sexual behaviour in children, and to know which actions to take in response</li> <li>● must follow our procedure for managing allegations of harmful sexual behaviour in children (attached)</li> <li>● Where appropriate, staff must make reports to the police and/or external authorities in line with our child protection reporting procedures</li> </ul>

## Child Protection Training and Awareness for Staff

We will meet the Child Safe Standards by equipping, through ongoing education and training, staff (including volunteers and students) with the knowledge, skills and awareness to keep children safe.

We induct, train, and give information to staff so they can recognise and respond to indicators of child harm, including harm caused by other children and young people

Role	Responsibilities
Approved Provider/Nominated Supervisor	<ul style="list-style-type: none"> <li>● must ensure that the nominated supervisor and every person in day-to-day charge has successfully completed approved child protection training as required under the <a href="#">NSW Government protocol</a> (<i>National Law s 162A</i>):</li> </ul>

Role	Responsibilities
	<ul style="list-style-type: none"> <li>• must ensure that nominated supervisors and persons in day-to-day charge complete: <ul style="list-style-type: none"> <li>○ The required training <b>before</b> they start working directly with children at our service. If they will not be working directly with children, they must complete the training within 14 days of starting at our service (<i>National Regulations</i> reg 128B(3))</li> <li>○ Child protection ‘refresher’ training as required, including whenever significant changes are made to child protection law or reporting requirements</li> </ul> </li> <li>• will check with the regulatory authority which courses are approved, noting that the current approved courses are CHCPRT025 (Identify and report children and young people at risk) and CHCPRT026 (Support the rights and Safety of Children and Young People), but that previously approved courses may still be accepted)</li> <li>• must make sure that evidence and completion and expiry dates of inductions and training is kept on each staff member and volunteer’s record (<i>National Regulations</i> regs 145, 146, 147)</li> <li>• will check staff members’ awareness of current child protection laws and procedures when they start at our service and at regular intervals throughout their time with us, including during their ongoing staff appraisals and professional development program</li> <li>• will keep appropriate records that show we have taken reasonable steps to advise staff about current child protection laws and their responsibilities under those laws</li> </ul>
Splash staff	<ul style="list-style-type: none"> <li>• The nominated supervisor, and all staff members, volunteers and students who work with children must understand and be advised of the existence and application of current child protection laws and their obligations under them. They must be able to explain their obligations as a mandatory reporter, including the circumstances that will trigger a report and how to submit a report (<i>National Regulations</i> reg 84)</li> <li>• will be trained to recognise the physical and behavioural signs of harm in a child and what actions to take if they suspect or have knowledge that a child has been harmed or is at risk of harm</li> <li>• can access information on the indicators of harm, including exposure to family violence and signs that an adult may be engaging in child sexual abuse or grooming. A list of indicators is also attached to this policy</li> </ul>

## Information Exchanging

- Chapter 16A of the *Children's and Young Person's (Care and Protection) Act 1998* enables children's services to exchange information they reasonably believe may help other specified persons or entities to: ensure the safety, welfare or wellbeing of children; and help the persons or entities make decisions, conduct investigations, provide services or manage risks to a child
- Relevant information is allowed to be shared with persons and entities including other children's services, NSW Police, state government departments or public authorities, schools, public health organisations, private health facilities, nurses, doctors, midwives, psychologists, occupational therapists, speech pathologists and bodies like family referral services
- Information sharing applies whether or not concerns of harm meet the mandatory reporting threshold of risk of significant harm, and would only be declined if this may endanger a person's life or physical safety, prejudice an investigation, not be in the public interest etc
- We do not need to have the consent of the people involved but should make sure that families and employees understand there is a possibility we will need to share confidential and private information about them in these circumstances
- Where possible, it is best practice to obtain the consent of children and families before sharing information that relates to them. However, staff must not try to obtain consent if doing so could jeopardise safety and wellbeing of someone, put someone at the risk of harm, is otherwise impracticable or not in the best interests of a child
- We must only use the information we receive for the purpose for which it was given and we must always store confidential records in accordance with our policies and procedures.
- Because this is such a sensitive and complex matter, in the event we need to share information, we will consult the NSW Department of Communities and Justice for further guidance (see their website for more information)

## Notifying parents and supporting families

- The approved provider must also ensure that we notify the child's parents as soon as practicable (and within 24 hours) if their child has been involved in any incident, injury, trauma or illness while at our service (*National Regulations reg 86*)
- We will provide families with information about child safety, protective behaviours and local support services through our usual communication channels (e.g., displays, newsletters, in person discussions)
- We will work with families to provide coordinated support and refer them to external support services, where appropriate and with consent
- We will consider the needs, circumstances and backgrounds of families and tailor our support accordingly
- If there are concerns about harm or risk of harm to a child, staff must follow our procedures for contacting parents (attached) and supporting families (attached)

## Register for Child Protection Concerns

We must establish and maintain a register for child protection concerns (*National Regulations reg 168(2)(h(iii) NSW*), with the following information:

- The date a concern was raised or identified
- A brief description of the concern
- The persons involved (e.g., child, staff, managers, parents/guardians or others)
- Any actions taken or decisions made, including reports made to relevant authorities
- Any mandatory notification or reporting reference numbers and details of any review or closure of the matter

The approved provider and nominated supervisor will ensure that the register of child protection concerns is maintained, stored securely and confidentially (and in line with protected disclosure requirements)

The approved provider and nominated supervisor will appropriately and regularly review the register to ensure that issues are being addressed and patterns or trends of behaviour are identified

## Privacy and record keeping

- Any information we gather on a child protection matter - records, identities and reports – must be kept and stored as confidential and only be disclosed if required by law, or when it is required to ensure the safety and well-being of a child
- Staff must follow directions from the relevant authorities regarding confidentiality and ensure they comply with all relevant legislation
- Staff must not promise absolute confidentiality to anyone involved in a child protection matter (including children) as we may have disclose personal information in certain circumstances
- We are committed to keeping full and accurate records about any incidents, responses and decisions that relate to child safety and well-being, including sexual abuse
- Individuals have a right to access, amend and annotate their own records, except if in doing so they are breaking the law or breaching one of our other policies
- Records that relate to child safety and well-being – e.g., suspicions, disclosures, allegations, convictions, reports, complaints, grievances, investigations, complaints handling, breaches, disciplinary actions, referrals, exchanges of information, risk assessments, policies and procedures - will be kept in an indexed, logical and secure way
- We must complete record within 24 hours of an incident, injury, trauma, and illness involving a child and stored it until the child is 25 years old

- Records related to child sexual abuse and other forms of harm or risk of harm that has or is alleged to have occurred will be kept for the best practice period of a minimum of 45 years (and longer if possible)
- Online records will be stored password protected file and physical records in a secure cabinet. Access will only be granted on a 'need to know' basis and in line with our other relevant policies

## Protections for reporters

- Reports made to the Child Protection Hotline are confidential. The reporter's identity is generally kept confidential under NSW law. As long as the report has been made in good faith, there are protections for the reporter, including that the report will not breach professional etiquette or ethics or amount to professional misconduct, they are protected from civil and criminal liability, and against retribution. Note, if the NSW Police are investigating a serious offence against a child, they can access the identity of the reporter if they need to
- Under the *National Regulations* in NSW (reg 300D), there are protections for a person making a 'protected disclosure' to the regulatory authority or to a manager of our service regarding breaches of the *National Law* or the safety, health and wellbeing of a child or children at our service
- If the person makes the report in good faith, generally the reporter will not incur civil or criminal liability. This includes liability for breaching a duty of secrecy, confidentiality, law or code of conduct or other restrictions in relation to the disclosure of information. Reporters will also generally not be liable for disciplinary action and may have a defence against defamation proceedings
- The approved provider must have a protected disclosures policy in place and provide regular training and awareness sessions to staff about the importance of, and protections for, anyone who is making a protected disclosure (*National Regulations* reg 300E)

## Procedural fairness

- Child protection matters will be dealt with in a fair, transparent and timely manner
- We do not conduct any internal investigations unless we are instructed to so by a relevant authority
- Reportable conduct investigations are carried out according to the Reportable Conduct Scheme's guidelines and our procedure for managing allegations of Reportable Conduct
- Our records are accurate, confidential and stored securely
- We protect the privacy of those involved in line with the law and our relevant policies (Note, confidential information may be exchanged with relevant agencies to ensure the safety, welfare and wellbeing of children)
- If an allegation is found to be substantiated, the approved provider and nominated supervisor follow advice from the relevant authorities and act in line with our HR policies when considering actions against the staff member

## Review & Approval

This policy will be reviewed annually, when regulations change, or after any incident that highlights a need for policy revision.

Approved	Next Review	Approved By
28/04/2026	28/04/2027	Splash Management

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## Overview of Child Protection Procedures

These procedures apply to our:

- [Child Protection Policy](#)
- [Complaint Handling Policy](#)
- [Child Safe Environment Policy](#)
- [Child Safe Code of Conduct](#)
- [Child Safe Risk Management Plan](#)

### Procedures

1. Managing an emergency (child protection)
2. Managing disclosures and suspicions of harm (child protection)
3. Reporting (child protection)
4. Contacting parents (child protection)
5. Providing support (child protection)
6. Managing allegations of harmful sexual behaviour in children (child protection)
7. Managing allegations of reportable conduct (child protection)

### Resources

1. Incident, Injury, Trauma and Illness Record template (in Incident, Injury, Trauma and Illness Record Policy)
2. Recording disclosures of harm/risk of harm template (attached)
3. Recording suspicions of harm/risk of harm template (attached)
4. Child Safety and Wellbeing Breach – Incident Report template (attached)
5. List of indicators of harm resource (attached)

## PROCEDURE - Managing an emergency (child protection)

### When to use this procedure

- If there is an immediate risk to health and safety of a child
- If an incident of harm or risk of harm occurs at our service
- If there is no immediate risk, staff go straight to Reporting procedure

#### 1. Respond to threats to health and safety

- Intervene to protect other children
- Separate the child and anyone else involved in the incident
- Make sure that all parties are supervised
- Administer first aid
- Call 000 for an ambulance
- Call 000 for police assistance if the person who is alleged to have harmed the child poses an immediate risk to anyone else at the service
- Follow instructions

#### 2. Preserve evidence

- If an incident of suspected harm to a child has occurred at our service, take action to preserve any items that may be used as evidence
- Do not clean up the area where the incident has occurred. Cordon off the area/room/building and try not to allow anyone to enter
- If sexual abuse or physical abuse has occurred or is suspected, ensure that the person who has allegedly committed the abuse and the child remain in their clothing. If this is not possible, handle the clothes as little as possible, do not to wash, and store them in a sealable plastic bag
- Leave any other possible items of evidence untouched, where possible
- Secure evidence such as CCTV footage, emails, computers, devices etc

#### 3. Manage possible witnesses

- Take reasonable steps to prevent potential witnesses (including children) from talking about the alleged incident
- If the alleged incident involves two or more children, they should be separated and supervised in separate rooms
- If the alleged incident involves a staff member, they should be asked to stay with the nominated supervisor or person in day-to-day charge. Instruct the staff member not to discuss the alleged incident with any other staff, children or family members

4. Document the incident using our Incident, Injury, Trauma and Illness Record template as soon as possible (and within 24 hours) so the details are accurately captured
5. Report according to procedure for Reporting as soon as practicable
6. Notify the approved provider/nominated supervisor as soon as practicable
7. Inform parents according to procedure for Contacting parents
8. Support any children involved and their families according to procedure for Providing support
9. If relevant, follow procedures for Managing allegations of harmful sexual behaviour in children or Managing allegations of reportable conduct
10. Assess and manage risks - the approved provider and nominated supervisor must assess and manage any risks to children or other staff member
11. The approved provider or nominated supervisor > must log incident on the register for child protection concerns
12. The approved provider and staff leaders should debrief and critically reflect on incidents, give support to staff and update related policies, procedures and risk assessments and plans as required
13. Maintain confidentiality and store records securely, in line with our policies and procedures

## PROCEDURE – Managing disclosures and suspicions of harm (child protection)

### When to use this procedure

- If you receive a disclosure. That is, if someone, including a child, tells you about harm or risk of harm that has happened and/or is happening to a child. Disclosures may start with:
  - I think I saw...||
  - Somebody told me that...||
  - Just think you should know...||
  - I'm not sure what I want you to do, but...||
  
- If you have a suspicion of harm or risk of harm, or a significant concern for a child's wellbeing. Harm or risk of harm may be suspected if, for example:
  - A child says they have been harmed or is at risk of being harmed
  - Someone else – e.g., another child, a parent, or a staff member - says harm has occurred or there is a risk of it occurring
  - A child says they know someone who has been harmed or might be harmed (it is possible that they may be referring to themselves)
  - There are significant changes in the behaviour of a child, or the presence of new unexplained and suspicious injuries
  - A suspicious incident is witnessed
  - A person who is in a position to give reliable information tells you of harm/risk of harm to a child (e.g. a relative, friend, sibling, neighbour of the child)
  - Other signs such as family violence, or familial substance misuse, psychiatric illness or intellectual disability that is impacting the child's safety and wellbeing

**\*\*Note:** A disclosure or suspicion can also be about a child harming another child or a child who is at risk of being harmed by another child.

### 1. Respond to disclosures

- Find a private place to talk
- Remain calm and listen in an attentive, active and non-judgemental way
- Encourage the person (including a child) to talk in their own words
- Take anything a child says seriously
- Ask just enough open-ended questions to act protectively without asking any leading questions which suggest an answer and could compromise later investigations
- Tell the person they have done the right thing in revealing the information and they'll need to tell someone who can help keep the child safe
- Do not investigate or mediate the matter yourself

### 2. Respond to suspicions

- Remain alert to any warning signs or indicators (staff can access resources on the indicators of harm or risk of harm, including exposure to family violence, and signs that an adult may be engaging in child sexual abuse or grooming)
  - Pay close attention to changes in the child's behaviour, ideas, feelings and words
  - Assure a child that they can come to talk when they need to, and listen to them and believe them when they do
  - Do not investigate or mediate the matter yourself
3. Document disclosures or suspicions using the templates available as soon as possible so the details are accurately captured, including:
    - Time, date, location and who was present
    - Full details of the (suspected) harm or risk of harm
    - Exactly what the person said using "I said", "they said," statements
    - The questions staff asked
    - Any comments staff made
    - Any actions by staff following the disclosure
    - Record your own observations as well as accurate details of any conversation with a parent (who may for example explain a noticeable mark on a child)
    - Make notes of observations in a non-judgemental and accurate manner
  4. Report according to procedure for Reporting as soon as practicable
  5. Notify the nominated supervisor/approved provider as soon as practicable
  6. Inform parents according to procedure for Contacting parents
  7. Support any children involved and their families according to procedure for Providing support
  8. If relevant, follow procedures for Managing allegations of harmful sexual behaviour in children or Managing allegations of reportable conduct
  9. Assess and manage risks – the approved provider and nominated supervisor must assess and manage any risks to children or other staff member
  10. The approved provider or nominated supervisor must log the disclosure or suspicion in our register for child protection concerns
  11. Maintain confidentiality and store records securely, in line with our policies and procedures
  12. The approved provider and staff leaders should debrief and critically reflect on disclosures or suspicions of harm, give support to staff and update related policies, procedures and risk assessments and plans as required

## PROCEDURE – Reporting (child protection)

### When to use this procedure

- If a child has been or may be the victim of a criminal offence, including assault or a sexual offence (including grooming)
- If you witness an incident or form a reasonable suspicion that a child is at risk of significant harm
- If you know, believe or suspect a child has been harmed or is at risk of harm
- If you form a reasonable belief that a child has experienced or is experiencing sexual abuse or non-accidental physical injury
- If you observe, suspect, believe, or receive a disclosure or allegation about a child being subjected to inappropriate conduct or inappropriate discipline
- If there are any serious incidents or allegations of serious incidents while a child was/is being cared for at the service
- If a child appears to have been involved in a sexual offence or sexual misconduct
- If there are any circumstances at the service that pose a risk to the health, safety or wellbeing of children
- If there is any incident or allegation that physical or sexual abuse of a child or children has occurred or is occurring while the child or children are being cared for by our service
- If the approved provider or any person with management or control is no longer a fit and proper person to be involved in our service
- If a staff member (see definition) is issued with a negative notice in relation to their WWCC or there is a change in relation to an educator's accreditation or registration as a teacher
- If there are disciplinary proceedings of a nominated supervisor under an education law
- If a person with management or control or an educator been charged, convicted or found guilty of a serious offence

### NOTE:

- You do not need to have proved that the alleged incident/conduct has occurred to make a report
- If there is concern for a child's welfare, but it does not reach the threshold for reporting to the authorities, staff can connect children and families to external support services, following procedure for [Providing Support](#)
- See procedure for [Managing allegations of reportable conduct](#) if you need to report reportable conduct

**SEE ALSO: NSW Reporting Decision Tree - NSW Early Childhood Commission Reporting Guide (attached)**

### 1. Reporting to the police and mandatory reporting

- Report to the Police on 131 444 if a child has been or may be the victim of a criminal offence, including assault or a sexual offence (including grooming)
- Report to the Child Protection Helpline on 13 21 11 (24 hours/7 days) if you form a reasonable suspicion that a child is at risk of significant harm (includes abuse and neglect)
- Non-urgent 'eReports' can be made through the [ChildStory Reporter](#) website (staff will need to register first)
- Read the resources on the ChildStory Reporter webpage to help make decisions about reporting or call the Helpline for advice
- Prepare as much information as you can before making the report
- Make the report yourself as soon as practicable. The report is not to be referred to another worker to determine if it is a reportable matter, but the person making the report may be supported by the approved provider and/or nominated supervisor, if this is appropriate
- Record name of person taking report on the telephone and ask them for written confirmation that the report has been made
- Get clear guidance from the Child Protection Helpline or Police about what the next steps in the process are, including with whom information about the report should/can be shared
- If you are reporting to the Child Protection Helpline, you do not need to make an additional report to the police
- Notify the nominated supervisor as soon as possible. The nominated supervisor must notify the approved provider as soon as possible
- Create a record with the nominated supervisor's assistance and store it according to our Child Protection Policy record keeping requirements
- Do not carry out any internal investigations unless you have been instructed to do so by Child Protection Helpline/Police/Children's Guardian

**2. Reporting to the regulatory authority** - the approved provider must notify the regulatory authority in writing within the prescribed time period via the [NQA IT System of:](#)

- any serious incident at the service; and any complaints alleging that a serious incident has occurred or is occurring while a child was/is being cared for by our service (notify in writing, within 24 hours) – includes inappropriate conduct or inappropriate discipline towards a child
- a child appearing to have been involved in a sexual offence or sexual misconduct within the meaning of the Children's Guardian Act 2019, Part 4 – e.g., sexual touching of a child; a child grooming offence; production, dissemination or possession of child abuse material; voyeurism; descriptions of sexual acts without a legitimate reason to provide the descriptions; sexual comments, conversations or

communications; comments to a child that express a desire to act in a sexual manner towards the child or another child (notify in writing, within 24 hours)

- circumstances at the service which pose a risk to the health, safety or wellbeing of children (notify in writing, within 7 days)
- any incident or allegation that physical or sexual abuse of a child or children has occurred or is occurring while the child or children are being educated and cared for by the service (notify in writing, within 24 hours)
- if there has been a change relevant to whether the approved provider (or another person with management or control) is a fit and proper person to be involved in our service (notify in writing, within 7 days)
- a staff member being issued with a negative notice or a change in relation to an educator's accreditation or registration as a teacher. Under WWCC laws, a negative notice is becoming a disqualified person, an interim bar, notice of a refusal of an application, a cancelled WWCC or a mutual recognition negative notice (notify in writing, within 24 hours)
- disciplinary proceedings of a nominated supervisor under an education law (notify in writing, within 7 days)
- The approved provider must also notify SafeWork, where required

3. **Reporting an adult within the service (additional steps)** (includes paid staff, volunteers, students, third party contractors, allied health practitioners, visitors, regardless of whether the conduct is alleged to have happened within the course of the person's employment or involvement with our service)

- Report the adult within the service as you would anyone else who was the subject of an allegation – that is, follow steps 1 and 2 above (if applicable)
- Follow procedure for Managing allegations of reportable conduct if you need to report reportable conduct
- The approved provider and nominated supervisor must assess and manage the immediate risks to other children and staff members and take action to protect children from harm. Depending on the situation, actions might include:
  - Suspending any volunteers and contractors who are the subject of allegations
  - Standing down staff with/without pay
  - Reviewing the duties of staff who are subjects of allegations, including whether it is appropriate to restrict their access to children
  - Ensuring staff subject to allegations are supervised at all times
  - Seeking advice from the relevant agencies about what is appropriate
  - Seeking legal advice
- Do not breach the rights of staff and keep our obligations under workplace laws

- Give appropriate support to any staff member who has an allegation made against them, including help to access appropriate support/counselling
  - Provide support to other staff members who are impacted
  - Keep information confidential, including the identity of the subject of the allegation
4. The approved provider or nominated supervisor must log any reports made in our register for child protection concerns
  5. The approved provider and staff leaders should debrief and critically reflect on disclosures or suspicions of harm, give support to staff and update related policies, procedures and risk assessments and plans as required
  6. Maintain confidentiality and store records securely, in line with our policies and procedures

## PROCEDURE - Contacting parents (child protection)

### When to use this procedure

- If a child has been harmed or is at risk of harm
- If you have made a child protection report
- If a child allegedly exhibits harmful sexual behaviour
- If a child has been affected by another child allegedly exhibiting harmful sexual behaviour

#### 1. Get permission to contact parents first

- Before contacting parents, get permission from the Police or Child Protection Helpline (13 21 11)
- We may be advised not to disclose any information to the parents if, for example, the parent is alleged to have been involved in the harm or risk of harm, the child would be put at greater risk and/or telling the parents is likely to adversely affect investigations

#### 2. Contact parents

- If we are allowed, the approved provider/nominated supervisor/other appropriate staff member must contact the parents as soon as possible on the day of the incident, disclosure, suspicion or belief
- The staff member contacting the parents should:
  - Be empathetic
  - Communicate sensitively, professionally and calmly
  - Give the parents details of the situation and what action we have taken and will be taking (e.g. reporting, protecting the child from further harm)
  - Give the contact details of the Police/Child Protection officer who is handling the case, if applicable
  - Outline what the next steps are likely to be, if this is known (e.g. they will be contacted by the Police/Child Protection Helpline, the investigation might take time, their child may need to be interviewed)
  - Give the parents an opportunity to ask questions
  - Ask the parents how they would like us to support them and their child
  - Assure them that we will be providing ongoing support to them and their child (as set out in Providing support procedure)
- We should have clear advice from Police/Child Protection Helpline about what information we can share with the parents. However, if not, staff must not share any information with the parents that they think may put the child or any other person at risk (e.g., risk of further harm, destruction of evidence, retaliation)

#### 3. Make a record of the discussion and follow up on any actions that arise from the conversation

## PROCEDURE - Providing support to families (child protection)

### When to use this procedure

- If a child has been harmed or is at risk of harm
- If you have made a child protection report
- If you have a significant concern for a child's wellbeing
- If a child allegedly exhibits harmful sexual behaviour
- If a child has been affected by another child allegedly exhibiting harmful sexual behaviour

#### 1. Support children and their families

- Staff can give direct support to the affected child and their family
- The nominated supervisor can provide referrals to professionals and community services
- Where a child has harmed or is at risk of harming another child, staff will provide support to both children and any other children who are affected. If the situation involves allegations of a child exhibiting harmful sexual behaviours, follow procedure for Managing Harmful Sexual Behaviour in Children
- The nominated supervisor must ensure that any other children or family members who have been impacted by any incidents, disclosures or suspicions are also offered support
- Help children to know how to respond to questions that other children ask about the incident and tell them staff member/s will be supporting them

#### 2. Give collaborative and planned support

- Allow children and families to be part of decision-making processes, where possible
- If a child has been harmed or is at risk of harm, where appropriate, the nominated supervisor will:
  - Set up regular contact with the child's parents (if it is safe and appropriate) to discuss the child's health and wellbeing
  - Develop a safety/support plan with the child's parents (e.g. how the child will be monitored by staff at the service, how staff will communicate with the child's parents, any allied health and wellbeing support services needed)
  - Consult with allied health and wellbeing support service about how the child should be supported, where possible and appropriate

#### 3. Refer children and their families to external support services

- The nominated supervisor can refer children and their families who have been impacted by harm/risk of harm to external support services including:
  - Family violence services

- Support for sexual assault victims
- Children's mental health support services
- Counselling/support services
- Referrals can also be made when there is significant concern for a child's wellbeing that have a low/moderate impact on the child, but their immediate safety is not at risk (i.e., not enough to warrant a report to Police/Child Protection Helpline). Examples of this include: parenting problems; pressure on the family from physical or mental illness, substance abuse, disability; social or economic disadvantage; family lacks social support/is isolated
- Get the family's consent and maintain the confidentiality of the child and the family when working with external support services.
- Use the resources section of the ChildStory Reporter website to determine suitable family referral services

#### 4. Support children with diverse needs and backgrounds

- Consider the needs, circumstances and backgrounds of individual children and tailor their support accordingly:
  - Children with disabilities - consider the age, developmental stage and cognitive and functioning. Be aware that children with disabilities are particularly vulnerable to ongoing harm when considering any future risk management
  - Aboriginal and Torres Strait Islander children and children from Culturally and Linguistically Diverse (CALD) backgrounds - provide culturally appropriate support
  - Children from refugee backgrounds - recognise that these children and their families might also be experiencing trauma, dislocation and loss, which may significantly affect their wellbeing. Staff should be sensitive to these circumstances, but also make sure that the safety and wellbeing of a child is paramount
- Where possible, seek expert advice from the relevant disability, Aboriginal and Torres Strait Islander, cultural or refugee support services and arrange for an interpreter to help communicate with the child and family, if needed
- If staff are unsure who to ask, they can contact the regulatory authority for referrals and advice

5. The approved provider and nominated supervisor log the required information in our register for child protection concerns even if we do not make a mandatory/other report **[Best practice is to log all concerns, even if they do not meet the threshold for mandatory reporting]**

6. Maintain confidentiality and store records securely, in line with our policies and procedures

## PROCEDURE – Managing allegations of harmful sexual behaviour in children

### When to use this procedure

- If there is an allegation that a child has exhibited harmful sexual behaviour
- Use this procedure whether the above behaviour is self-directed or directed towards another child or adult

#### 1. Be aware of the spectrum of sexual behaviours:

- Children and young people display a range of sexual behaviours. Most of the time these are age-appropriate, and generally consistent with the child's developmental stage and the context in which they are growing up (e.g., living in a society where they are regularly exposed to sexualised imagery used in popular culture or in marketing, online material, and the influences of a child's religious/cultural backgrounds etc)
- A small number of children display developmentally inappropriate sexual behaviour and an even smaller number display 'harmful sexual behaviour', which can be directed at themselves and/or other children
- Harmful sexual behaviour ranges in seriousness and impact
- The NSW Government (SafeWayz)'s [resources](#) can help staff understand the spectrum of sexual behaviours in children. Staff should use these resources, the contextual information, professional judgement and (where applicable) advice from the relevant authorities to decide on the most appropriate response to a child exhibiting sexual behaviours

#### 2. Use the traffic light system to recognise appropriate and inappropriate sexual behaviour

GREEN - Developmentally appropriate	ORANGE – Concerning	RED – Very Concerning, serious, severe
<b>Action</b> - Explain to child about social expectations regarding GREEN	<b>Action</b> - Monitor and support child, possibly report ORANGE behaviour	<b>Action</b> - Must report RED behaviour
<ul style="list-style-type: none"> <li>• Behaviour that is expected for the age and developmental stage</li> <li>• Socially acceptable</li> <li>• Appropriate sexual curiosity/expression/exploration</li> <li>• May be exhibited at inappropriate contexts, especially by young children</li> <li>• Often one-off incidents</li> <li>• Child responds to redirection and</li> </ul>	<ul style="list-style-type: none"> <li>• Behaviour is outside what would be expected for the child's developmental stage</li> <li>• Concerning because of its persistence, intensity, frequency and/or duration</li> <li>• Socially unacceptable</li> <li>• May be a one-off incident, but usually is repeated</li> <li>• May involve a disparity in age, developmental stage</li> <li>• May display a lack of respect</li> </ul>	<ul style="list-style-type: none"> <li>• Extension of ORANGE behaviour</li> <li>• Excessive, often with physical violence, sadism, degradation</li> <li>• Secretive, manipulative, can involve bribery or trickery</li> <li>• May be highly intrusive and harmful to others</li> <li>• Uses power and force, coercion, threats, deception</li> <li>• Limited respect for the rights of others</li> </ul>

<p>reinforcement of expected behaviour</p> <ul style="list-style-type: none"> <li>• Equal in age or developmental stages between the individuals concerned</li> <li>• Generally positive emotional experience (laughter, giggling, joy)</li> <li>• Others are unharmed</li> </ul>	<ul style="list-style-type: none"> <li>• May be not reciprocal or mutual</li> <li>• Child has a negative emotional experience (e.g. guilt, remorse, shame, confusion)</li> <li>• Risk of health and safety to child and others</li> </ul>	<ul style="list-style-type: none"> <li>• Often persistent behaviour along difficult to shift patterns of thought that have developed over a long time</li> <li>• Child may experience shame, anger and pleasure</li> </ul>
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### 3. Respond to allegations or incidents of harmful sexual behaviours

- If someone is in immediate danger, follow procedure for Managing an emergency
- If someone has made a disclosure or there is a suspicion about a child exhibiting harmful sexual behaviour, follow procedure for Managing disclosures and suspicions of harm
- Remain calm
- Intervene to protect all children
- Do not shame or use judgemental language
- Keep discussion minimal if the behaviour involves possible criminal or child protection matter
- Develop an initial response plan

### 4. Document the behaviour and store the record confidentially and securely

### 5. Report following procedure for Reporting (if applicable)

- RED sexual behaviour must be reported
- Assess whether ORANGE sexual behaviour must be reported

### 6. Notify the nominated supervisor/approved provider as soon as practicable

### 7. Contact parents following procedure for Contacting parents

- If we have reported the allegation to Police/Child Protection Helpline, get clearance to contact parents
- Contact the parents of the child who has allegedly exhibited harmful sexual behaviour
- Contact any other parents of children who:
  - Have been impacted by the harmful sexual behaviour
  - Witnessed the behaviour
- Notify other parents if accounts of the behaviour might be circulating, but do not disclose confidential information

- Do not disclose the names of the children involved
8. Provide support, following procedure Providing support, to the child allegedly exhibiting harmful sexual behaviour and any other children, families and staff members who are impacted
9. Assess and manage risks
- The approved provider and nominated supervisor assess and manage the immediate risks to other children and staff members, and take action to protect children from harm (in consultation with support and child protection services)
  - Depending on the situation, actions might include:
    - Implementing a risk management strategy
    - Implementing a support and safety plan for impacted child/ren
    - Suspending/excluding the child from the service
    - Increased monitoring and constant supervision
    - Restricting the child's contact with other children or only allow them to have supervised contact
    - Restricting access to sensitive computer systems, files or facilities (if applicable)
10. Implement a behaviour support plan
- If the child remains at the service, the approved provider and nominated supervisor will need to establish a behaviour support plan that ensures the safety of other children and staff members. The behaviour support plan will need to address how the child will be monitored and provided with the support they need
  - Establish the plan in consultation with family services, child's parents, carers, professionals and support services
  - Monitor and review plans regularly and when there is any new behaviour by the child that may impact on their or other children and staff's safety and wellbeing
11. The approved provider or nominated supervisor log the required information in our register for child protection concerns
12. If a child exhibits GREEN – developmentally appropriate sexual behaviour:
- Do not punish or shame the child/ren for the behaviour
  - Safely and sensitively intervene
  - Use non-judgemental language to describe the behaviour that should stop
  - Remind them of the expectations of behaviour at the service
  - Discuss the impact the behaviour might have on others

- Explain that the behaviour might be inappropriate to the situation (e.g., it is private behaviour)
- Redirect them to another activity
- Document the behaviour and response
- Report to the nominated supervisor
- Contact the parents of the child/ren to notify them of the behaviour and our response
- Reinforce to the parents that the behaviour is age/stage appropriate
- Be aware that sexual behaviour in children may be viewed differently among different cultures, religions and familial backgrounds
- Provide parents with information about sexual behaviour in children if this will help them

13. Maintain confidentiality and store records securely, in line with our policies and procedures

## PROCEDURE – Managing allegations of reportable conduct

### When to use this procedure

- When you become aware that an employee (including volunteers, students, contractors or visiting health practitioners) have engaged in reportable conduct – either reportable allegations or reportable convictions (see procedure for definition)

#### 1. Respond to reportable conduct

- Report criminal offences to the Police, make any necessary reports to Child Protection Helpline and the regulatory authority
- Manage the risks to children, staff and others

#### 2. Report reportable conduct

- The approved provider must report to the NSW Office of the Children’s Guardian ‘reportable conduct’; that is, allegations or convictions of child abuse or child-related misconduct by individuals engaged directly or indirectly by our service (including paid staff, volunteers, and in some circumstances, contractors) including:
  - sexual offences
  - sexual misconduct
  - ill-treatment of a child
  - neglect of a child
  - an assault of a child
  - failure to protect and failure to report - offences under the Crimes Act 1900
  - behaviour that causes significant emotional or psychological harm to a child
- The approved provider must make the report regardless of whether the allegations or convictions relate to the individual’s employment or activities at the service
- Staff and volunteers must report allegations and convictions of reportable conduct (including any made against them) to the approved provider as soon as practicable so the approved provider can make the report to the Children’s Guardian
- If a staff member becomes aware that the approved provider is the subject of reportable conduct or the approved provider is not satisfactorily meeting our obligations, they must notify the Children’s Guardian
- The approved provider must make the report within 7 business days of receiving a report or otherwise becoming aware of reportable allegations/convictions
- Make the report using the ‘7-day notification form’ that is available on the Children’s Guardian [website](#)

- Consult with Police and Child Protection after making report so as not prejudice any concurrent police investigation or court proceedings

### 3. Investigate reportable conduct

- The Reportable Conduct Scheme may require our service to investigate reportable allegations or make a determination about reportable convictions
- Consult with the Police and the Department of Communities before doing anything that could compromise any criminal or statutory child protection investigations, or a criminal prosecution
- If we are told to suspend an investigation, we will inform the Children’s Guardian and take steps to manage the risks posed by that suspension
- Plan and conduct investigations strictly in line with the guidelines set out by the Ombudsman here. The approved provider will:
  - Conduct investigations in a timely way
  - Manage all conflicts of interest (actual, potential or perceived)
  - Protect against any interference from interested third parties
  - Plan, conduct and document the investigation
  - Appoint a suitable investigator
  - Give the staff member written notice when the investigation is over and a written report of the findings and the reasons for the findings
  - Form view/not form the view, on reasonable grounds, that the alleged reportable conduct has occurred on the balance of probabilities

### 4. Carry out investigations in line with the principles of procedural fairness

- Give the staff member an opportunity to make submissions when they are informed: that they are the subject of an investigation; of any proposed adverse finding; and of any proposed action to be taken as a result of the finding
- Always act fairly and without bias, manage conflicts of interests, and make reasonable inquiries before making a decision

### 5. Manage risks

- As part of our risk management for an allegation, we will consider the safety and wellbeing of any children or other adults involved
- Conduct three risk assessments according to the processes set out in our Child Safe Risk Management Plan and in the Children’s Guardian’s guidance:
  - Initial risk assessment – based on all the information we have at hand when a reportable allegation is first made
  - Ongoing risk assessment – during or on suspension of an investigation, based on any new information arising from the investigation

- Final risk assessment – at the completion of an investigation, regardless of the finding, to inform the actions or proposed actions to be taken by the approved provider

6. Report findings of investigation

- The approved provider must submit an interim or final report on reportable allegations and reportable convictions to the Children's Guardian within 30 business days, following the Children's Guardian's guidelines for reports
- Reports on reportable allegations will assess the evidence and make a finding on the balance of probabilities. They will describe what action our service will be taking in response to the allegation (e.g. disciplinary action, referring to authorities, any reviews and changes we make to our system as a result of the allegation)
- Reports on reportable convictions will make a determination for each reportable conviction

7. Take appropriate action in response to the findings

8. Inform the child involved and their family of the outcomes of investigations if we have permission to do so (follow procedure for Contacting parents)

9. Comply with our obligations to provide certain information if the Children's Guardian or another authorised agency requests it. Our service will keep information about a reportable allegation confidential and store it securely, in line with our record keeping policies and procedures

10. The approved provider or nominated supervisor must also record the required information in our register for child protection concerns

11. The approved provider and staff leaders should debrief and critically reflect on allegations of reportable conduct, give support to staff and update related policies, procedures and risk assessments and plans as required

## RESOURCE - Disclosure of harm or risk of harm record template (child protection)

### Disclosure of harm or risk of harm record

This form must be completed as soon as practicable after you receive a disclosure of harm.

A disclosure of harm occurs when someone, including a child, tells you about harm that has happened, is happening, or is likely to happen to a child. Disclosures of harm may start with:

- I think I saw...||
- Somebody told me that...||
- Just think you should know...||
- I'm not sure what I want you to do, but...||

Keep this record on the child's enrolment record and retain according to our Child Protection Policy

Details of the child	
Child's full name	

Details of the disclosure	
Date of disclosure	Time
___ / ___ / _____	_____ am / pm
Name of the person who made the disclosure	
Are they related to the child?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, what is the relationship?	
What did the person disclose? Try to use the exact words they used. Use "I said" "they said" statements, include any questions you asked and comments you made	

Where did the disclosure occur?	
Was anyone else present during the disclosure?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, what is/are their name/s, role/s and employer/s	
Have you followed our Procedures for making a report?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Describe the actions you have taken following the disclosure	

Details of person completing this record		
Full name		
Position/role		
Date record was made	Time record was made	Signature
__ / __ / ____	_____ am / pm	x _____
<b>Important! The register for child protection concerns must also be updated</b>		

## RESOURCE - Suspicion of harm or risk of harm record template (child protection)

### Suspicion of harm or risk of harm record

This form must be completed as soon as practicable after form a suspicion of harm

You should suspect harm if:

- a child says they have been harmed
- someone else, for example another child, a parent, or an employee, says harm has occurred or is likely to occur
- a child says they know someone who has been harmed (it is possible that they may be referring to themselves)
- they are concerned at significant changes in the behaviour of a child, or the presence of new unexplained and suspicious injuries
- they see the harm happening

Keep this record on the child's enrolment record and retain according to our Child Protection Policy

#### Details of the child

Child's full name	
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#### Details of the suspicion

<p>Why do you suspect harm? Try to use the exact words a child or someone else uses if relevant. Provide as much detail as possible</p>	
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If relevant, what date and time did the person say something?	__ / __ / ____      ____ am / pm
Have you followed our Procedures for making a report?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Describe the actions you have taken because of your suspicion	

Details of person completing this record		
<b>Full name</b>	_____	
<b>Position/role</b>	_____	
<b>Date record was made</b>	<b>Time record was made</b>	<b>Signature</b>
__ / __ / ____	____ am / pm	x
<b>Important! The register for child protection concerns must also be updated</b>		

## RESOURCE - Child safety and wellbeing breach - incident report template

### Child safety and wellbeing breach - incident report

This form must be completed as soon as practicable after you witness or become aware of a breach.

Store and retain this record according to our Record Keeping Policy / Child Protection Policy

Details of the child	
Child's full name	

Details of the breach	
Date of breach	Time
___ / ___ / _____	_____ am / pm
Location of breach	
Name of person(s) involved in the breach	
Description of breach	
Immediate action taken	
If no action taken - reason	
Name of the authority the breach has been reported to (if relevant)	

Name of the person reported to	
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<b>Details of person completing this record</b>
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<b>Full name</b>	
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<b>Position/role</b>	
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<b>Date record was made</b>	<b>Time record was made</b>	<b>Signature</b>
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__ / __ / ____	_____ am / pm	x _____
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<b>Important! The register for child protection concerns must also be updated</b>
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## RESOURCE - Indicators of harm (child protection)

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

<p><b>General indicators of harm</b></p>	<ul style="list-style-type: none"> <li>• Marked delay between injury and seeking medical assistance</li> <li>• History of injury</li> <li>• The child gives some indication that the injury did not occur as stated</li> <li>• The child tells you someone has hurt him/her</li> <li>• The child tells you about someone he/she knows who has been hurt</li> <li>• Someone (relative, friend, acquaintance, sibling) tells you that the child may have been abused</li> </ul>
<p><b>Neglect</b></p>	<p>Child neglect is the continued failure by a parent or caregiver to provide a child with the basic things needed for his or her proper growth and development, such as food, clothing, shelter, medical and dental care and adequate supervision.</p> <p><b>Parental/caregiver indicators</b></p> <ul style="list-style-type: none"> <li>• Depriving or withholding physical contact</li> <li>• Failure to provide psychological nurturing</li> <li>• Treating one child differently to the others</li> <li>• Dirty, chaotic, unhygienic environment, e.g., house over-run with pets, faeces not cleaned up etc</li> <li>• Nowhere for child or young person to sleep</li> <li>• Unable or unwilling to provide adequate food and/or clothing</li> <li>• Inability to respond emotionally to the child</li> <li>• Leaving the child or young person inappropriately without supervision</li> <li>• Abandoning the child</li> <li>• Depriving of or withholding physical contact or stimulation for prolonged periods</li> <li>• Overwhelmed with other problems, e.g., substance abuse</li> <li>• Showing no concern for the child or young person's wellbeing when it would be reasonably expected</li> <li>• Family is isolated from relatives, other adults or social supports</li> <li>• Greeting the child or young person with indifference</li> <li>• An extremely chaotic life</li> </ul> <p><b>Indicators in children</b></p> <ul style="list-style-type: none"> <li>• Poor hygiene: matted hair, dirty skin or strong body odour</li> <li>• Loss of 'skin bloom' and poor hair texture</li> </ul>

	<ul style="list-style-type: none"> <li>• Untreated physical or medical problems</li> <li>• Frequent illness and low-grade infections</li> <li>• Persistently untreated head lice</li> <li>• Hungry – scavenging, stealing or hoarding food</li> <li>• Constantly tired and listless</li> <li>• Delay in developmental milestones</li> <li>• Low weight for age and/or failure to thrive for no medical reason</li> <li>• A flat and superficial way of relating</li> <li>• Anxiety about being dropped or abandoned</li> <li>• Self-comforting behaviour, e.g., rocking and/or sucking</li> <li>• Inadequate clothing in winter</li> <li>• Frequent lateness to or absence from the service</li> <li>• Child or young person states that no one is home to provide care</li> <li>• Longing for adult affection</li> <li>• Child or young person avoids going home</li> </ul>
<p><b>Physical abuse</b></p>	<p>Physical abuse is a non-accidental injury or patten of injuries to a child caused by a parent, caregiver or other person.</p> <p><b>Perpetrator indicators</b></p> <ul style="list-style-type: none"> <li>• Direct admissions of injuring the child</li> <li>• Direct expressions of desire to injure the child</li> <li>• Family history of violence, including previous harm to children</li> <li>• Telling a story of injury which is inconsistent with the physical findings</li> <li>• Showing little concern about the welfare of a child or the treatment and care of an injury</li> <li>• Isolating a child or young person from contact with school, services etc in order to hide injuries or prevent disclosure.</li> </ul> <p><b>Indicators in children</b></p> <ul style="list-style-type: none"> <li>• Disclosure by the child</li> <li>• Facial, head and neck bruising</li> <li>• Other bruising and marks which show the shape of the object used (e.g, a handprint, belt buckle)</li> <li>• Multiple bruises or injuries</li> <li>• Lacerations and welts</li> <li>• Bite marks</li> <li>• Dislocations</li> <li>• Fractures of bones, especially in children under three years old</li> <li>• Burns and scalds – a burn with a clear outline may be suspicious</li> <li>• A large number of scars of different sizes or ages, or on different parts of the body</li> <li>• Explanation offered by the child is not consistent with the injury</li> <li>• History of injury which is vague or variable</li> <li>• Marked delay between injury and presentation for medical assistance</li> <li>• Flinching when approached by adults</li> <li>• Frozen watchfulness</li> <li>• Repeated presentations of the child to health or other services with injuries, swallowing of non-food substances or minor complaints</li> </ul>

<p><b>Emotional abuse</b></p>	<p>Emotional abuse occurs when an adult harms a child’s development by repeatedly treating and speaking to a child in ways that damage the child’s ability to feel and express their feelings.</p> <p><b>Perpetrator indicators</b></p> <ul style="list-style-type: none"> <li>• Excessive or unreasonable demands</li> <li>• Unrealistic expectations of the child or young person</li> <li>• Persistent hostility and severe verbal abuse</li> <li>• Rejection, ridiculing and scape-goating</li> <li>• Exposing child to domestic violence</li> <li>• Constant criticism, belittling, teasing and withholding of affection and praise</li> <li>• Belief that a particular child or young person is intrinsically ‘bad’, ‘naughty’ or ‘evil’</li> <li>• Using inappropriate social or physical isolation as punishment</li> </ul> <p><b>Indicators in children</b></p> <ul style="list-style-type: none"> <li>• Over compliant, withdrawn, passive and/or tearful</li> <li>• Displaying age-inappropriate behaviours, e.g. overly adult (parenting other children) or overly infantile (thumb sucking, rocking, wetting or soiling)</li> <li>• Lack expectations and trust in people</li> <li>• Fearful of parent(s) and/or caregiver(s)</li> <li>• Indiscriminate attachment</li> <li>• Disruptive or aggressive behaviour towards others</li> <li>• Hyper-vigilance, particularly in pre-school children</li> <li>• Exhibiting extreme attention seeking or risk-taking behaviour</li> <li>• Withdrawn or seen as a ‘loner’ – difficulty relating to others</li> <li>• Highly anxious</li> <li>• Developmental delay</li> </ul>
<p><b>Sexual abuse</b></p>	<p>Sexual abuse can be physical, verbal or emotional in nature. It can include non-contact and contact activities and can involve a range of behaviour including but not limited to: sexual acts, penetrative or non-penetrative, with a child or young person under the age of consent, forcing a child to strip or masturbate, inappropriate touching of a child, whether clothed or unclothed, engaging in any kind of sexual activity in front of a child, including watching pornography, taking, downloading, viewing or distributing sexual images of children, possessing images of child sexual abuse, encouraging a child to perform sexual acts in front of a webcam or any recording device, grooming a child (or their parent or carer).</p> <p><b>Perpetrator indications</b></p> <ul style="list-style-type: none"> <li>• Exposing a child or young person to pornography or using a child or young person for pornographic purposes</li> <li>• Intentional exposure of child or young person to sexual behaviour in others</li> <li>• Previously committed or suspected of child sexual assaults</li> </ul>

	<ul style="list-style-type: none"> <li>• Inappropriate curtailing or jealousy regarding age-appropriate development of independence from the family</li> <li>• Coercing the child or young person to engage in sexual behaviour with other children</li> <li>• Verbal threats of sexual abuse</li> <li>• Exploitation or corruption of children or young people</li> </ul> <p><b>Indicators in children</b></p> <ul style="list-style-type: none"> <li>• They describe sexual acts</li> <li>• Direct or indirect disclosures</li> <li>• Age-inappropriate behaviour and/or persistent sexual behaviour</li> <li>• Self-destructive behaviour</li> <li>• Regression in development achievements</li> <li>• Child being in contact with a suspected or know perpetrator of sexual assault</li> <li>• Bleeding from the vagina or anus</li> <li>• Injuries such as tears to the genitalia</li> <li>• Sexually transmitted diseases</li> </ul>
<b>Grooming</b>	<p>Grooming is when a person engages in predatory conduct to prepare a child or young person for sexual activity at a later time. Grooming can include communicating or attempting to befriend or establish a relationship or other emotional connection with the child or their parent or carer. Young people are often 'groomed' before they are sexually abused.</p> <p>At first, they may be tricked into thinking they are in a safe and normal relationship so they may not know it's happening or may feel they have no choice but to be abused.</p> <p>It may be hard to identify when someone is being groomed until after they have been sexually abused, because grooming behaviour can sometimes look like 'normal' caring behaviour; however, this is not always the case.</p> <p><b>Perpetrator indicators</b></p> <ul style="list-style-type: none"> <li>• Paying undue attention paid to a child including giving gifts or going on special outings together</li> <li>• Inappropriate touching such as tickling and back rubbing</li> <li>• Inappropriate joke telling, sexual in nature</li> <li>• Emotional or behavioural changes- including the abrupt onset of mood swings, secretive behaviour or withdrawal</li> <li>• Openly or pretending to accidentally expose the child to nudity, sexual material</li> <li>• Oversteps social boundaries with parents (e.g., comes to child's birthday party uninvited)</li> <li>• Offers to take the child to sports or other activities, or offers to babysit child or take them camping</li> <li>• Offers to do things for the family – such as repairs or gardening</li> </ul>

	<ul style="list-style-type: none"> <li>• Overly complimentary to family and parents</li> <li>• Tries to be flirtatious or romantic with parent/family members</li> <li>• Offers to mentor/coach child</li> <li>• Shows an undue interest in the child’s interests, wellbeing, life</li> </ul> <p><b>Indicators in children</b></p> <ul style="list-style-type: none"> <li>• Talks a lot about a particular adult or older child, or wants to spend a lot of time with them or meet them alone</li> <li>• Is in a relationship with a much older person</li> <li>• Is skipping school or sporting activities</li> <li>• Is spending less time with friends or changes friendship groups suddenly</li> <li>• Spends more time alone in their room</li> <li>• Has unexplained gifts like new toys, clothes, jewellery or electronics and doesn’t want to talk about where the gifts came from</li> <li>• Doesn’t want to talk about what they’ve been doing or lies about it</li> <li>• Stops telling you about their day or asking for your advice.</li> </ul>
<b>Psychological abuse</b>	<p>Psychological harm occurs where the behaviour of the parent or caregiver damages the confidence and self-esteem of the child, resulting in serious emotional deprivation or trauma. In general, it is the frequency and duration of this behaviour that causes harm.</p> <p><b>Perpetrator indicators</b></p> <ul style="list-style-type: none"> <li>• Excessive criticism</li> <li>• Withholding affection</li> <li>• Exposing child to domestic violence</li> <li>• Intimidation or threatening behaviour</li> </ul> <p><b>Indicators in children</b></p> <ul style="list-style-type: none"> <li>• Constant feelings of worthlessness</li> <li>• Unable to value others</li> <li>• Lack of trust in people</li> <li>• Lack of people skills necessary for daily functioning</li> <li>• Extreme attention seeking behaviour</li> <li>• Extremely eager to please or obey adults</li> <li>• Takes extreme risks, is markedly disruptive, bullying or aggressive</li> <li>• Suicide threats</li> <li>• Running away from home</li> </ul>
<b>Domestic violence</b>	<p>Any behaviour that’s violent, threatening, controlling or intended to make the family feel scared and unsafe can be considered family and domestic violence</p> <p><b>Perpetrator indicators</b></p> <ul style="list-style-type: none"> <li>• Controlling behaviour (also known as coercive control) – e.g. stopping family members from seeing people, leaving the house or other activities</li> <li>• Physical violence</li> </ul>

- Sexual assault
- Emotional abuse
- Stalking family members e.g., repeated phone calls/messages, unwanted or obsessive attention, following or monitoring
- Technology facilitated abuse of family members e.g., checking computers/phone use, spyware trackers, publishing intimate photos without consent, threatening to share photos or messages to harm you
- Financial abuse of family members e.g., stealing money, not allowing family members to work, making others account for how they spend money, withholding financial information

**Indicators in children**

- Show aggressive behaviour
- Develop phobias & insomnia
- Experience anxiety
- Show symptoms of depression
- Have diminished self esteem
- Demonstrate poor academic performance and problem solving skills
- Have reduced social competence skills including low levels of empathy
- Show emotional distress
- Have physical complaints

## RESOURCE – Quick guide to Child Protection Policy for staff

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All staff, volunteers, students and contractors must follow our [Child Protection Policy](#) and Procedures at all times. Child safety overrides all other considerations.

### Your core responsibilities

- Protect children from harm or risk of harm, including all forms of abuse and neglect, or inappropriate conduct or inappropriate discipline by other staff or volunteers
- Act on any incident, allegation disclosure, suspicion or belief
- You are a mandatory reporter. Know your obligations under the law, including when and how to make a report
- Report concerns even if you are unsure or did not witness the incident
- Follow procedures exactly – do not investigate matters yourself
- Keep information confidential and make timely written records accurately using our forms and processes
- Manage risks to the affected child/ren and families, including any risks posed by children or adults at the service. Follow our child safety risk management plans and report any potential risks to management
- Cooperate fully with Police, Child Protection, the early childhood regulatory authority and the NSW Office of the Children’s Guardian
- Failure to act, delay reporting or silencing concerns is not tolerated and may be an offence under the law
- Undertake all required child protection and child safety training and professional development
- Keep your working with children check/teacher’s registration up to date and report any changes to the approved provider and nominated supervisor immediately

### If a child is in immediate danger:

- Call 000 immediately if required
- Protect the child and other children
- Notify the nominated supervisor and approved provider as soon as possible

### If a child or someone else discloses harm:

- Stay calm, listen and take the concern seriously
- Use the person’s words – do not ask leading questions
- Reassure the person they have done the right thing
- Make a written record using our form
- Do not investigate or confront anyone

### Report incidents, allegations, disclosures, suspicions, beliefs

- Make mandatory reports to Police and Child Protection where required
- Seek advice from the Police or Child Protection if you are unsure whether to report
- Report incidents or allegations of ‘red’ sexual behaviour in children and consider reporting ‘orange’ sexual behaviour

- Report immediately if you witness or suspect other staff have breached our Child Safe Code of Conduct, including by engaging in inappropriate conduct
- Notify NSW Office of the Children's Guardian of any reportable conduct by a staff member (approved provider)
- Notify early childhood regulatory authority where required (approved provider)
- Share information with authorised agencies according to our legal obligations

#### **Notify parents**

- Follow procedures for notifying parents
- Get permission to contact parents from Police or Child Protection where necessary (e.g., if an allegation is about a parent or contacting the parent may result in a child being unsafe)
- Be empathetic and make a contemporaneous written record of discussions

#### **Support children and families**

- Follow procedures for supporting affected children and families
- Refer children and families (with their consent) to support services

#### **Debrief and critical reflection**

- The approved provider and staff leaders should debrief and critically reflect on incidents, allegations, disclosures or suspicions of harm. Give support to staff
- Approved provider and nominated supervisor to use our register for child protection concerns to ensure that issues are being addressed and patterns or trends of behaviour are identified
- Update related policies, procedures and risk assessments and plans as required

## Child Protection Reporting Overview

### **NOTIFICATIONS OF ABUSE**



WHEN CHILDREN ARE IN IMMEDIATE DANGER OF ABUSE  
CALL **POLICE ON 000**



OTHERWISE CONTACT THE **CHILD PROTECTION HELPLINE ON**  
**132 111 (24 HOURS, 7 DAYS)**  
OR MAKE AN E-REPORT IF **NOTIFICATION IS NOT URGENT**  
<https://reporter.childstory.nsw.gov.au/s/>



NOTIFY REGULATORY AUTHORITY OF SUSPECTED/ALLEGED ABUSE AT  
SERVICE, INCLUDING PHYSICAL OR SEXUAL ABUSE



IF EMPLOYEES/VOLUNTEERS INVOLVED, NOTIFY CHILDREN'S GUARDIAN OF  
ANY NOTIFIABLE OFFENCE UNDER REPORTABLE CONDUCT SCHEME



