ELAA’s membership Resource SAMPLE Pack

Welcome to ELAA!

At ELAA, we understand the challenges Committees of Management(CoM) and approved providers face in navigating governance, employment, and policy requirements in early childhood educationand care. As a prospective member, we’re pleased to offer you our Membership Resource Sample Pack—a curated selection of essential templates from our key resources.

This trial pack provides valuable insight into how useful our resources are, helping you streamline processes and make your role easier. Each resource includes a detailed guide to help you navigate policies, governance, and compliance with confidence.

The Membership Resource Sample Pack is provided in a Word document format, allowing you to easily use the templates and experience firsthand how simple they are to customise to your service’s specific needs.

This trial pack includesexcerpts from:

✅ [Employment and Onboarding Guide](https://elaa.org.au/product/employment-onboarding-guide/)

* Sample selection criterion for diploma-qualified educators
* Position description for diploma/certificate III roles.

✅ [CoM Governance Guide](https://elaa.org.au/product/com-governance-guide/)

* Allocation of Roles and Responsibilities Table
* Position descriptions for the President & Vice President.

✅ [PolicyWorks Catalogue](https://elaa.org.au/product/policyworks-catalogue/)

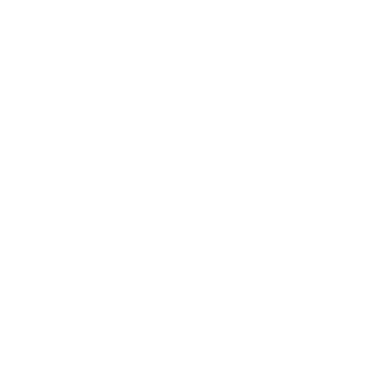
* Child Safe Environment and Wellbeing
* Code of Conduct, to help meet compliance requirements.

ELAA is committed to providing high-quality, up-to-date resources. We regularly review all materials to ensure they remain current and relevant. Our peer review process and collaboration with subject matter experts guarantee accuracy and reliability—so you can focus on delivering the best outcomes for your service.

We hope you find these resources valuable in supporting your service. If you have any questions or would like to learn more about the full benefits of ELAA membership, please don’t hesitate to reach out.

We look forward to supporting you.

SAMPLE SELECTION CRITERIA FOR DIPLOMA EDUCATOR



**Note:** If this position also includes Educational Leader or Nominated Supervisor responsibilities, please refer to Sample Selection Criteria for Educational Leader or Sample Selection Criteria for Nominated Supervisor/Director and add relevant statements below.

Subheading

ESSENTIAL

Qualifications and registration:

* Must hold a minimum qualification of a Diploma in Early Childhood Education and Care, recognised by ACECQA.
* Current Working with Children Check (WCC).
* Hold a current ACECQA compliant First Aid Certificate, including Resuscitation, Asthma Management, and Anaphylaxis.
* Current child protection training.

Learning curriculum:

* Sound understanding of the Victorian Early Years Learning and Development Framework (VEYLDF) and/or Early Years Learning Framework (EYLF).
* Demonstrated understanding of early childhood development and its importance in program planning.
* Ability to design, implement, and evaluate a holistic curriculum where each child’s current knowledge, ideas, culture, abilities, and interests are the foundation of a play-based learning environment.

Communication and interpersonal skills:

* Strong communication skills with the ability to build secure, respectful, and reciprocal relationships with children, families, and colleagues.
* Able to communicate effectively, listen actively, and respond appropriately to children and families from diverse backgrounds.
* High level of interpersonal skills and empathy and sensitivity when children and families are experiencing adversity.
* Demonstrated awareness of the Early Childhood Australia Code of Ethics and organisation's Code of Conduct.

Knowledge of legislation:

* Knowledge of the Education and Care Services National Law Act 2010 and the Education and Care Services National Regulations 2011.
* Understanding of the National Quality Standards (NQS).
* Understanding of the purpose and expectations of the Victorian Child Safe Standards and demonstrated commitment to contributing to a child safe organisation in both practice and culture.
* Knowledge and understanding of mandatory reporting requirements.
* Understanding of the Child Information Sharing Scheme (CISS), Family Violence Information Sharing Scheme (FVISS), and Family Violence Multi-Agency Risk Assessment and Management Framework (MARAM).

Cultural responsiveness:

* Commitment to embedding Aboriginal and Torres Strait Islander perspectives in all aspects of the curriculum.
* Respecting and working collaboratively with culturally and linguistically diverse children, families, colleagues, and local community.
* Supporting and implementing an anti-bias approach, including social justice approaches.
* Upholding an inclusive and welcoming learning environment that recognises and values the diverse backgrounds of all children, families, and the local community.

Professionalism and ethics:

* Demonstrate professionalism and ethical conduct in their interactions with children, families, and colleagues.
* Maintain confidentiality at all times.
* Uphold ethical standards.
* Comply with, and maintain, organisation’s policies and procedures.

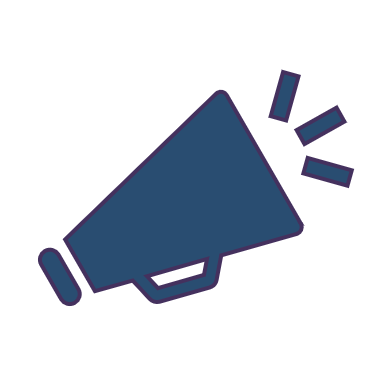
Commitment to continuous learning:

* Committed to ongoing professional development and seeking opportunities to enhance their knowledge and skills in early childhood education.

DESIRABLE

* Knowledge of the local community.
* Current driver’s licence.
* Experience in consulting effectively with parents.

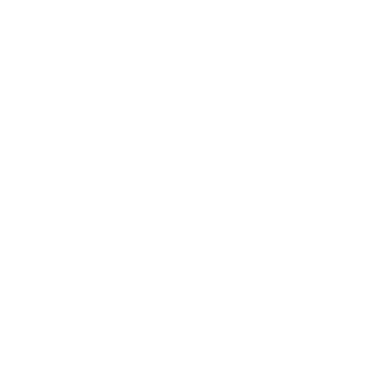
Position description – diploma and certificate III educators



**IMPORTANT**

This template has been colour coded to assist you to complete it accurately. You simply need to replace the **<red writing>** with what applies to your situation.

Example information is shown in <**blue writing>** and should be deleted or changed to black once you have finished customising.



**Note:** If this position also includes educational leader or nominated supervisor responsibilities, please refer to Position Description for Educational Leader or Position Description for Nominated Supervisor/Director and add relevant questions below.

POSITION TITLE: Diploma/Certificate III Educators

POSITION TYPE: <Type of employment ­— full-time, part-time, casual etc.>

LOCATION: <Physical address/es the employee will work at>

REPORTING TO: <Who the employee will report to>

NUMBER OF REPORTS: <Remove if not applicable>

AGREEMENT/AWARD:<Insert applicable award/agreement>

STATEMENT OF COMMITMENT TO CHILD SAFETY AND WELLBEING

We are committed to providing a safe, nurturing, and inclusive environment that prioritises the safety and wellbeing of all children at our organisation. We have zero tolerance of child abuse and understand our legal and moral obligations to treat all concerns seriously and to report allegations and concerns about a child/ren’s safety and wellbeing to authorities.

We are committed to the cultural safety of all children, including Aboriginal and Torres Strait Islander children and children from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability, and the safety of children who identify with the LGBTQIA+ community.

We are committed to creating an inclusive and welcoming learning environment that recognises and values the diverse backgrounds and experiences of all children, families, and the local community.

ORGANISATION PROFILE

<Insert paragraph about the organisation>

MAIN DUTIES/RESPONSIBILITIES: <What are the duties and responsibilities of the position?>

|  |  |
| --- | --- |
| Service Delivery | * Ability to design/support, implement, and evaluate a holistic curriculum where each child’s current knowledge, ideas, culture, abilities, and interests are the foundation of a play-based learning environment. * Promote and support inclusive practice to ensure that the service can support families from a range of cultures, backgrounds, experiences, and situations. * Develop and maintain effective and respectful relationships with children, families, and other professionals. * Undertake mandatory reporting to adhere to child protection guidelines and responsibilities. * Record observations of individual children and groups, assess learning, and use for program planning. * Maintain confidentiality at all times. * Operate within the requirements of the organisation’s policies and procedures, as well as funding and regulatory requirements. * Provide a safe, healthy, and welcoming environment and ensure that children are supervised at all times. * Be involved in the development and implementation of the Quality Improvement Plan of the organisation. * Work in accordance with the standards outlined in the Early Childhood Australia (ECA) Code of Ethics, and Child Safe Standards. * Support the embedding of Aboriginal and Torres Strait Islander perspectives in all aspects of the curriculum. |
| People | * Respect and work collaboratively with culturally and linguistically diverse children, families, and colleagues, and children who identify with the LGBTQIA+ community. * Support the implementation of an anti-bias approach, including social justice approaches. * Uphold an inclusive and welcoming learning environment that recognises and values the diverse backgrounds of all children, families, and the local community. * Share housekeeping tasks of preparation, packing up, hygiene, and safety related to the program with other staff. * Work cooperatively with the approved provider and all staff to ensure the service operates in a safe work environment and that employees adhere to all organisation OHS procedures. * Participate in an annual performance review and development process. |
| Personal | * Demonstrate professionalism and ethical conduct in interactions with children, families, and colleagues. * Uphold ethical standards. * Liaise with relevant early childhood services and other professional services and organisations within the community. * Participate in ongoing professional development and seek opportunities to enhance knowledge and skills in early childhood education. |
| Physical Requirements/Work Environment | * Capacity to undertake all the physical requirements of working within an early childhood and early education setting, including but not limited to, lifting loads of up to 20 kg, bending, kneeling, pushing, pulling, squatting, stretching arms, trunk twisting, alternating between standing and sitting for a duration of time. * Set up and pack away of indoor and outdoor play environments, which requires moving equipment, raking the sandpit and soft fall areas, and removing articles from the sandpit and play area. * Engage and work with the children at child level, which requires kneeling and sitting on the floor. * Supervise and support learning experiences, which requires moving with ease around the environment. * Work with children with additional needs, which may require lifting from wheelchair to toilet or into a cot. * Nappy change and toilet tasks, which requires lifting children (to and from change table). * Carry a child where age appropriate or in an emergency. * Perform appropriate First Aid, as required, on children. * Maintain a safe and clean environment, which may require vacuuming/sweeping/mopping floors for up to 10 minutes at a time, rinsing of mop and carrying mop bucket with 5 cm of water, cleaning sinks, cleaning children’s sinks 1 m high, cleaning children’s toilets, wiping of bench tops and children’s tables and chairs, and general tidying. |

SKILLS & KNOWLEDGE

Requirements: <What requirements does the employee need?>

* Current Working with Children Check (WCC).
* Current child protection training and knowledge.
* Current Victorian driver’s license (desirable).

Qualifications: <What qualifications or education level does the employee need?>

* Must hold a qualification of a <Certificate III/Diploma> in Early Childhood Education and Care recognised by ACECQA.
* Hold a current ACECQA compliant First Aid Certificate, including Resuscitation, Asthma Management, and Anaphylaxis.

Experience: <What type and how much experience is needed?>

* Previous experience working in the early childhood sector (desirable).

Skills: <What skills are needed for the position, including any technical or interpersonal skills?>

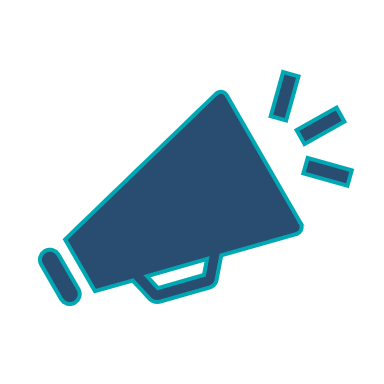
* Sound understanding of the Victorian Early Years Learning and Development Framework (VEYLDF) and/or Early Years Learning Framework (EYLF) and be able to apply them in their teaching practice.
* Knowledge of the Education and Care Services National Law Act 2010 and the Education and Care Services National Regulations 2011.
* Understanding of the National Quality Standards (NQS).
* Demonstrated understanding of the purpose and expectations of the Victorian Child Safe Standards and demonstrated commitment to contributing to a child safe organisation in both practice and culture.
* Knowledge and understanding of mandatory reporting requirements.
* Understanding of the Child Information Sharing Scheme (CISS), Family Violence Information Sharing Scheme (FVISS), and Family Violence Multi-Agency Risk Assessment and Management Framework (MARAM).
* Have a sound understanding and knowledge of early childhood development and education.
* Ability to develop, document, and implement a high quality, developmentally appropriate education program for kindergarten children, in consultation with relevant stakeholders.
* Knowledge of work health and safety legislation, employee responsibilities, safety practices, and safety issues for children and staff.
* The ability to plan, work, and manage time effectively with minimal supervision.
* Strong interpersonal skills and an ability to communicate effectively with the approved provider, children, parents, other staff, and professionals.
* Ability to work in a cooperative, flexible, and professional manner with children, parents, staff, and approved provider.
* Ability to ensure confidentiality of information.

ALLOCATION of roles and RESPONSIBILITIES

Note: Responsibilities are a guide only and can be added/deleted as applicable.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Responsibility Area by Role** | **Approved Provider/CoM** | **Administration Officer**  **(If applicable)** | **Nominated Supervisor/**  **Director (if applicable)** | **Teaching Team** |
| Regulative/ Legislative Requirements | | | | |
| **Legislation: Obligations**   * The National Quality Framework (NQF) * The Education and Care Services National Law * The Education and Care Services National Regulations | [name] | [name] | [name] | [name] |
| **NQAITS requirements**   * Person with management or control (PMC) * Nominated supervisor * Serious incidents * Closures * Child safety incidents * Waiver applications * All other reports | [name] | [name] | [name] | [name] |
| **Funding**   * Funding agreement * Annual confirmation * Updating Kindergarten Information System when required * School Readiness Funding * KIS applications * 2nd year funding application * School exemption application * Teacher Supplement * Early Start Kindergarten | [name] | [name] | [name] | [name] |
| **Incorporated Association**   * Consumer Affairs * Constitution obligations * Monthly meetings * AGM * Financial audit/review | [name] | [name] | [name] | [name] |
| **Australian Charities and Not-for-profits Commission (ACNC)**   * Updated CoM details * Annual reporting including financials * Constitution | [name] | [name] | [name] | [name] |
| **Commission for Children and Young People (CCYP)**   * Registration of Head of organisation | [name] | [name] | [name] | [name] |
| **Quality Improvement Plan** | [name] | [name] | [name] | [name] |
| **Lease Agreement** | [name] | [name] | [name] | [name] |
| **General Governance**   * Risk management | [name] | [name] | [name] | [name] |
| **Finance**   * Budget development * Purchasing decision/ spending policy * Financial review * Yearly audit or review | [name] | [name] | [name] | [name] |
| **Enrolments** | [name] | [name] | [name] | [name] |
| **Timetable** | [name] | [name] | [name] | [name] |
| **Staffing**   * Recruitment and onboarding * Probation reviews * Contracts, including variations * Performance reviews * Performance management * Staff roster- including relief staff * Leave requests * PIDTDC or Nominated supervisor onsite * Payroll * Employment records * WWCC/VIT * Qualifications * Personal details * Superannuation/tax declaration. | [name] | [name] | [name] | [name] |
| **Families**   * Managing parent enquiries, complaints, communications * Surveys | [name] | [name] | [name] | [name] |
| **Maintenance**   * Decision-making * Working bees | [name] | [name] | [name] | [name] |
| **OHS**   * Workspace safety/safety checks | [name] | [name] | [name] | [name] |
| **Policy**   * Policies reviews * Parent handbook * Staff handbook | [name] | [name] | [name] | [name] |
| **Fundraising** | [name] | [name] | [name] | [name] |
| **Grants** | [name] | [name] | [name] | [name] |
| **Authorisation/Access**   * Bank * Kindergarten Information Management System (KIMs) * ATO * NQAITS * EduPass * My Agency * IT * Website * Email accounts * Filing systems (including staff files) * Utility- account holders * ACNC * MyMav | [name] | [name] | [name] | [name] |
| **Curriculum Development** | [name] | [name] | [name] | [name] |

Role DESCRIPTION – president AND Vice PRESIDENT



**IMPORTANT**

This template has been colour coded to assist you to complete it accurately. Example information is shown in <**blue writing>** and should be deleted or changed to black once you have finished customising to reflect service and constitution requirements.

**ORGANISATION PROFILE**

[Insert paragraph about the organisation]

Position Summary- President

Leading the Committee of Management (CoM) and acting as Chair at all meetings, this role requires an efficient, positive, reliable, and trustworthy person, who can motivate and delegate. Highly desirable competencies of a President include good stakeholder relationship skills, strong delegation and planning skills and a willingness to be a key point of contact for governance and legal purposes. It is an expectation that all executive CoM members know and understand the constitution and that they take a team approach, sharing governance tasks and obligations. The tasks listed below have been assigned to roles, but many are shared between the executive and can be shared amongst the wider CoM, as required.

**Note:** The Vice-President in particular, shares in many of these governance tasks and can act in the President’s absence.

Principal Responsibilities

* Chair committee meetings and the Annual General Meeting (AGM)
* Serve as a member of the Executive Committee along with the Secretary, Vice-President and Treasurer
* Create a constructive and productive atmosphere for democratic decision-making
* Exercise an appropriate level of control/have a casting vote in the case of a tied vote (check constitution)
* Work closely with the Secretary to assist in the planning and preparation of agendas for all meetings
* Play a leading role at the AGM and supports an efficient handover to the new CoM
* Know all Committee members and their various roles and duties
* Know the Constitution and adheres to these governing ‘rules’
* Represent the CoM (who is the Approved Provider of the service) and is generally listed as a Person with Management or Control of a service (PMC). There can be more than one CoM member listed as the PMC
* Represent the CoM as the Head of Organisation for the Reportable Conduct Scheme (see Commission for Children and Young People/CCYP). Only one person is nominated for this role
* Ensure that all statutory and legal requirements are met, and understand regulations and rules that govern the operations of the service
* Lead succession planning and effective hand-over to future CoMs
* Meet with DE, ELAA and other organisations as required
* Work closely with the Secretary on the preparation and implementation of the AGM and assists in the preparation of the agenda, reports and welcome packs for the next CoM
* Lead employee management and development, including staff recruitment and schedules
* Work closely with the preschool Business and HR Manager, if any
* Undertake any further requirements as they arise.

**Vice-President Responsibilities**

* Active member of Executive Committee alongside the President, Secretary and Treasurer
* Assist President with all the of afore mentioned duties
* Deputise for the President when required
* May take responsibility for a specific area of governance or task/s from the duties’ list

Term of Office

The President will be appointed/elected initially for a term of [insert number of years as per the constitution].

Time Commitment

The time commitment required of a President involves approximately [state estimated hours per week/month].

Skills

|  |  |
| --- | --- |
| General skills | Business related competencies |
| * Relationship building * Impartiality * Communication * Emotional intelligence | * Compliance facilitation * Collaborative leadership * Organisational insight * People management |

Key Information

|  |  |
| --- | --- |
| Email address and password: | [INSERT] |
| IT username and password: | [INSERT] |
| Document storage via [INSERT]: | [INSERT] |
| Relevant passwords: | [INSERT] |
| Key contacts: | [INSERT] |
| Distribution list/s: | [INSERT] |
| Key dates: | [INSERT] |
| Key methods of communication: | [INSERT] |

child safe ENVIRONMENT and Wellbeing

This is an advisory document only, please tailor to your provider/service context, reflecting the diverse backgrounds of all children, families and the local community. Ensure the ELAA footer and disclaimer information is removed. ELAA has made every effort to ensure the information in this template is accurate and current at the date of publication. ELAA expressly disclaims any liability or responsibility for errors or omissions in this template. Legislation, regulation, and standards change regularly, and it is the responsibility of the approved provider to ensure the currency and accuracy of the information contained in a policy.



Working in partnership with Cancer Council Victoria, ELAA has aligned this policy to the key policies and guidelines of the Healthy Early Childhood Services Achievement Program

Purpose

This policy provides a clear set of guidelines and procedures for Service Name to:

* provide a safe environment for all children which ensures their safety, health and wellbeing
* promote the cultural safety of all children
* identify, reduce and remove risks of child abuse
* intervene when a child may be at risk of abuse or neglect
* involve children in child safety including listening to children and incorporating their views about how to provide a safe environment
* make staff aware of their legal and duty of care obligations to report child abuse and neglect
* responding to requests, sharing and requesting information to promote child wellbeing or safety and/or manage risk of family violence.



Policy Statement

## Values

Service Name:

* is committed to the rights of all children to feel safe, and be safe at all times, including:
  + promoting the cultural safety and wellbeing of Aboriginal children
  + promoting the cultural safety and wellbeing of children from culturally and linguistically diverse backgrounds
  + promoting the safety and wellbeing of children with a disability
  + promoting the (right to) safety and wellbeing of trans and gender diverse children and their families in ECEC settings
  + ensuring that LGBTIQ+ children and families feel included
* promotes the culture of child safety and wellbeing within the service
* values, respects and cares for children
* fosters opportunities for each child to participate, express their views and to learn and develop
* always acts in the best interests of each child and has zero tolerance of child abuse
* takes all reasonable steps to ensure the health, safety and wellbeing of children at all times, whilst also promoting their learning and development
* actively manages the risks of abuse or harm to each child, including fulfilling our duty of care (refer to Definitions) and legal obligations to protect children and prevent any reasonable, foreseeable risk of injury or harm
* continuously improves the way our service identifies risks of and responds to child abuse, and encourages reporting and improved responses to allegations of abuse.
* proactively sharing information with relevant authorities to promote the wellbeing and/or safety of a child or a group of children, consistent with their best interests.

## Scope

This policy applies to the approved provider, persons with management or control, nominated supervisor, persons in day-to-day charge, early childhood teachers, educators, staff, students, volunteers, parents/guardians, children and others attending the programs and activities of Service Name, including during offsite excursions and activities.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Responsibilities | Approved provider and persons with management or control | Nominated supervisor and persons in day-to-day charge | Early childhood teacher, educators and all other staff | Parents/guardians | Contractors, volunteers and students |
| **R** indicates legislation requirement, and should not be deleted | | | | | |
| Ensuring that obligations under the Education and Care Services National Law and National Regulations are met | **R** | **R** | Ö |  | Ö |
| Ensuring that the Child Safe Environment and Wellbeing policy and procedures are implemented, the appropriate risk assessments and action plans are completed, and all identified actions are taken to minimise the risks to children’s health and safety (also known as a risk minimisation plan) | **R** | **R** | Ö |  | Ö |
| Taking reasonable steps to ensure that nominated supervisors, ECT’s/educators and staff follow the Child Safe Environment and Wellbeing policy and procedures | **R** |  |  |  |  |
| Ensuring the learning environment provided considers appropriate child groupings, sufficient space, and includes carefully chosen and well-maintained resources and equipment (Regulations 103) (refer to Injury Trauma and Illness Policy) | **R** | **R** | Ö |  | Ö |
| Ensuring racism within the service is identified, confronted and not tolerated (refer to Attachment 6) | **R** | **R** | **R** | **R** | **R** |
| Creating a culturally safe environment and meet the needs of Aboriginal children, young people and their families | **R** | **R** | **R** |  | **R** |
| Strategies are embedded within Service Name which equip all members to acknowledge and appreciate the strengths of Aboriginal culture and understand its importance to the wellbeing and safety of Aboriginal children and young people | **R** | **R** | **R** |  | **R** |
| Actively supporting and facilitating the participation and inclusion within Service Name by Aboriginal children, young people and their families | **R** | **R** | **R** |  | **R** |
| Ensuring public commitment to the cultural safety of Aboriginal children is available and displayed for public access (refer to Attachment 5) | **R** | Ö |  |  |  |
| Actively supporting and encouraging a child’s ability to express their culture and enjoy their cultural rights | **R** | Ö | Ö |  | Ö |
| Understanding children’s diverse circumstances, and providing support and responding to those who are vulnerable | **R** | Ö | Ö |  |  |
| Supporting the needs of children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, and transgender and intersex children | **R** | **R** | **R** |  | **R** |
| Implement risk assessments of the service environment, equipment and online environment (refer to eSafety policy) to ensure risks to safety, health and wellbeing are minimised (National Law: Sections 167) (refer to Occupational Health and Safety and Injury Trauma and Illness Policy) | **R** | **R** | Ö |  | Ö |
| Conducting a risk assessment (refer to Sources) of abuse and harm to children that considers the service setting, activities, personnel, and physical and online environments. | **R** | **R** | **R** |  | **R** |
| Developing risk management strategies that focuses on preventing, identifying and mitigating risks of abuse and harm to children | **R** | **R** | **R** |  | **R** |
| Ensuring that risk management plans (refer to Sources) list the actions the service will take to prevent or reduce each identified risk of child abuse and harm |  |  |  |  |  |
| Actively monitor, review and evaluate child abuse risks, | **R** | **R** | **R** |  | **R** |
| Implementing risk management plans, considering risks posed by service setting, activities, and the physical environment | **R** | **R** | Ö |  |  |
| Complying with the legislated ECT/educator-to-child ratios at all times (National Law: Sections 169, Regulations 123) (refer to Supervision of Children Policy) | **R** | **R** | Ö |  | Ö |
| Ensuring children are actively always supervised (Regulations 122) (refer to Supervision of Children Policy) | **R** | **R** | Ö |  | Ö |
| Ensuring all staff, contractors, volunteers and students do not consume or are under the influence of alcohol or be affected by drugs (Regulations 82, 83) (refer to Tobacco, Alcohol and other Drugs Policy) | **R** | Ö | Ö |  | Ö |
| Ensuring that a public commitment to child safety on the service website and displayed at the service premises ***(refer to Attachment 5A)*** | **R** | Ö |  |  |  |
| Providing leadership for an organisational culture of accountability for child safety which is open to scrutiny and is continuously reviewed and improved | **R** | Ö |  |  |  |
| Ensuring there is a child safe champion/s who can lead discussions, answer questions and support child safety and wellbeing | **R** | Ö |  |  |  |
| Advising staff of current legislation, and their legal and duty of care obligations (Regulation 84) | **R** | Ö |  |  |  |
| Undertaking child safety and wellbeing reviews and developing an action plan to maintain Child Safe Standards (refer to Definitions) at Service Name | **R** | Ö | Ö | Ö | Ö |
| Ensure that all child safety and wellbeing incidents are reviewed regularly, and findings are thoroughly documented in reports and include lessons from complaints, concerns and safety incidents | **R** | Ö | Ö |  | Ö |
| Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy | **R** | Ö | Ö |  |  |
| Contributing to an organisational culture of child safety | **R** | Ö | Ö | Ö | Ö |
| Ensuring continuous improvement in the implementation of the Child Safe Standards (refer to Definitions) in Service Name, promoting an organisational culture of accountability for child safety which is open to scrutiny and is continuously reviewed and improved (refer to Sources) | **R** | **R** | Ö | Ö | Ö |
| Conducting recruitment and induction processes for staff in line with this policy (refer to Attachment 1) | **R** |  |  |  |  |
| Screening contractors, volunteers and students in line with their roles and this policy (refer to Attachment 2) | **R** |  |  |  |  |
| Ensuring the safety and wellbeing of children attending the service by keeping a visitors’ record, including contact details, signatures and arrival/departure times | **R** | Ö | Ö |  | Ö |
| Ensuring that contractors, volunteers, students, parents/guardians and other visitors to the service are not left with sole supervision of individual children or groups of children | **R** | **R** | Ö |  |  |
| Ensuring that contact is prevented or responding if it has occurred, when the service has been notified of a court order prohibiting an adult from contacting an enrolled child | **R** | **R** | Ö |  |  |
| Validating Working with Children Clearance (refer to Definitions) or Victorian Institute of Teaching Registration before staff, contractors, volunteers and students commence working with children (refer to Staffing Policy) | **R** | Ö |  |  |  |
| Ensuring all ECT’s/educators and staff, volunteers and students, are aware of current child protection legislation, including mandatory reporting requirements and obligations. | **R** | R | Ö |  | Ö |
| Identifying the potential for child abuse at Service Name, and developing and implementing effective prevention strategies | **R** | **R** | **R** |  |  |
| Following processes for responding to and reporting suspected child abuse (refer to Attachment 3) | **R** | **R** | **R** | Ö | Ö |
| Ensuring appropriate annual training on child safety, including recognising the signs and symptoms of child abuse (refer to Definitions), knowing how to respond, and understanding responsibilities and processes for reporting (refer to Attachment 3) | **R** | **R** | **R** |  | **R** |
| Ensuring systems are in place that cover all aspects of child protection training each year (refer to Source). This includes refresher training and additional professional development where needed. Different roles in the service require specific training:   * New staff, volunteers and students on placement will need comprehensive induction and training * Leadership group needs training on their specific responsibilities in the service * Governance bodies such Committees will also need training on their responsibilities | **R** | **R** | **R** |  | **R** |
| Developing training actions plans (refer to Sources) for staff and volunteers includes training on:   * the Child Safety and Wellbeing Policy * identifying indicators of child abuse and harm * how to support a person making a disclosure about harm to a child * how to respond to issues of child safety including internal and external reporting requirements, notifying families and carers and managing risks to children * how to support cultural safety. | **R** | **R** | **Ö** |  | **Ö** |
| Ensuring the training register records the completion of training by staff and volunteers. | **R** | **R** |  |  |  |
| Ensuring procedures for reporting and responding to suspected child abuse or neglect are promoted across the service and regularly reviewed in partnership with all stakeholders (refer to Attachment 3 and 4) | **R** | Ö | Ö | Ö | Ö |
| Fulfilling legal obligations, including mandatory reporting and duty of care obligations (refer to Definitions) (refer to Attachment 3 and 4) | **R** | **R** | **R** |  | **R** |
| Offering children access to age appropriate sexual abuse prevention programs and to relevant related information | **R** | **R** | **R** |  | **R** |
| Ensuring that staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children to express their views, participate in decision-making and raise their concerns | **R** | **R** | **R** |  | **R** |
| Communicating to staff about their obligations under the Information Sharing Schemes (refer to Definitions), and ensure they have read and understood the Privacy and Confidentiality Policy | **R** | **R** | Ö |  |  |
| Promoting awareness and compliance with the Child Safe Standards (refer to Definitions) when disclosing information to promote the wellbeing and safety of a child or group of children | **R** | Ö | Ö |  |  |
| Ensuring information sharing procedures abide by the CISS Ministerial Guidelines (refer to Source) and exercising professional judgment when determining whether the threshold for sharing is met, what information to share and with whom to share it (refer to Privacy and Confidentiality Policy). | **R** | **R** | **R** |  |  |
| Ensuring confidential information is only shared with relevant authorities to the extent necessary to promote the wellbeing or safety of a child or group of children, consistent with the best interests of that child or those children | **R** | **R** | **R** |  |  |
| Maintaining co-operative relationships with appropriate services and/or professionals (including Child FIRST/Orange Door) (refer to Definitions) in the best interests of children and their families | Ö | Ö | Ö |  |  |
| Offering support to the child and their family, and to staff in response to concerns or reports relating to the safety, health and wellbeing of a child at Service Name | Ö | Ö | Ö |  |  |
| Ensuring processes for responding to and reporting are followed when there are significant concerns for the safety, health or wellbeing of a child at the service (refer to Attachment 3 and 4) | **R** | **R** | **R** |  |  |
| Notifying DE within 24 hours of a serious incident (refer to Definitions) occurring at the service | **R** | Ö |  |  |  |
| Notifying DE within 24 hours of becoming aware of a notifiable complaint (refer to Definitions) or allegation regarding the safety, health and/or welfare of a child at the service | **R** |  |  |  |  |
| [this only applies to any kindergartens delivered by school councils on school premises]  Ensuring that management and reporting of incidents is in accordance with the 6 stages of the department’s [management and reporting incidents (including emergencies](https://www2.education.vic.gov.au/pal/reporting-and-managing-school-incidents-including-emergencies/policy)) process | **R** | Ö | Ö |  | Ö |
| Notifying the nominated head of organisation (refer to Definitions) to the Commission for Children and Young People and maintaining the currency of the information | **R** |  |  |  |  |
| Notifying the Commission for Children and Young People within 3 business days of becoming aware of a reportable allegation (refer to Definitions), under the Reportable Conduct Scheme (refer to Definitions) (refer to Attachment 3 and 4) | **R** |  |  |  |  |
| Investigating an allegation (subject to police clearance on criminal matters or matters involving family violence), advising the Commission for Children and Young People who is undertaking the investigation | **R** |  |  |  |  |
| Managing the risks to children whilst undertaking the investigation | **R** | Ö | Ö |  |  |
| Updating the Commission for Children and Young People within 30 calendar days with detailed information about the reportable allegation and any action | **R** |  |  |  |  |
| Notifying the Commission for Children and Young People of the investigation findings and any disciplinary action taken (or the reasons no action was taken) | **R** |  |  |  |  |
| Notifying the approved provider or person with management or control immediately on becoming aware of a concern, complaint or allegation regarding the safety, health and welfare of a child at Service Name |  | **R** | **R** | Ö | Ö |
| Maintaining confidentiality at all times (refer to Privacy and Confidentiality Policy) | **R** | **R** | **R** | Ö | **R** |
| Providing appropriate resources and training to assist staff, contractors, volunteers and students to implement this policy (refer to Sources) | **R** |  |  |  |  |
| Protecting the rights of children and families, and encouraging their participation in decision-making | **R** | Ö | Ö | Ö |  |
| Abide by the Code of Conduct Policy | **R** | Ö | Ö | Ö | Ö |
| Ensuring an explicit statement of [Service Name]’s commitment to child safety is included in all advertising promotion for the organisation | **R** |  |  |  |  |
| Being aware of this policy, the Code of Conduct Policy, Privacy and Confidentiality Policy and the Interactions with Children Policy and their ongoing obligations to behave in accordance with the policies | **R** | **R** | **R** | **R** | **R** |
| Ensuring when sharing information giving precedence to the wellbeing and safety of a child or group of children over the right to privacy when sharing information under the CISS and the FVISS (refer to Privacy and Confidentiality Policy) | **R** | **R** | **R** |  |  |
| Seeking and taking into account the views of the child and the child’s relevant family members, if it is appropriate, safe and reasonable to do so when sharing information under the CISS and the FVISS (refer to Definitions) | Ö | Ö | Ö |  |  |
| Being respectful of and have regard to a child’s social, individual and cultural identity, the child’s strengths and abilities and any vulnerability relevant to the child’s safety or wellbeing when sharing information under the CISS and FVISS (refer to Definitions) | Ö | Ö | Ö |  |  |
| Promoting a child’s cultural safety and recognising the cultural rights and familial and community connections of children who are Aboriginal, Torres Strait Islander or both when sharing information under the CISS and FVISS (refer to Definitions) | Ö | Ö | Ö |  |  |
| Educating and empowering children to talk about events and situations that make them feel uncomfortable | Ö | Ö | Ö | Ö | Ö |
| Providing support to staff who disclose harm | **R** | Ö |  |  |  |
| Informing children about all of their rights, including to safety, information and participation | **R** | R | R |  | R |
| Ensuring that children have access to information, support and handling complaints through processes that are culturally safe, accessible and easy to understand (refer to Compliments and Complaints policy) | Ö | Ö |  |  |  |
| Identifying and mitigating risks in the online and physical environments without compromising a child’s right to privacy, access to information, social connections and learning opportunities (refer to eSafety for Children Policy) | **R** | Ö | Ö |  | Ö |
| Adopting the National Model Code to promote a child safe culture when it comes to taking, sharing and storing images or videos of children in early childhood education and care (refer to eSafety for Children Policy and Information Communication and Technology Policy) | **Ö** | Ö | Ö |  | Ö |
| Reviewing this policy in consultation with stakeholders | **R** | Ö | Ö | Ö | Ö |



Procedures

Refer to Attachment 3 for the following procedures:

* Making a report/referral to specialised services
* Managing a disclosure
* Responding to incidents, disclosure and suspicions of child abuse
* Documentation for responding to incidents, disclosure and suspicions of child abuse
* Reportable Conduct Scheme

Refer to Attachment 4 for the following procedure:

* Documentation for responding to incidents, disclosure and suspicions of child abuse



Background and Legislation

## Background

A key requirement of the Education and Care Service National Law Act 210 is to ensure every reasonable precaution is taken to protect children being educated and cared for by the service from harm and from any hazard likely to cause injury (National Law: Section 167). The approved provider must also ensure that each Nominated Supervisor and each person in day-to-day charge of the service has successfully completed the child protection training required by the Department of Education (National Law: Section 162A).

Under the Education and Care Services National Regulations 2011, the approved provider of an education and care service must ensure that the nominated supervisors and staff members at the service who work with children are advised of:

* the existence and application of the current child protection law
* any obligations that they may have under that law (Regulation 84).

Under the National Quality Standards, management, educators and staff are required to be aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect (element 2.2.3). At all times, reasonable precautions and adequate supervision must be provided to ensure children are protected from harm and hazard (element 2.2.1).

Approved providers operating under the Children’s Services Act 1996 must ensure that every reasonable precaution is taken to protect children being cared for or educated by the service from harm and from any hazard likely to cause injury (section 107).

The approved provider, persons with management control, nominated supervisor, persons in day-to-day charge, educators, staff, contractors, students and volunteers of early childhood services have legal and duty of care obligations to protect children under their supervision and care.

Duty of care obligations (refer to Definitions) require the approved provider, person with management or control, nominated supervisor, persons in day-to-day charge, and staff to take reasonable steps to protect children from injury that is reasonably foreseeable.

In addition, organisations have an organisational duty of care (refer to Definitions) to take reasonable precautions to prevent the abuse of a child by an individual associated with the organisation while the child is under its care, supervision or authority. The Victorian Reportable Conduct Scheme (refer to Definitions) seeks to improve organisations’ responses to allegations of child abuse and neglect by their workers and volunteers. The scheme is established by the Child Wellbeing and Safety Act 2005 (the Act) and relates to individuals associated with an organisation, including but not limited to committee members, employees, volunteers and contractors.

The Children, Youth and Families Act 2005 provides the legislative basis for the provision of services to vulnerable children, young people and their families, and places children’s best interests at the heart of decision-making and service delivery.

In line with the Victorian Government’s Roadmap for Reform, Education State reforms and broader child safety initiatives, Part 6A of the Child Wellbeing and Safety Act 2005 was proclaimed in September 2018. The Act established the Child Information Sharing (CIS) Scheme, which enables sharing of confidential information between prescribed information sharing entities (refer to Definitions) in a timely and effective manner in order to promote the wellbeing and safety of children. Alongside the CIS Scheme, the Family Violence Protection Act 2008 includes the Family Violence Information Sharing (FVIS) Scheme and the Family Violence Multi-Agency Risk Assessment and Management Framework, which enables information to be shared between prescribed entities to assess and manage family violence risk to children and adults. It will allow professionals working with children to gain a complete view of the children they work with, making it easier to identify wellbeing or safety needs earlier, and to act on them sooner.

Any person who forms a reasonable belief (refer to Definitions), that a child is in need of protection may report their concerns to the Child Protection (refer to Definitions).

Early childhood teachers are required to be registered with the Victorian Institute of Teaching and are mandatory reporters (refer to Definitions). In addition, all educators with post-secondary qualifications in the care, education or minding of children and employed or engaged in an education and care service or a children’s service and all proprietors, nominees of a children’s service, approved providers, and nominated supervisors of an education and care service are mandatory reporters.

All mandatory reporters must make a report to Victoria Police and/or Child Protection (refer to Definitions) as soon as practicable if, during the course of their roles and responsibilities they form a reasonable belief that:

* A child is likely to suffer, or has suffered, significant harm as a result of physical abuse and/or sexual abuse, and
* The child’s parents have not protected, or are unlikely protect, the child from harm of that type.

Victorian organisations that provide services to children are required under the Child Wellbeing and Safety Act 2005 to ensure that they implement compulsory minimum Child Safe Standards to protect children from harm. The standards aim to drive continuous improvement in the way services prevent and report child abuse and respond to allegations of child abuse. Standard 2 requires services to have a child safety and wellbeing policy or statement of commitment to child safety and wellbeing.

Three criminal offences in the Crimes Amendment (Protection of Children) Act 2014 protect children from child abuse:

* Failure to disclose: All adults (not just those working with children) have a legal duty to report information about child sexual abuse to Victoria Police. The offence applies to any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 and fails to report that information to the Victoria Police.
* Failure to protect: The offence applies to people within organisations who hold positions of authority within an education and care service, such as the approved provider, person with management or control, the nominated supervisor or the person in day to day charge and who know of the substantial risk that another adult associated with the organisation may commit a sex offence and they have the power or responsibility to remove or reduce the risk but negligently fail to do so.
* Grooming offence: The offence targets predatory conduct by an adult with the intent of committing child sexual abuse. Conduct may include communication, including online communication, with a child under the age of 16 or their parents.

Adopting the National Model Code is crucial for Early Childhood Education and Care (ECEC) services to ensure the safety and privacy of children. The National Model Code has been designed for voluntary adoption by ECEC services. Under the Code, only service-issued electronic devices should be used for taking photos or recording videos, thereby minimising the risk of unauthorised distribution of images. The Code states that clear guidelines are developed on carrying personal devices for specific essential purposes ensuring that any exceptions are justified and controlled. Additionally, implementing strict controls for storing and retaining images or recordings of children is vital to protect their privacy and prevent misuse of sensitive information. Adhering to these guidelines not only safeguards children but also fosters trust and transparency between ECEC services and families.

## Legislation and Standards

Relevant legislation and standards include but are not limited to:

* Children, Youth and Families Act 2005 (Vic)
* Child Wellbeing and Safety Act 2005 (Vic)
* Child Wellbeing and Safety (Information Sharing) Amendment Regulations 2020
* Charter of Human Rights and Responsibilities Act 2006 (Vic)
* Child Safe Standards (Vic)
* Crimes Amendment (Protection of Children) Act 2014 (Vic)
* Education and Care Services National Law Act 2010 (Vic): including but not limited to Sections 165, 166, 167
* Education and Care Services National Regulations 2011 (Vic): including but not limited to Regulations 84, 85, 86, 99, 100, 101, 102, 168(2) (h), 145, 146, 149, 150
* Education Training and Reform Act 2006 (Vic) (As amended in 2014)
* Family Law Act 1975 (Cth)
* Family Violence Protection Amendment (Information Sharing) Act 2017
* National Quality Standard, including Quality Area 2: Children’s Health and Safety
* Reportable Conduct Scheme administered by the Commission for Children and Young People (Vic)
* Worker Screening Act 2020
* Worker Screen Regulations 2021 (Vic)
* Wrongs Act 1958 (Vic)

The most current amendments to listed legislation can be found at:

Victorian Legislation – Victorian Law Today: [www.legislation.vic.gov.au](https://www.legislation.vic.gov.au/)

Commonwealth Legislation – Federal Register of Legislation: [www.legislation.gov.au](https://www.legislation.gov.au/)



Definitions

The terms defined in this section relate specifically to this policy. For regularly used terms e.g. Approved provider, Nominated supervisor, Notifiable complaints, Serious incidents, Duty of care, etc. refer to the Definitions file of the PolicyWorks catalogue.

**Abuse**: see Child abuse definition below.

**Child abuse**: (In the context of this policy) refers to an act or omission by an adult that endangers or impairs a child’s physical and/or emotional health or development. Child abuse can be a single incident but often takes place over time. Abuse, neglect and maltreatment (refer to Definitions) are generic terms used to describe situations in which a child may need protection. Child abuse includes any and all of the following:

**Physical abuse:** When a child suffers or is likely to suffer significant harm from an injury inflicted by a parent/guardian, caregiver or other adult. The injury may be inflicted intentionally, or be the consequence of physical punishment or the physically aggressive treatment of a child. Physical injury and significant harm to a child can also result from neglect by a parent/guardian, caregiver or other adult. The injury may take the form of bruises, cuts, burns or fractures, poisoning, internal injuries, shaking injuries or strangulation.

**Sexual abuse:** When a person uses power or authority over a child, or inducements such as money or special attention, to involve the child in sexual activity. It includes a wide range of sexual behaviour from inappropriate touching/fondling of a child or exposing a child to pornography, to having sex with a child and grooming with the intent of committing child sexual abuse.

**Emotional and psychological abuse:** When a child's parent or caregiver repeatedly rejects the child or uses threats to frighten the child. This may involve name calling, put downs or continual coldness from the parent or caregiver, to the extent that it significantly damages the child's physical, social, intellectual or emotional development.

**Neglect:** The failure to provide a child with the basic necessities of life, such as food, clothing, shelter, medical attention or supervision, to the extent that the child’s health and development is, or is likely to be, significantly harmed.

**Family violence:** When children and young people witness or experience the chronic, repeated domination, coercion, intimidation and victimisation of one person by another through physical, sexual and/or emotional means within intimate relationships. Contrary to popular belief, witnessing episodes of violence between people they love can affect young children as much as if they were the victims of the violence. Children who witness regular acts of violence have greater emotional and behavioural problems than other children.

**Racial, cultural, religious abuse:** Conduct that demonstrates contempt, ridicule, hatred or negativity towards a child because of their race, culture or religion. It may be overt, such as direct racial vilification or discrimination, or covert, such as demonstrating a lack of cultural respect (attitude and values) and awareness (knowledge and understanding) or failing to provide positive images about another culture.

**Bullying:** Repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Bullying occurs when one or more people deliberately and repeatedly upset or hurt another person, damage their property, reputation or social acceptance.

**Child FIRST:** A Victorian community-based intake and referral service linked with Family Services. Child FIRST ensures that vulnerable children, young people and their families are effectively linked to relevant services, including Child Protection.

**Child Information Sharing Scheme (CISS):** enables Information Sharing Entities (ISE) (refer to Definitions) to share confidential information about any person to promote the wellbeing and/or safety of a child or group of children. The CISS works in conjunction with existing information sharing legislative provisions. All Victorian children from birth to 18 years of age are covered. Unborn children are only captured when there has been a report to Child First or Child Protection. Consent is not required from any person when sharing under CISS. The CISS does not affect reporting obligations created under other legislation, such as mandatory reporting obligations under the Children, Youth and Families Act 2005.

**Child Safe Standards:** Promotes the safety of children, prevent child abuse, and ensure organisations have effective processes in place to respond to and report all allegations of child abuse.

**Child sex offender:** Someone who sexually abuses children, and who may or may not have prior convictions.

**Child protection:** The term used to describe the whole-of-community approach to the prevention of harm to children. It includes strategic action for early intervention, for the protection of those considered most vulnerable and for responses to all forms of abuse.

**Child protection notification**: A notification to the Child Protection Service by a person who believes that a child is in need of protection.

**Child Protection Service (also referred to as Child Protection):** The statutory child protection service provided by the Victorian Department of Families, Fairness and Housing to protect children and young people at risk of abuse and neglect. This service also works closely with Family Services (including Child FIRST) to support the assessment and engagement of vulnerable children and families in community-based services. Code of conduct: A set of rules or practices that establish a standard of behaviour to be followed by individuals and organisations. A code of conduct defines how individuals should behave towards each other and towards other organisations and individuals in the community (refer to Code of Conduct Policy).

**Contractor:** A person or company that undertakes a contract to provide materials or labour to perform a service or do a job. Examples include photographer, tradesperson, people contracted to provide an incursion.

**Department of Families, Fairness and Housing (DFFH):** The department is responsible for child protection, prevention of family violence, housing, disability, multicultural affairs, LGBTIQ+ equality, veterans, and the offices for Women and Youth.

**Disclosure:** (In the context of this policy) refers to a statement that a child or young person makes to another person that describes or reveals abuse.

**Family Violence Information Sharing Scheme (FVISS):** enables the sharing of relevant information between authorised organisations to assess or manage risk of family violence.

**Head of organisation:** The heads of organisations under the Reportable Conduct Scheme are required to have systems in place to prevent reportable conduct within their organisation, and systems to enable staff to make reportable allegations. The head of organisation has the powers of the employer. A CEO or Principle Officer is a head of organisation. For stand-alone kindergartens, the head of organisation will usually be the president or another office bearer who consents to the nomination.

**Information Sharing Entities (ISE):** are authorised to share and request relevant information under the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme (the Schemes) and required to respond to requests from other ISE’s. All ISE’s are mandated to respond to all requests for information.

**Maltreatment:** (In the context of this policy) refers to physical and/or emotional mistreatment, and/or lack of care of the child. Examples include sexual abuse, the witnessing of family violence and any non-accidental injury to a child.

**Mandatory reporting:** The legal obligation of certain professionals and community members to report when they believe, on reasonable grounds, that a child is in need of protection from harm. A broad range of professional groups are identified in the Children, Youth and Families Act 2005 as ‘mandatory reporters’, including:

* all educators with post-secondary qualifications in the care, education or minding of children and employed or engaged in an education and care service or a children’s service
* all proprietors, nominees of a children’s service, approved providers, and nominated supervisors of an education and care service.
* educators registered with the Victorian Institute of Teaching (VIT).
* Mandated staff members must make a report to Victoria Police and/or Child Protection as soon as is practicable if, during the course of acting out their professional roles and responsibilities, they form a belief on reasonable grounds (refer to Definitions) that:
* a child has suffered, or is likely to suffer, significant harm as a result of physical and/or sexual abuse (refer to Definitions) and
* the child’s parents/guardians have not protected, or are unlikely to protect, the child from harm of that type.

Mandatory reporters must also follow processes for responding to incidents, disclosures or suspicions of child abuse to fulfil all their legal obligations (refer to Attachment 3: Processes for responding to incidents, disclosure and suspicions of child abuse).

**Neglect**: see Child abuse definition above.

**Negligence**: Doing, or failing to do something that a reasonable person would, or would not do in a certain situation, and which causes another person damage, injury or loss as a result

**Organisational duty of care:** The statutory duty organisations have to take reasonable precautions to prevent sexual and/or physical abuse of a child.

**Orange Door:** A free service for adults, children and young people who are experiencing or have experienced family violence and families who need extra support with the care of children

**Offender:** A person who mistreats and/or harms a child or young person.

**Perpetrator:** A person who mistreats and/or harms a child or young person.

**Reasonable belief/reasonable grounds:** A person may form a belief on reasonable grounds that a child or young person is in need of protection after becoming aware that the child or young person’s safety, health or wellbeing is at risk and the child’s parents/guardians are unwilling or unable to protect them. There may be reasonable grounds for forming such a belief if:

* a child or young person states that they have been physically or sexually abused
* a child or young person states that they know someone who has been physically or sexually abused (sometimes the child may be referring to themselves)
* someone who knows the child or young person states that the child or young person has been physically or sexually abused
* a child shows signs of being physically or sexually abused
* the person is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability or other factors that are impacting on the child or young person’s safety, stability or development
* the person observes signs or indicators of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision
* a child’s/young person’s actions or behaviour may place them at risk of significant harm and the parents/guardians are unwilling or unable to protect the child.

**Reportable allegation:** any allegation that an employee, volunteer or student has committed child abuse (refer to Definitions)

**Reportable Conduct Scheme**: aims to improve oversight of how organisations respond to allegations of child abuse and child-related misconduct by their workers and volunteers. There are five types of ‘reportable conduct’:

* sexual offences committed against, with or in the presence of a child
* sexual misconduct committed against, with or in the presence of a child
* physical violence against, with or in the presence of a child
* any behaviour that causes significant emotional or psychological harm to a child
* significant neglect of a child.

**Working with Children (WWC) Check:** is a legal requirement under the Worker Screening Act 2020 for those undertaking paid or voluntary child-related work in Victoria.

**Working with Children Clearance**: A WWC Clearance is granted to a person under working with children legislation if:

* they have been assessed as suitable to work with children
* there has been no information that, if the person worked with children, they would pose a risk to those children
* they are not prohibited from attempting to obtain, undertake or remain in child-related employment.

Sources and Related Policies

## Sources

* Australian Human Rights Commission: [www.humanrights.gov.au](http://www.humanrights.gov.au)
* Betrayal of Trust Implementation: [www.justice.vic.gov.au](https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/betrayal-of-trust-implementation)
* Charter of Human Rights and Responsibilities Act 2006 (Vic): [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)
* Child Information Sharing Scheme Ministerial Guidelines: [www.vic.gov.au/guides-templates-tools-for-information-sharing](http://www.vic.gov.au/guides-templates-tools-for-information-sharing)
* Commission for Children and Young People (CCYP):  [Generic learning or training action plan and training materials](https://ccyp.vic.gov.au/resources/child-safe-standards/?utm_source=email+marketing+Mailigen&utm_campaign=QARDJuly2022newsletter+&utm_medium=email)
* Commission for Children and Young People (CCYP): <https://ccyp.vic.gov.au>
* Commission for Children and Young People (CCYP), Risk Assessment and Management template: <https://ccyp.vic.gov.au/resources/child-safe-standards/#TOC-14>
* Commission for Children and Young People (CCYP), Short Guide to the Child Safe Standards: <https://ccyp.vic.gov.au/assets/resources/New-CSS/A-short-guide-to-the-Child-Safe-Standards-27.04.23.pdf>
* Commission for Children and Young People (CCYP), Sample learning or training action plan: <https://ccyp.vic.gov.au/assets/resources/New-CSS/Risk-assessment-and-management-templates.docx>
* Keeping Our Kids Safe: Cultural Safety and the National Principles for Child Safe Organisations: [Keeping our kids safe: Understanding cultural safety in Child Safe Organisations](https://childsafety.pmc.gov.au/cultural-safety-and-national-principles-child-safe-organisations?utm_source=email+marketing+Mailigen&utm_campaign=QARDJuly2022newsletter+&utm_medium=email)
* Department of Education Mandatory Reporting eLearning Module: <https://www.vic.gov.au/child-protection-early-childhood-online-learning>
* Ministerial Guidelines for the Family Violence Information Sharing Scheme: [www.vic.gov.au/family-violence-information-sharing-scheme](http://www.vic.gov.au/family-violence-information-sharing-scheme)
* National Children’s Commissioner: <https://humanrights.gov.au/our-work/commission-general/national-childrens-commissioner-anne-hollonds>
* National Model Code - Taking images in early childhood education and care: <https://www.acecqa.gov.au/national-model-code-taking-images-early-childhood-education-and-care>
* Quality Assessment and Regulation Division’s online guidance: [Early Childhood Guidance on the Child Safe Standards](https://www.vic.gov.au/early-childhood-services-child-safe-standards?utm_source=email+marketing+Mailigen&utm_campaign=QARDJuly2022newsletter+&utm_medium=email)
* Risk Assessment and Management Tool, ACECQA: [www.acecqa.gov.au](https://www.acecqa.gov.au/)
* Service Agreement Information Kit for Funded Organisations: [https://fac.DFFH.vic.gov.au/service-agreement-requirements](https://fac.dhhs.vic.gov.au/service-agreement-requirements)
* Star Health’s ‘Being Equal’ model for change in early childhood services: [Gender Equality and Respect in Early Learning Services](https://www.starhealth.org.au/news/being-equal-gender-equality-and-respect-in-early-learning-services/?utm_source=email+marketing+Mailigen&utm_campaign=QARDJuly2022newsletter+&utm_medium=email)
* The United Nations Convention on the Rights of the Child: [www.unicef.org](http://www.unicef.org)
* Victorian Institute of Teaching: [www.vit.vic.edu.au](http://www.vit.vic.edu.au)
* Working with Children (WWC) Check: [www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au)

## Related Policies

* Acceptance and Refusal of Authorisations
* Behaviour Support
* Code of Conduct
* Compliments and Complaints
* Delivery and Collection of Children
* eSafety for Children
* Incident, Injury, Trauma and Illness
* Inclusion and Equity
* Information Communication Technologies
* Interactions with Children
* Mental Health and Wellbeing
* Occupational Health and Safety
* Participation of Volunteers and Students
* Privacy and Confidentiality
* Safe Arrival of Children
* Staffing
* Supervision of Children



Evaluation

In order to assess whether the values and purposes of the policy have been achieved, the Approved Provider will:

* regularly seek feedback from everyone affected by the policy regarding its effectiveness, particularly in relation to identifying and responding to child safety concerns
* monitor the implementation, compliance, complaints and incidents in relation to this policy
* keep the policy up to date with current legislation, research, policy and best practice
* revise the policy and procedures as part of the service’s policy review cycle, or as required
* notifying all stakeholders affected by this policy at least 14 days before making any significant changes to this policy or its procedures, unless a lesser period is necessary due to risk (Regulation 172 (2)).



Attachments

* Attachment 1: Guidelines for incorporation of child safety into recruitment and management of staff
* Attachment 2: Guidelines for incorporation of child safety into recruitment of contractors, volunteers and students
* Attachment 3: Child Safety Reporting Process
* Attachment 4: Documenting responses to suspected child abuse: template for all Victorian early childhood services
* Attachment 5: Public commitment to the cultural safety of Aboriginal children template
* Attachment 5A: Public commitment to the child safety
* Attachment 6: Procedure for Addressing Racism

Authorisation

This policy was adopted by the approved provider of Service Name on [Date].

**REVIEW DATE:** [DAY]/[MONTH]/[YEAR]

Attachment 1: Guidelines for incorporation of child safety into the recruitment and management of staff

The following guidelines and processes for the incorporation of child safety into the recruitment and management of staff demonstrate Service Name’s commitment to maximising the safety of children and deterring unsuitable and inappropriate persons from attempting to work at our service.

Preparation for recruitment

Include a statement of Service Name’s commitment to maintaining a child safe environment in the job description

Job description clearly outlines responsibilities and accountability

Job advertisements clearly state our commitment to child safety

Include requirement for a current Working with Children Check (WWCC) or Victorian Institute of Teaching registration

The template letter of offer includes a statement about what is expected of the staff member in terms of commitment and responsibilities for child safety.

Selection process

At least three people are on the interview panel including, where possible, a gender mix and a person external to the service or someone with human resource/interviewing experience

Questions are behaviour-based and ask the interviewee to provide examples of their past behaviour in specific situations relevant to the job being applied for

Questions regarding relationships with children are values-based and include a consideration of issues such as professional boundaries, resilience and motivation, teamwork, accountability and ethics

Questions are based on key selection criteria

More detail is asked for when answers seem incomplete

Confirm identity by sighting (and taking a copy of) a driver’s licence or a passport

Verify qualifications and, where relevant, Working with Children Clearance or Victorian Institute of Teaching registration

Thorough reference checks:

at least two referees are contacted (including the current or most recent employer or direct line manager) in person or via telephone

all referees must have observed the applicant working with children first-hand

referees are asked about the candidate’s past behaviour including relationships with children, professional boundaries, resilience and motivation, teamwork, accountability and ethics.

Orientation and induction covers information about values, attitudes, expectations and workplace practices in relation to maintaining a child safe environment

Information provided to the new staff member on commencing work at the service includes Child Safe Environment and Wellbeing Policy, Code of Conduct Policy, Compliments and Complaints Policy and Staffing Policy

New staff must update their organisation details with the Victorian Government Service Victoria online portal <https://service.vic.gov.au/find-services/work-and-volunteering/working-with-children-check/update-your-working-with-children-check-details> and provide proof of update upon commencement.

Regular meetings are held between staff members and the approved provider or the person with management or control

A mentoring or buddy system for staff members is in place

Training and education with regard to child safety and child protection is provided for all staff

Resources and support are provided for all staff to ensure a child safe environment.

Ongoing Management

Regular meetings are held between staff and the approved provider or person with management or control and child safety is a regular item on the agenda

Provide supervision to ensure clear expectations about the role, adequate support as well as on-the-job monitoring of their performance

Performance reviews consider the staff member’s contribution to creating a child safe environment

Regular training and education with regard to child safety, child protection and inclusive practices is provided for all staff

Resources and support are provided for all staff to ensure a child safe environment

Have a process to ensure that the registration of all early childhood teachers with Victorian Institute of Training remains current

Maintain a register of all staff with a WWCC card and regularly check the status of the WWCC cards of all staff to ensure that no one has been given a Negative Notice or had their card revoked or suspended or that it has expired

Develop processes to deal with a staff member who is given a Negative Notice including ensuring that they do not do any child-related work.

ATTACHMENT 2: Guidelines for incorporation of child safety into the recruitment and management of contractors, volunteers and students

The following guidelines and processes for the recruitment and management of contractors (refer to Definitions), volunteers (refer to Definitions) and students demonstrates Service Name’s commitment to maximising the safety of children and deterring unsuitable and inappropriate persons from attempting to work, volunteer or be on student placement at our service.

Assess the nature of the work or task being undertaken by contractors, volunteers and students to determine whether a position description is required

Consider whether a screening or recruitment process is relevant to the role and the risks to children

Ensure a valid Working with Children Check or an exemption applies for people engaged in ‘direct contact’ in child-related work, including physical contact, face to face contact, oral, written or electronic communication.

Inform contractors, volunteers and students of policies relevant to their role as part of their orientation to the service

Provide supervision to ensure clear expectations about the role and responsibilities

Do not leave contractors, volunteers or students (or visitors) alone with children

Have conversations about child safety and wellbeing and how the service maintains and responds to issues of safety with contractors, volunteers and students.

ATTACHMENT 3: Child Safety Reporting Process,

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Processes for responding to incidents, disclosure and suspicions of child abuse

Overview

The approved provider or staff, including those with mandatory reporting responsibilities (refer to Definitions) must act when they form a reasonable belief or have a suspicion that a child has been, or is at risk of being abused. Regardless of the suspected cause, all concerns about the wellbeing of a child (or an unborn child) should be taken seriously and acted upon. This includes concerns about the wellbeing of a child, which does not appear to be the result of abuse

Staff must seek advice from the approved provider or person with management or control, DFFH Child Protection, Child First and/or Victoria Police if they are uncertain about whether they have sufficient grounds to form a reasonable belief.

If staff hold a reasonable belief that a child has been or is at risk of being abused, regardless of the advice of the Approved Provider or Person with Management or Control, or any other staff member, they must still make a report to Child Protection and/or Victoria Police.

The steps outlined in the Department of Education’s flowchart: Four critical actions for early childhood services: Responding to Incidents, Disclosures and Suspicions of Child Abuse, provides a summary of the critical actions which are to be followed: [www.education.vic.gov.au](https://www.education.vic.gov.au/Pages/default.aspx)

Records are kept about all child safety concerns or complaints. These records contain comprehensive descriptions of incidents/ issues of concern and provide evidence for actions taken, including reports made to statutory authorities or professional bodies and follow-up actions to be completed. The records are stored in accordance with the service’s Privacy and Confidentiality Policy.

Privacy is maintained, and information is disclosed when it promotes the safety or wellbeing of a child.

Permission is not required from parents/guardians of a child to make a report where abuse is suspected.

Responding to concerns about the wellbeing of a child

When to report wellbeing concerns to Child FIRST (Family Information, Referral and Support Team)

A referral to Child FIRST or Orange Door (refer to Definitions) should be made if the approved provider/staff member has significant concerns for a child’s wellbeing and the child is not in immediate need of protection. This may include circumstances when there are:

significant concern for a child's wellbeing

parents who lack the skills to support their child's physical, emotional and cognitive development that may be affecting the child’s development

family conflict, including family breakdown

families under pressure, due to a family member’s physical or mental illness, substance misuse, disability or bereavement

young, isolated and/or unsupported families

families experiencing significant social or economic disadvantage that may adversely impact on a child’s care or development.

When to make a referral to orange door

Orange Door is a free service for women, children and young people who are experiencing family violence, or families who need assistance with the care and wellbeing of children to access the services they need to be safe and supported. Both services ensure that vulnerable children, young people and their families are linked effectively into relevant services, and this may be the best way to connect children, young people and their families with the services they need.

When to report wellbeing concerns to Victoria police

In addition to reporting suspected abuse to appropriate authorities, you must contact Victoria Police on 000 if the:

child's immediate safety is compromised

child is partaking in any risk taking activity that is illegal and extreme in nature or poses a high risk to their safety, or the safety of somebody else.

When to report wellbeing concerns to DFFH child protection

In addition to reporting suspected abuse to appropriate authorities, you should contact DFFH Child Protection if you have significant protective concerns for the wellbeing of a child, but the parents are unable or unwilling to address or resolve these concerns.

This includes all concerns that:

have a serious impact on a child's safety, stability or development (including abandonment, death or incapacity, extreme risk-taking behaviour, or harm to an unborn child)

are persistent and entrenched and likely to have a serious impact on a child's safety, stability or development

relate to a parent/s who cannot or will not protect the child from significant harm

include a belief that the family is likely to be uncooperative in seeking assistance.

Managing a disclosure

It is very important to validate a child’s disclosure, by listening to the child, taking them seriously and responding and acting on the disclosure by implementing the Service Name’s reporting procedures.

Strategies include:

let the child talk about their concerns in their own time and in their own words

give them your full attention, the time and a quiet space in which to do this and be a supportive and reassuring listener

remain calm and use a neutral non-judgmental tone

comfort the child if they are distressed

record the child’s disclosure using the child’s words.

tell the child that telling you is the right thing to do and that what has happened is not their fault

let them know that you will act on this information and that you will need to let other people know so that they can help the child

it is the role of DFFH Child Protection and Victoria Police to investigate. DO NOT taking any steps to investigate. Avoid asking investigative or invasive questions which may cause the child to withdraw and may interfere with an investigation. Avoid going over information repeatedly.

Responding to incidents, discloser and suspicions of child abuse

To make a report to child protection a staff member needs to have formed a reasonable belief (refer to Definition) that a child has suffered or is likely to suffer significant harm as a result of abuse or neglect, and that their parent has not protected or is unlikely to protect the child from harm of that type.

It is strongly recommended that ALL early childhood service staff follow the **Four Critical Actions** as soon as they witness an incident, discloser or form a reasonable belief that a child has or is at risk of being abused.

Action 1: Responding to an emergency

If a child has just been abused or is at immediate risk of harm you must take reasonable steps to protect them.

These include:

separating the alleged victim and others involved, ensuring all parties are supervised by a service staff member

arranging and providing urgent medical assistance where necessary by:

administering first aid assistance

calling 000 for an ambulance and following any instructions from emergency service officers/paramedics

calling 000 for urgent police assistance if the person who is alleged to have engaged in the abuse poses an immediate risk to the health and safety of any person

you should also identify a contact person at the service for future liaison with police

taking reasonable steps to preserve evidence, such as the environment, clothing, other items, and potential witnesses until the police or other relevant authorities arrive on the premises.

Action 2: Reporting to authorities

As soon as immediate health and safety concerns are addressed you must report all incidents, suspicions and disclosures of child abuse as soon as possible. Failure to report physical and sexual child abuse may amount to a criminal offence.

**IF THE SOURCE OF SUSPECTED ABUSE IS FROM WITHIN THE FAMILY OR COMMUNITY:**

**DFFH CHILD PROTECTION**

You must report to DFFH Child Protection if a child is considered to be:

in need of protection from child abuse

at risk of being harmed (or has been harmed) and the harm has had, or is likely to have, a serious impact on the child’s safety, stability or development.

**VICTORIA POLICE**

You must also report all instances of suspected sexual abuse (including grooming) to Victoria Police.

**REPORT TO MANAGEMENT**

You must report to your approved provider.

**NOTIFY THE REGULATOR**

The Approved Provider early childhood services must notify the Quality Assessment and Regulation Division of any serious incidents, circumstances, or complaints which raise concerns about the safety, health and wellbeing of a child being educated and cared for by a service. Notifications may be made at National Quality Agenda IT System: <https://www.acecqa.gov.au>

If you believe that a child is not subject to abuse, but you still hold significant concerns for their wellbeing you must still act. This may include making a referral or seeking advice from Child FIRST (in circumstances where the family are open to receiving support), or to DFFH Child PROTECTION or Victoria Police.

**If the source of suspected abuse is from within the service:**

If the source of suspected abuse comes from within the service (this includes any forms of suspected child abuse involving a staff member, contractor, committee member or volunteer):

you must contact Victoria Police via your local police station (where appropriate they will refer you on to the local Sexual Offences and Child Abuse Investigation Team)

you must also report internally to the approved provider or person with management or control

the approved provider must also notify the Quality Assessment and Regulation Division. Notifications made via the National Quality Agenda IT System: [https://www.acecqa.gov.au](https://www.acecqa.gov.au/)

The approved provider must notify the Commission for Children and Young People (CCYP) of within **three** business days of becoming aware of an allegation (refer to Reportable Conduct Scheme)

a contact person must also be identified at the service for future liaison with Child Protection and Victoria Police and seek advice about contacting parents/carers.

ACTION 3: CONTACTING PARENTS/CARERS

You must consult with Victoria Police or DFFH Child Protection to determine what information can be shared with parents/carers. They may advise:

not to contact the parents/carers (e.g. in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and has requested that their parent/carer not be contacted)

to contact the parents/carers and provide agreed information as soon as possible (for approved provider’s, it is a requirement that parents/carers are notified within 24 hours if the suspected abuse occurred at the service).

ACTION 4: PROVIDING ONGOING SUPPORT

Your service should take reasonable steps to make a child feel safe and supported whilst they are attending your service.

your service should also consider providing support for children impacted by abuse. Eg. Referral to wellbeing professionals.

you must follow the **Four Critical Actions** every time you become aware of a further instance or risk of abuse. This includes reporting new information to authorities.

The reportable conduct scheme

The Approved Provider must notify the Commission for Children and Young People (The Commission) of a reportable allegation (refer to Definitions) within **three** business days of becoming aware of an allegation. The Approved Provider must provide certain detailed information about the allegation and their proposed response within **30 calendar days**.

The approved provider must also investigate the reportable allegation and provide the findings of the investigation to the Commission. The service must also respond to the Commission when contacted for information.

The Commission provides guidance on the processes and documentation required when making a report: refer to <https://ccyp.vic.gov.au>

Child protection in early childhood: Privacy and information sharing

The Child Information Sharing Scheme, and the Family Violence Information Sharing Scheme allow professionals working with children to gain a complete view of the children they work with, making it easier to identify wellbeing or safety needs earlier, and to act on them sooner.

Following a report to DFFH Child Protection, Victoria Police and/or ChildFIRST you should:

consult with your approved provider before disclosing information about the report and the child and their family to another information sharing entity (except to verified Victoria Police and DFFH Child Protection workers in very urgent situations and/or if the information is required to protect the safety of that child) and/or

seek consent from a child or their parents/carers before disclosing information about the report and the child and their family to anyone other than authorities and service staff members (provided this does not place the child or another person at risk).

Privacy laws allow for staff to share a child's personal and health information to enable the services to:

provide and support the education of the child, plan for individual needs and address any barriers to learning

support the social and emotional wellbeing and health of the child

fulfil duty of care obligations to the child, other children, staff and visitors

make reasonable adjustments if the child has a disability, including a medical condition or mental illness

provide a safe and secure workplace.

Resources

Department of Education PROTECT Portal: [www.vic.gov.au/protect](https://www.vic.gov.au/protect)

The Department of Education’s PROTECT portal provides tools and resources to assist professionals and early years services to respond to child abuse or potential child abuse, including:

Early Childhood Guidance: This section supports early childhood providers to take action if they suspect, or are witness to, any form of child abuse.

The flowchart: Four critical actions for early childhood services: Responding to Incidents, Disclosures and Suspicions of Child Abuse, provides a summary of the critical actions to take:

Early Childhood Online Learning: This eLearning Module supports all professionals in early childhood settings to increase their capacity to respond effectively to children whose safety, health or wellbeing may be at risk.

Commission for Children and Young People: [www.ccyp.vic.gov.au](https://ccyp.vic.gov.au/)

ATTACHMENT 4: documenting RESPONSE TO SUSPECTED CHILD ABUSE: TEMPLATE FOR ALL VICTORIAN EARLY CHILDHOOD SERVICES

This template has been adapted from the Department of Education; Responding to Suspected Child abuse: Template for all Victorian Early Childhood Services

Under the National Quality Framework, the approved provider of an education and care service must ensure that an incident, injury, trauma and illness record is kept (Regulation 87). This template aligns with this requirement and it is strongly recommended that all early childhood service staff utilise this template for incidents, disclosures and suspicions of child abuse.

Completing this template should not impact on reporting times. If a child is in immediate danger staff should immediately contact Victoria Police on 000.

When completing this template, the aim should be to provide as much factual information as possible. This information will be critical and may be sought at a later date if the matter is the subject of Court proceedings.

|  |
| --- |
| Staff member leading the response |
| Name: |
| Occupation: |
| Service address: |
| Relationship to the child: |

CRITICAL ACTION 1: IMMEDIATE RESPONSE TO AN INCIDENT

|  |
| --- |
| Responding to an emergency |
| Did the chid require first aid? If YES, provide Details? |
| Who administrated First aid? (Name and Title) |
| Did the child require further immediate medical assistance? |
| Current location and safety status: e.g. are all impacted children safe and not in any immediate danger? If a child is in immediate danger staff should report immediately to Victoria police on 000 |

INFORMATION OF THE ALLEGED VICTIM

|  |  |
| --- | --- |
| Child’s personal details | |
| Name: | Gender: |
| Relationship to service: (e.g. 2 days, 3 year old kinder) | Date of Birth: |
| Residential Address: | |
| Parent/Carer Name: | |
| Parent/Carer contact number: | |
| Language(s) spoken by child: | |
| Disabilities, mental or physical health issues: | |

|  |
| --- |
| Child's background |
| Cultural status and religious background: |
| Previous history or indicators of suspected abuse: |

|  |
| --- |
| Family background |
| Family composition (if know): *List parenting or carer arrangements and siblings’ names and ages* |
| Any other people living with their child (if known): |

|  |
| --- |
| Family background |
| Disability, mental or physical health issues in family (if known): |
| Likely reaction to report being made (if known): |

DETAILS OF THE INCIDENT DISCLOSURE OF SUSPICION

|  |
| --- |
| Grounds for your belief that a child has been or is at risk of abuse |
| Indicators or instances which led you to believe that a child/children are subject to child abuse or at risk of abuse: *Detail any disclosures or incidents or suspicion including names times and dates documenting a child's exact words as far as possible include specific detail here on what led you to form a reasonable belief that a child has been or is in risk of being abused* |
| Any physical indicators of abuse: |
| Any behavioural indicators of abuse: |
| Any pattern of behaviour or prior concern leading up to an incident, disclosure or suspicion: |

|  |  |
| --- | --- |
| Details of person alleged to have committed they abuse if known | |
| Name: | |
| Gender: | Date of birth (if known): |
| Relationship to child: | |
| Address: | |
| Contact details: | |

CRITICAL ACTION 2: REPORTING

|  |  |
| --- | --- |
| Reporting to authorities | |
| Tick the authority you have reported to:   Victoria police  Child first  DFFH child protection  Decision not to report  If you have decided not to report list your reasons here also include any follow up actions undertaken by you below: | |
| Provide your report: | |
| Date: | Time: |
| Authority: | |
| Name of the person spoken to: | |
| Outcomes from the report: | |

|  |  |
| --- | --- |
| Reporting internally | |
| **Provide details of your discussion with approved provider** | |
| Time: | Date: |
| Name: | |
| Discussion outcomes: | |
| Notification to the regulator: All approved providers must notify the quality assessment and regulatory division if there is an incident at the service and/or the health safety or wellbeing of a child has been compromised while attending the service. | |
| Time: | Date: |
| Names: | |
| Discussion outcomes: | |

CRITICAL ACTION 3: CONTACTING PARENTS/CARERS

|  |
| --- |
| Actions taken (alleged victim) |
| Provide details of your discussion with parents/cares (if appropriate): You must consult with Victoria police and/or DFFH child protection to determine if it is deemed appropriate, parents must be contacted as soon as possible (within 24 hours of the incident, disclosure or suspicion) |
| Have you sought advice from DFFH child protection or Victoria police?  yes no  Is it appropriate to contact parent/carer:  yes  no  List reasons if it is not appropriate to contact parent/carer: |
| If contacting parent/carer, provide the following details: |
| Name of staff member making the call: |
| Name of parent/carer receiving the call: |
| Discussion outcomes: |

CRITICAL ACTION 4: PROVIDING ONGOING SUPPORT

|  |
| --- |
| Planned actions: Include details on what follow-up actions have occurred to support that child for example referral to specialised services: |
| Follow up actions: |
| Support: |
| Referrals: |

Process of review

Complete this section between four to six weeks after an incident, suspicion or disclosure of abuse in conjunction with the approved provider. This will support you and your service to continue to protect children in your care and to reflect on your process and then need for any follow up action.

Safety and wellbeing

|  |
| --- |
| Current safety and wellbeing of the child |
| Is the child safe from abuse and harm?  yes  no  If not consider the need to make a further report  Does a child have any wellbeing issues that are not currently being addressed?  yes  no  If so, consider how these can be addressed and captured within a child support plan |

|  |
| --- |
| Current wellbeing of other children who may be impacted by the abuser |
| Are there any other children who may be impacted by the abuser?  yes  no  If so have their wellbeing needs being met?  yes  no |

|  |  |
| --- | --- |
| Current wellbeing of impact staff members | |
| Does the staff member who made the report/witnessed the incident, formed a suspicion or received a disclosure require any support?  yes  no  If so has this been received?  yes  no | |
| Review of actions taken | |
| Have the staff followed the four critical actions for early childhood services: responding to incidents disclosure for suspicion of child abuse? | |
| Was an appropriate decision made in relation to when to act?   yes  no  Could the suspected abuse have been detected earlier?   yes  no  **Action 1**  Did the stop take appropriate actions in an emergency?  yes  no  **Action 2**  Was a report made to the appropriate authorities and internally?   yes  no  What where subsequent reports made if necessary?   yes  no | **Action 3**  Did the service contact the parent carers as soon as possible?   yes  no  Have the parents continued to engage if appropriate?   yes  no  **Action 4**  Has the service provided adequate ongoing support for the child?   yes  no  Have any complaints been received?   yes  no  Have the complaints been resolved?   yes  no |

Attachment 5: Public commitment to the cultural safety of Aboriginal children template

This template was reviewed by Victorian Aboriginal Education Association Incorporated



Service Name is committed to the cultural safety of Aboriginal children

We are committed to:

actively supporting and facilitating participation and inclusion of Aboriginal children, young people and their families within our service

the safety, participation and empowerment of Aboriginal children

providing an educational program that strengthens Aboriginal children’s culture and identity

actively supporting and encouraging Aboriginal children to express their culture and enjoy their cultural rights

supporting Aboriginal children and their families to identify as Aboriginal without fear of retribution or questioning

supporting Aboriginal children to maintain connection to their kinship ties, land and country

supporting Aboriginal children to be taught their cultural heritage by Elders

facilitating regular training and education on Aboriginal cultural and cultural safety

establishing policies, procedures, systems and processes to create a culturally safe and inclusive environment and meet the needs of Aboriginal children, young people and their families.

ATTACHMENT 5a: Statement of commitment to child safety

|  |  |
| --- | --- |
| Child Safe Standard | Our commitment |
| **Child Safe Standard 1** – Organisations establish a culturally safe environment in which the diverse and unique identifies and experiences of Aboriginal children and young people are respected and valued | We are committed to ensuring our service is a place where Aboriginal children feel safe, respected and valued. |
| **Child Safe Standard 2** – Child Safety and wellbeing is embedded in organisational leadership, governance and culture | We commit to consider the safety and wellbeing of children in everything we do. |
| **Child Safe Standard 3** – Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously | We commit to engaging with children in the design of key policies and directions and co-developing an ongoing engagement framework to inform and enrich our work.  We commit to developing and sharing child friendly information and pathways for children to contact and engage with the service . |
| **Child Safe Standard 4** – Families and communities are informed, and involved in promoting child safety and wellbeing | We commit to communicating with communities about our child safety and wellbeing operations |
| **Child Safe Standard 5** – Equity is upheld, and diverse needs respected in policy and practice | We are committed to understanding the diverse circumstances of children and working to ensure this knowledge informs everything we do. |
| **Child Safe Standard 6** – People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice | We commit to reviewing and continuously improving our practices in line with best practice, to:  deter and prevent unsuitable people from working or volunteering at our service.  ensure that all staff, contractors, volunteers and authorised persons understand and enact their responsibilities to support the safety of children  identify and take action to address behaviours and practices that place children at risk of abuse. |
| **Child Safe Standard 7** – Processes for complaints and concerns are child focused | We commit to having clear procedures to inform staff, volunteers, contractors and authorised persons of their obligation to report child safety concerns and processes to do so.  We respond to disclosures and allegations of abuse in a trauma informed way that removes the barriers to disclosure and manages the risks of further harm to children. |
| **Child Safe Standard 8** – Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ingoing education and training | We commit to ensuring our staff have the skills to keep the safety of children at the centre of everything they do. |
| **Child Safe Standard 9** – Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed | We commit to ensuring our online environment is used in accordance with our Code of Conduct, eSafety and Child Safe Environment and Wellbeing policy and practices.  We commit to identifying and mitigating risks to the safety of children in all our operations. |
| **Child Safe Standard 10** – Implementation of the Child Safe Standards is regularly reviewed and improved | We are committed to ensuring Child Safe Standards reflect latest research about harm prevention strategies for children and young people |
| **Child Safe Standard 11** – Policies and procedures document how the organisation is safe for children and young people | We are committed to ensuring our policies and procedures are clearly documented and accessible. |

Attachment 6: Procedure for Addressing Racism

Our service is committed to promoting equality, diversity, and inclusion. We do not tolerate racism in any form and are dedicated to creating a safe and supportive environment for all.

Prevention and Education

Training and Professional Development

Conduct regular training sessions for staff on cultural competence and anti-racism.

Provide resources and workshops for families on promoting inclusivity.

Curriculum and Environment

Integrate diverse cultural perspectives and materials into the curriculum.

Display multicultural posters, books, and toys that reflect the diversity of the community.

Identification and Reporting

Recognising Racism

Educate staff on identifying subtle and overt forms of racism.

Encourage open discussions about race and diversity with children in an age-appropriate manner.

Responding to Incidents

Immediate Action

Address the incident immediately, ensuring the safety and well-being of those involved.

Separate the individuals involved, if necessary, to de-escalate the situation.

Investigation

Conduct a thorough investigation, involving all parties and witnesses.

Document the incident, actions taken, and outcomes.

Support

Provide support to the affected individuals, including counselling if needed.

Communicate with the families of those involved to inform them of the incident and the steps being taken.

Resolution and Follow-Up

Implement appropriate consequences for those found responsible for racist behaviour.

Monitor the situation to ensure no further incidents occur.

Review and update policies and procedures as necessary.

Communication and Collaboration

Engaging Families and Children

Foster open communication with families about the service’s commitment to anti-racism.

Involve families and children in cultural events and diversity initiatives.

Community Partnerships

Collaborate with local organisations and experts on diversity and inclusion.

Participate in community events that celebrate cultural diversity.

Monitoring and Review

Conduct regular reviews of the anti-racism procedure to ensure its effectiveness.

Seek feedback from staff, children, and families to continually improve the approach.

code of conduct

This is an advisory document only, please tailor to your provider/service context, reflecting the diverse backgrounds of all children, families and the local community. Ensure the ELAA footer and disclaimer information is removed. ELAA has made every effort to ensure the information in this template is accurate and current at the date of publication. ELAA expressly disclaims any liability or responsibility for errors or omissions in this template. Legislation, regulation, and standards change regularly, and it is the responsibility of the approved provider to ensure the currency and accuracy of the information contained in a policy

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Working in partnership with Cancer Council Victoria, ELAA has aligned this policy to the key policies and guidelines of the Healthy Early Childhood Services Achievement Program

Purpose

This policy provides a clear set of guidelines and procedures for Service Name to:

* establish the expected standards of behaviour for the approved provider, nominated supervisor, early childhood teachers, educators, other staff, contractors, volunteers, students on placement, parents/guardians and visitors
* create and maintain a child safe environment that reflects the philosophy, beliefs, objectives, and values of Service Name
* articulate desirable and appropriate behaviour
* promote interactions at the service and online which are respectful, honest, courteous, sensitive, tactful, and considerate.



Policy Statement

## Values

Service Name:

* respects the rights of the child and values diversity
* values the contribution of Aboriginal children, children from a culturally and linguistically diverse background and children with a disability
* has zero tolerance of discrimination
* maintains a duty of care (refer to Definitions) towards all children at the service
* is committed to the safety and wellbeing of each child at the service
* is committed to the safety and wellbeing of all staff and the members of our service’s community
* is committed to supporting staff to act cohesively and ethically as a team and provide an environment that is conducive to children’s learning and development
* provides a safe and secure environment for all at the service
* provides an open, welcoming environment in which everyone’s contribution is valued and respected
* is committed to communicating openly and honestly
* is committed to continually learning how to be inclusive and respectful of cultural needs
* encourages relationships that are based on the principles of mutual respect, equity and fairness.
* encourages both adults and children to identify and raise concerns through the appropriate channels to maintain a culture of reporting and pro-actively responding to concerns
* encourages volunteers, students, parents/guardians and visitors to support and participate in the program and activities of the service.

## Scope

This policy applies to the approved provider, persons with management or control, nominated supervisor, persons in day-to-day charge, early childhood teachers, educators, other staff, students, volunteers, parents/guardians, children and others attending the programs and activities of Service Name, including during offsite excursions and activities.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Responsibilities | Approved provider and persons with management or control | Nominated supervisor and persons in day-to-day charge | Early childhood teachers, educators and all other staff | Parents/guardians | Contractors, volunteers and students |
| **R** indicates legislation requirement, and should not be deleted | | | | | |
| Ensuring that copies of the Code of Conduct Policy is readily accessible and available to all staff, volunteers and families | **R** | Ö |  |  |  |
| Providing a safe environment for everyone attending the programs and activities of Service Name | **R** | **R** | Ö |  |  |
| Acting in accordance with Service Name child safety and wellbeing policies and procedures at all times. | **R** | **R** | R |  | R |
| Behaving respectfully, courteously and ethically towards children and their families and towards other staff. | **Ö** | **Ö** | Ö |  | Ö |
| Promoting the human rights, safety and wellbeing of all children in Service Name | **Ö** | **Ö** | Ö |  | Ö |
| Demonstrating appropriate personal and professional boundaries refer to Attachment 5 | **Ö** | **Ö** | Ö |  | Ö |
| Providing a workplace that is free from unlawful discrimination, harassment, victimisation and bullying where all persons attending are treated with dignity, courtesy and respect | **R** | Ö | Ö |  |  |
| Ensuring racism within the service is identified, confronted and not tolerated. | **R** | Ö | Ö | Ö | Ö |
| Ensuing all early childhood teachers/educators/other staff, volunteers, students and parents/guardians are aware of behaviours that are considered concerning, misconduct, or criminal conduct within the service (refer to Attachment 5) | **R** | R | Ö | Ö | Ö |
| Ensuring that the children educated and cared for at [Service Name] are protected from harm and from any hazard likely to cause injury (National Law: Section 167) | **R** | **R** | Ö |  |  |
| Identifying and mitigating risks to children’s safety and wellbeing as required by Service Name risk assessment and management processes | **R** | **R** | Ö |  | Ö |
| Responding to any concerns or complaints of child harm or abuse promptly and in line with Compliments and Complaints policy | **R** | **R** | R |  | R |
| Providing guidance through leadership and by being a positive role model; putting children first, prioritising training and education and having a culture of continuous improvement | **R** | Ö |  |  |  |
| Developing, updating and reviewing Code of Conduct for [Service Name] in collaboration with all stakeholders within the service (refer to Attachments 1 and 3) | **R** | Ö | Ö | Ö |  |
| Ensuring that early childhood teachers/educators/other staff, volunteers, students and parents/guardians are provided with a copy of this policy on employment, engagement or enrolment at the service and that the current codes of conduct are publicly displayed and promoted to everyone including contractors and visitors | **R** | Ö |  |  |  |
| Ensuring that the codes of conduct are regularly discussed at staff meetings to reinforce expectations | **R** | Ö |  |  |  |
| Developing a culture of accountability within the service for complying with the code of conduct and responding when behavioural expectations are not adhered to (refer to Attachment 5) | **R** | Ö | Ö | Ö | Ö |
| Ensuring that all children being educated and cared for at [Service Name] are protected from harm and any hazard likely to cause injury (National Law: Section 167) | **R** | **R** | Ö |  | Ö |
| Providing an environment that encourages positive interactions, supports constructive feedback and holds one another to the codes of conduct | Ö | Ö | Ö | Ö | Ö |
| Ensuring that parents/guardians of a child attending the service can enter the service premises at any time that the child is being educated and cared for (Regulation 157), except where this may pose a risk to the safety of children or staff, or conflict with any duty of care of the approved provider, nominated supervisor or early childhood teachers and educators under the National Law: Section 167 & 171 | **R** | **R** |  |  |  |
| Ensuring that contractors, volunteers, parent/guardians, students or visitors at the service are not placed in a situation where they are left alone with a child | **R** | **R** | Ö |  |  |
| Ensuring all staff and volunteers receive relevant cultural training so they have an understanding of Aboriginal culture, and an appreciation for culturally sensitive issues | **R** | **R** |  |  |  |
| Respecting individual abilities, needs, cultural practices and beliefs in all interactions, both verbal and non-verbal. Paying particular attention to the needs of Aboriginal and Torres strait Islander children, children with disability and children from CALD backgrounds | Ö | Ö | Ö | Ö | Ö |
| Engaging in open, two-way communication with families and communities about the service’s child safety approach and providing relevant and accessible information | Ö | Ö | Ö |  |  |
| Ensuring children are supported to express their culture and enjoy their cultural rights. | **R** | **R** | **R** |  | **R** |
| Listening and responding to the views and concerns of children, particularly if they communicate (verbally or non-verbally) that they do not feel safe or well. | Ö | Ö | Ö |  | Ö |
| Ensuring all staff, contractors, volunteers and students do not consume or are under the influence of alcohol or be affected by drugs (refer to Tobacco, Alcohol and other Drugs Policy) | **R** | **R** |  |  |  |
| Not consuming or being under the influence of alcohol or be affected by drugs (refer to Tobacco, Alcohol and other Drugs Policy) | **R** | **R** | **R** | Ö | **R** |
| Notifying DE within 24 hours of a serious incident (refer to Definitions) or of a notifiable complaint being made (refer to Definitions) at the service (National Law: Sections 174(2)(b) and 174(4), National Regulations: Regulations 175(2)(c) and 176(2)(b)) via the NQAITS | **R** | Ö |  |  |  |
| Referring notifiable complaints (refer to Definitions), grievances or complaints that are unable to be resolved appropriately and in a timely manner to the Grievances Subcommittee/investigator (refer to Compliments and Complaints Policy) | **R** | Ö |  |  |  |
| Notifying Worksafe of any reportable incidences (refer to Definitions) that have occurred in the workplace | **R** | Ö |  |  |  |
| Activating the Compliments and Complaints Policy on notification of a breach of the Code of Conduct Policy | **R** | Ö |  |  |  |
| Taking appropriate disciplinary or legal action, or reviewing the terms of employment in the event of misconduct or a serious breach of the Code of Conduct Policy | **R** |  |  |  |  |
| Contacting police in an emergency situation where it is believed that there is an immediate risk, such as when violence has been threatened or perpetrated or where sexual abuse or grooming is suspected as outlined in the Child Safe Environment and Wellbeing Policy. | **R** | **R** | **R** | Ö | R |
| Reading the Code of Conduct Policy (refer to Attachment 1) and signing the Code of Conduct Acknowledgement for staff (refer to Attachment 2) and that these are filed with individual staff records upon engagement in the service |  | Ö | Ö |  |  |
| Adhering to the Code of Conduct at all times | **R** | **R** | **R** | **R** | **R** |
| Informing the approved provider in the event of a serious incident (refer to Definitions), of a notifiable complaint (refer to Definitions) or of a breach of the Code of Conduct Policy |  | **R** | Ö |  |  |
| Providing an environment that encourages positive interactions, supports constructive feedback and holds one another to the codes of conduct | Ö | Ö | Ö |  |  |
| Ensuring that parents/guardians, students and volunteers sign the Code of Conduct Acknowledgement (refer to Attachment 4) | Ö | Ö |  | Ö | Ö |
| Ensuring children can access abuse prevention programs and information | **R** | Ö | Ö |  |  |
| Understanding and accepting that serious breaches of this code will be deemed misconduct and may lead to disciplinary or legal action, or a review of their employment |  | Ö | Ö | Ö | Ö |
| Being attentive to signs of harm and facilitating child-friendly ways for children to communicate and raise their concerns | **R** | **R** | **R** |  | **R** |
| Reporting and acting on any concerns or observed breaches of this Code of Conduct Policy (refer to Compliments and Complaints Policy) |  | **R** | **R** | **R** | **R** |
| Ensuring duties are performed in a professional, safe and satisfactory manner at all times. | Ö | Ö | Ö |  | Ö |
| Reviewing and updating the Code of Conduct following any incidents, complaints, concerns or near misses | R | Ö |  |  |  |

Background and Legislation

## Background

Codes of conduct establish standards of behaviour to be followed and define how individuals are expected to behave towards each other, towards the children in their care, and towards other organisations and individuals in the community.

The approved provider, nominated supervisor, early childhood teachers, educators and all other staff have a duty of care to the children attending the service and must ensure ‘that every reasonable precaution is taken to protect children being educated and cared for by the service from harm and from any hazard likely to cause injury’ (National Law: Section 167).

The National Quality Standard requires that all staff be respectful and ethical and that ‘professional standards guide practice, interactions and relationships’ (National Quality Standard: 4.2 and 4.2.2).

Employers also have a legal responsibility to provide, as far as is practicable, a safe workplace that is free from discrimination, bullying and harassment.

Child Safe Standards requires services to ensure the Code of Conduct provides guidelines for staff and volunteers on expected behavioural standards and responsibilities, and breaches to the Code of Conduct are acted upon and reported.

A Code of Conduct should be informed by the service’s philosophy, beliefs and values, and based on ethical principles of mutual respect, equity and fairness. Consideration should be given to the Victorian Teaching Profession *Code of Conduct and the Code of Ethics* and to the Early Childhood Australia’s *Code of Ethics* in developing the code of conduct.

The approved provider must ensure that the nominated supervisor, early childhood teachers, educators, other staff, contractors, volunteers, students on placement, parents/guardians, children and others attending the programs and activities of Service Name adhere to the expectations outlined in the Code of Conduct when communicating to and interacting with:

* children at the service and their parents and family members
* each other
* others in the community.

## Legislation and Standards

Relevant legislation and standards include but are not limited to:

* Charter of Human Rights and Responsibilities Act 2006 (Vic)
* Child Safe Standards (Vic)
* Children, Youth and Families Act 2005 (Vic)
* Child Wellbeing and Safety Act 2005 (Vic)
* Disability Discrimination Act 1992 (Cth)
* Early Childhood Australia’s Code of Ethics (2016)
* Education and Care Services National Law Act 2010: Sections 166, 167, 173, 174
* Education and Care Services National Regulations 2011: Regulations 83, 155, 156, 157, 168, 170, 171, 174, 175, 176
* Equal Opportunity Act 2010 (Vic)
* Fair Work Act 2009 (Cth)
* Fair Work Regulations 2009 (Cth)
* National Quality Standard, Quality Area 4: Staffing Arrangements
* Occupational Health and Safety Act 2004
* Occupational Health and Safety Regulations 2017
* Racial Discrimination Act 1975
* Racial and Religious Tolerance Act 2001 (Vic)
* Sex Discrimination Act 1984 (Cth)
* Victorian Institute of Teaching the Victorian Teaching Profession Code of Conduct
* Victorian Institute of Teaching the Victorian Teaching Profession Code of Ethics

The most current amendments to listed legislation can be found at:

Victorian Legislation – Victorian Law Today: [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)

Commonwealth Legislation – Federal Register of Legislation: [www.legislation.gov.au](http://www.legislation.gov.au)

Definitions

The terms defined in this section relate specifically to this policy. For regularly used terms e.g. Approved provider, Nominated supervisor, Notifiable Complaints, Serious Incidents, Duty of Care, etc. refer to the Definitions file of the PolicyWorks catalogue.

**Behaviour:** the way in which one acts or conducts oneself, especially towards others.

**Bullying:** Repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Bullying occurs when one or more people deliberately and repeatedly upset or hurt another person, damage their property, reputation or social acceptance.

**Ethical conduct:** Behaviour which reflects values or a code of conduct.

**Harassment:** When someone is demeaning, derogatory or intimidating towards another person. Harassment includes:

* racial taunts
* taunts about sexual orientation or gender identity
* sexual harassment: unwelcome physical, verbal or written behaviour of a sexual nature
* repeated insulting remarks.

**Investigator:** A person/staff member assigned or organisation engaged with the responsibility of investigating suspected breaches of the Code of Conduct by the Approved provider

**Physical attack:** the direct or indirect application of force by a person to the body of, or to clothing or equipment worn by another person, where that application creates a risk to health and safety.

**Respect:** Demonstrating regard for the rights of individuals, for different values and points of views.

**Sexual harassment:** includes offensive gestures, leering, staring or suggestive comments about a person’s physical appearance, inappropriate physical contact, unwanted invitations of a sexual manner, sexually orientated jokes, sending of obscene letters, notes, telephone texts or emails.

**Support:** Work in a co-operative and positive manner.

**Threat:** a statement or behaviour that causes a person to believe they are in danger of being physically attacked.

**Unreasonable behaviour:** includes actions of individuals or a group and may involve using a system of work as a means of victimising, humiliating, undermining, or threatening.

**Verbal harassment:** includes name-calling, offensive language, putting people down.

Sources and Related Policies

## Sources

* Early Childhood Australia, *Code of Ethics*: [www.earlychildhoodaustralia.org.au/our-publications/eca-code-ethics/](http://www.earlychildhoodaustralia.org.au/our-publications/eca-code-ethics/)
* United Nations, *The Universal Declaration of Human Rights*: [www.un.org/en/universal-declaration-human-rights/](http://www.un.org/en/universal-declaration-human-rights/)
* United Nations, *Convention on The Rights of the Child*: [www.unicef.org/crc/](http://www.unicef.org/crc/)
* Victoria Legal Aid: [www.legalaid.vic.gov.au](http://www.legalaid.vic.gov.au)
* Victorian Institute of Teaching – *The Victorian Teaching Profession Code of Conduct and Code of Ethics*: [www.vit.vic.edu.au](http://www.vit.vic.edu.au)
* Commission for Children and Young People: [www.ccyp.vic.gov.au](http://www.ccyp.vic.gov.au)

## Related Policies

* Child Safe Environment and Wellbeing
* Compliments and Complaints
* Delivery and Collection of Children
* Inclusion and Equity
* Information Communication Technology
* Interactions with Children
* Occupational Health and Safety
* Privacy and Confidentiality
* Rest and Sleep
* Staffing
* Tobacco, Alcohol and other Drugs

Evaluation

In order to assess whether the values and purposes of the policy have been achieved, the approved provider will:

* regularly seek feedback from everyone affected by the policy regarding its effectiveness
* monitor the implementation, compliance, complaints and incidents in relation to this policy
* assess whether a satisfactory resolution has been achieved in relation to issues arising from this policy
* keep the policy up to date with current legislation, research, policy and best practice
* revise the policy and procedures as part of the service’s policy review cycle, or as required
* notifying all stakeholders affected by this policy at least 14 days before making any significant changes to this policy or its procedures, unless a lesser period is necessary due to risk (Regulation 172 (2)).



Attachments

* Attachment 1: Code of Conduct for approved provider, nominated supervisor and all staff
* Attachment 2: Code of Conduct Acknowledgement for staff
* Attachment 3: Code of Conduct for parents/guardians, students, contractors and volunteers
* Attachment 4: Code of Conduct Acknowledgement for parents/guardians, students, contractors and volunteers
* Attachment 5: Defining concerning behaviour, misconduct and criminal conduct in a Code of Conduct



Authorisation

This policy was adopted by the approved provider of Service Name on [Date].

**REVIEW DATE:** [DAY]/[MONTH]/[YEAR]

Attachment 1. Code of conduct for the Approved provider, Persons with Management and Control, Nominated supervisor, Person in Day-to-Day Charge and all staff

This attachment was informed by the Victorian Institute of Teaching’s *the Victorian Teaching Profession Code of Conduct* and *A Guide for Creating a Child Safe Organisation*, available from the Commission for Children and Young People (refer to Sources)*.*

The approved provider, persons with management and control, nominated supervisor and all staff at Service Name are responsible for promoting the safety and wellbeing of children and their families by:

welcoming all children and their families and being inclusive

treating everyone with respect, including listening to and valuing their ideas and opinions

contributing to a culture of child safety

adhering to the Child Safe Environment policy and all other policies

taking all reasonable steps to protect children from abuse

respecting the privacy of children and their families, and only disclosing information to people who have a need to know as required under the Privacy and Confidentiality policy

reporting and acting on any breaches of this Code of Conduct, complaints or concerns.

acknowledging the vulnerability of Aboriginal children, children from a culturally and linguistically diverse background and children with a disability and having zero tolerance of discrimination

Professional responsibilities

The approved provider, persons with management and control, nominated supervisor and all staff demonstrate our commitment to our professional responsibilities by:

undertaking duties in a competent, timely and responsible way

ensuring our knowledge and expertise is up to date and relevant to our roles

being aware of the role of other professionals and agencies and working collaboratively and within the limits of our professional expertise

understanding and complying with legal obligations in relation to:

discrimination, harassment and vilification

negligence

grooming

disclosure of child sexual abuse

protection of a child from child sexual abuse

mandatory reporting

privacy and confidentiality

occupational health and safety, including emergency evaluation procedures

raising any complaints or grievances in accordance with the Compliments and Complaints policy

maintaining teacher registration and Working with Children checks as applicable.

raising any complaints or grievances in accordance with the Compliments and Complaints policy.

Relationships with children

The approved provider, persons with management and control, nominated supervisor and all staff at Service Name demonstrate our commitment to high-quality education and care for children by:

encouraging children to express themselves and their opinions

allowing children to undertake experiences that develop self-reliance and self-esteem

maintaining a safe environment for children

being a positive role model at all times

speaking to children in an encouraging and positive manner

giving each child positive guidance and encouraging appropriate behaviour

providing opportunities for children to interact and develop respectful and positive relationships with each other, and with other staff members and volunteers at the service

regarding all children equally, and with respect and dignity

having regard to their cultural values and supporting them to express their culture

respecting individual difference including age, physical and intellectual development, and catering for the abilities of each child at the service

working with children in an open and transparent way by informing other staff about the work being done with children

encouraging and assisting children to undertake activities of a personal nature for themselves e.g. toileting and changing clothes

informing children if physical contact is required for any purpose, asking them if they are comfortable with this interaction and complying with the Interactions with Children policy.

Relationships with parents/guardians and families

In our relationships with parents/guardians and families, the approved provider, nominated supervisor and all staff demonstrate our commitment to collaboration by:

maintain professional and ethical relationships with families attending the service

respecting the role of parents/guardians as the child’s first educator

working collaboratively with parents/guardians and families

considering the perspective of parents/guardians and families when making decisions that impact on the education and care of their child

communicating with parents/guardians and families in a timely and sensitive manner

responding to concerns expressed by parents/guardians and families in a timely and appropriate manner.

Relationships with employer and between colleagues

In relationships with the approved provider, persons with management and control, nominated supervisor and staff and between colleagues demonstrate collegiality by:

encouraging others to act in accordance with this Code of Conduct and taking action when they observe behaviours which are outside of the Code of Conduct

developing relationships based on mutual respect, equity and fairness

working in partnership in a courteous, respectful and encouraging manner

valuing the input of others

sharing expertise and knowledge in appropriate forums, and in a considered manner

respecting the rights of others as individuals

giving encouraging and constructive feedback, and respecting the value of different professional approaches

being prepared to have difficult conversations and use constructive processes to address differences of opinion.

Attachment 2. Code of Conduct Policy Acknowledgement for Approved provider, Persons with Management and Control, Nominated supervisor, Person in Day-to-Day Charge and all staff

I hereby acknowledge that on [Insert Date],I received a copy of the Code of Conduct policyfor Service Name.

I have read the policy and I understand its contents.

I commit to abiding by the Code of Conduct and fulfilling my responsibilities as outlined in this policy whilst working at Service Name.

I understand that the approved provider will address any breach of this policy, and that any serious breach could lead to disciplinary or legal action.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |
| Signature |  | Name (please print) |  | Date |
|  |  |  |  |  |
| Witness signature |  | Name (please print) |  | Date |

Thank you for your contribution to making Service Name an open, safe, welcoming, and friendly environment.

Attachment 3. Code of conduct for parents/guardians, students, volunteers, contractors and visitors

I commit to contributing to creating an environment at Service Name that:

respects the rights of the child and values diversity

acknowledges the vulnerability of Aboriginal children, children from a culturally and linguistically diverse background and children with a disability and has zero tolerance of discrimination

maintains a duty of care (refer to Definitions) towards all children at the service

is committed to the safety and wellbeing of each child at the service

is committed to the safety and wellbeing of all staff at the service

provides a safe and secure environment for all at the service

provides an open, welcoming environment in which everyone’s contribution is valued and respected

is committed to communicating openly and honestly

is committed to continually learning how to be inclusive and respectful of cultural needs

encourages parents/guardians, volunteers, students and community members to support and participate in the program and activities of the service.

Relationships with children

In my relationships with children, I commit to:

being a positive role model at all times

encouraging children to express themselves and their opinions

allowing children to undertake experiences that develop self-reliance and self-esteem

maintaining a safe environment for children

speaking to children in an encouraging and positive manner

giving each child positive guidance and encouraging appropriate behaviour

regarding all children equally, and with respect and dignity

having regard to each child’s cultural values

respecting individual difference including age, physical and intellectual development, and catering for the abilities of each child at the service.

Relationships with the approved provider, persons with management and control, nominated supervisor, staff and others

In my relationships with the approved provider, nominated supervisor, staff, other parents/guardians, volunteers and visitors I commit to:

reading and abiding by the Code of Conduct policy

developing relationships based on mutual respect

working in partnership in a courteous, respectful and encouraging manner

valuing the input of others

sharing our expertise and knowledge in a considered manner

respecting the rights of others as individuals

giving encouraging and constructive feedback, and respecting the value of different professional approaches

respecting the privacy of children and their families and only disclosing information to people who have a need to know as required under the Privacy and Confidentiality policy

following the directions of staff at all times

treating the early childhood environment with respect

raising any concerns, including concerns about safety, as soon as possible with staff to ensure that they can be resolved efficiently

raising any complaints or grievances in accordance with the Compliments and Complaints Policy*.*

Attachment 4. Code of Conduct Policy Acknowledgement for parents/guardians, students, contractors and volunteers

I hereby acknowledge that on [Insert Date],I received a copy of the Code of Conduct policyfor Service Name.

I have read this policy and understand its contents. I commit to abiding by the Code of Conduct and fulfilling my responsibilities as outlined in this policy whilst my child is attending Service Name.

I agree to abide by the values, principles and practices set out within.

I understand that a breach of the Code of Conduct may lead to limitations being placed on my attendance at the service.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |
| Signature |  | Name (please print) |  | Date |
|  |  |  |  |  |
| Witness signature |  | Name (please print) |  | Date |

Thank you for your contribution to making Service Name an open, safe, welcoming and friendly environment.

Attachment 5: Defining concerning behaviour, misconduct and criminal conduct in a Code of Conduct

Concerning behaviours includes, but is not limited to:

disciplining or correcting a child or young person in an unreasonable manner

making excessive and/or degrading demands of a child or young person

taking photos of a child or young person who is in the care of the organisation outside of official duties

creating situations to be alone with a child or young person

repeatedly visiting a child/young person and/or their family at their home for no professional reason

providing gifts or favours to a child/young person or their family

wearing inappropriate clothing around children or young people (for example, clothing with sexually explicit images or messages or clothes that expose or accentuate the genitals or breasts).

Misconduct that may be, but is not limited to:

using sexual language or gestures

making written or verbal sexual advances

sharing sexual photos or videos or other photos of the child or young person

sharing details of one’s own sexual experiences with a child or young person

taking a child or young person to one’s house to be alone with them

sharing phone numbers with a child or young person except as allowed by the organisation’s policies and procedures

engaging with a child or young person via social media except as provided by the organisation’s policies and procedures

asking children or young people to keep a relationship secret

showering or dressing or undressing with the door open (for example, on excursions and in residential situations)

not respecting the privacy of children/young people when they are using the bathroom or changing (for example, on excursions and in residential situations).

Examples of conduct, which if proven, would be criminal includes, but is not limited to:

intentionally or recklessly applying physical force against a child or young person

obscene exposure

having, attempting to have or facilitating any kind of sexual contact with a child or young person

possessing, creating or exposing children to pornography

giving goods, money, attention or affection in exchange for sexual activities or images

sexting

grooming offences (as defined by law in most jurisdictions)

trafficking, possession, supply, or use of a prohibited drug

manufacture or cultivation of a prohibited drug.