



# Child Protection

The protection of children, who are one of the most vulnerable groups in society, is a shared responsibility between the family, the general community, police, government and professionals working with children. It involves making sure that all children are safe, their needs are met and minimising the possibility of child abuse. Each adult has a significant role to play to ensure the safety and wellbeing of children and young people at all times, including making an appropriate response when an allegation has been made.

## ASPECTS OF CHILD ABUSE AND MALTREATMENT MAY INCLUDE:

### PHYSICAL HARM

This involves any non-accidental injury to a child or young person by a parent or caregiver. The injury may take the form of bruises, cuts, burns, fractures, bites, shaking and throwing.

### SEXUAL HARM

This occurs when an adult or someone bigger and/or older than the child uses power or authority over the child or young person to involve the child in sexual activity. Physical force is sometimes involved, and often intimidation, threats and engaging a child in “keeping secrets is used as a way of preventing a child from disclosing the abuse. Child sexual abuse involves a wide range of sexual activity. It may include fondling of the child’s genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, or exposure of the child to pornography.

### EMOTIONAL/ PSYCHOLOGICAL HARM

This occurs when a child or young person is repeatedly rejected, frightened by threats or exposed to domestic violence. This may involve a severe lack of appropriate nurturing, scapegoating or verbal abuse such as name calling or being put down by the parent or caregiver to the extent that it affects the child’s physical, emotional and intellectual growth and development.

### ENVIRONMENT/ NEGLECT

This is a failure to provide the child with the basic necessities of life, such as food, clothing, shelter and supervision, to the extent that the child’s physical health and development are placed at risk.

## POLICY RATIONALE

This policy applies to all staff, students on placement, volunteers and parents/guardians whose child/ren are attending or who wish to enrol child/ren in Holy Family Catholic School OSHC services.

### Document Control:

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Holy Family Catholic School OSHC has a moral and legal responsibility to ensure that all children are safe in their care and will provide resources, information and guidance for providing a child-safe environment for children enrolled in and attending the service.

Holy Family Catholic School believe:

- People caring for children must act in the best interests of the child and take all reasonable steps to ensure the child's safety and wellbeing.
- All children have the right to feel safe and are safe at all times.
- Practice will be based on a partnership approach and shared responsibility for children's safety, wellbeing and development.
- All children will be given the opportunity to reach their full potential and participate in society irrespective of their family circumstances and background.

## **POLICY OBJECTIVES**

- To ensure a safe environment and minimise the risk of abuse of children enrolled at Holy Family Catholic School OSHC.
- For the reporting of child abuse or suspicion of child abuse.
- Establish, maintain and strengthen a child-safe environment.
- Develop and maintain an open and aware culture in which children feel valued, respected and cared for.
- Support the rights of the child.
- Fulfil duty of care by protecting children from any reasonable, foreseeable risk of injury or harm.
- Promote children's development and wellbeing.

## **PROCEDURES**

### **MANAGEMENT IS RESPONSIBLE FOR:**

- Supporting educators in identifying the potential risks of child abuse at Holy Family Catholic School OSHC.
- Developing and implementing effective strategies to prevent child abuse.
- Ensuring staff recruitment and induction supports the implementation of this policy.
- Ensuring appropriate training and education for educators and staff in recognising child abuse, symptoms of child abuse, what to do and how to respond. This includes the mandatory requirement that all person in day-to-day charge of a service have completed formal training in Child Protection., have completed formal training in Child Protection.
- Ensuring clear procedures are in place for reporting suspicions of child abuse and management of complaints (refer to the Complaints and grievances policy).
- Regularly involving parents/guardians, staff, educators, and children to develop a child- safe environment.
- Protecting the rights of children and families and, to the greatest extent possible, encouraging their participation in any decision-making.
- Offering support to the child, family, educators and staff in response to concerns or reports relating to the safety and wellbeing of a child in a Holy Family Catholic School OSHC service.
- Implementing and reviewing this policy in consultation with parents/guardians, educators and staff.
- Responsible Person (person in day-to-day charge) and Nominated supervisor will hold approved child protection training. All educators must know their roles and responsibilities in relation to child protection, which is highlighted in the educator induction procedure.

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**Document Control:**

Approval Date: May 2019	Last Reviewed: August 2022
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**EDUCATORS ARE RESPONSIBLE FOR:**

- Maintaining a professional role with children, with clear boundaries that protect everyone from misunderstandings, perceptions or a violation of the professional relationship.
- Undertaking training on child protection awareness, including processes for reporting and managing concerns and/or incidents. This includes mandatory child protection awareness training in some states.
- Being aware of the signs and symptoms of abuse to a child (refer to ‘Incident/concern management and reporting guidelines’).
- As soon as practicable, reporting any concerns of suspected or discovered harm to a child to the Director (or Responsible Person) on the day that the concerns or child disclosures are noted.
- Cooperating with other services or professionals to work in the interests of the child and family.
- Ensuring that families are made aware of the support services available to them and the benefits these services can provide, especially to families in most need assistance.
- Acknowledging and respecting children’s identity, right to privacy, circumstances and cultural identity, and being responsive to the child’s particular needs.
- Educating and empowering children to talk about events and situations that make them feel uncomfortable.
- Maintaining confidentiality.
- Reduce the circumstances where a child may be alone with one educator, where possible.
- Complying with the *Interactions with Children* policy of the service.

**THE PARENTS/GUARDIANS ARE RESPONSIBLE FOR:**

- Reporting observations and/or concerns about potential situations of child abuse or neglect to the service Director.
- Abide by the Holy Family Catholic School OSHC policies.

**TO ASSESS WHETHER THE POLICY HAS ACHIEVED THE VALUES AND PURPOSES, MANAGEMENT WILL:**

- Take into account feedback from educators, staff, parents/guardians and committee regarding the policy.
- Monitor compliance with the expectations and procedures set out in the policy
- Monitor complaints and incidents regarding child protection.

**CHILD SAFE ORGANISATIONS**

To assess risk within a Holy Family Catholic School OSHC service means identifying the potential for child abuse within in your service and taking steps to reduce the possibility of it occurring.

It is important to create awareness among educators, staff and volunteers of possible risks to children from abuse, and how to implement a range of strategies to protect them from those risks and abuse. This table provides some examples of practices (there will be a range of others) that may be implemented to support the principles of a child safe organisation.

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**Document Control:**

Approval Date:	May 2019	Last Reviewed:	August 2022
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CHILD SAFE PRINCIPLE	EVIDENCE
<b>The organisation welcomes children and their families/guardians</b>	<ul style="list-style-type: none"> <li>▪ Staff readily interact with children in an age appropriate and respectful way</li> <li>▪ Children are treated as individuals; staff and volunteers strive to understand each child's particular interests and needs</li> <li>▪ Staff and volunteers listen to children and encourage their participation</li> <li>▪ Children are supported and comforted appropriately, consistent with the child's wishes</li> </ul>
<b>The organisation recognises that children are vulnerable</b>	<ul style="list-style-type: none"> <li>▪ Staff and volunteers accept it is their role to protect children involved with their service</li> <li>▪ Staff and volunteers accept there is a difference in power between a child and an adult</li> <li>▪ The service maintains appropriate educator to child ratios</li> <li>▪ Policies are in place to minimise the risk involved in one-to-one situations with a child</li> <li>▪ Equipment and activities appear appropriate for the activity and age of the children</li> <li>▪ Information about children is treated confidentially</li> </ul>
<b>The organisation recognises and responds to children with special needs, including a disability</b>	<ul style="list-style-type: none"> <li>▪ The service is accessible to all children</li> <li>▪ Staff and volunteers relate to all children in a respectful and developmentally appropriate manner</li> <li>▪ Policies are in place to guide the physical and psychological care requirements of all children</li> </ul>
<b>The organisation actively encourages the participation of Aboriginal children</b>	<ul style="list-style-type: none"> <li>▪ Staff, volunteers and other children acknowledge and show respect for Aboriginal culture, encouraging positive cultural identity (in particular of the local area in which the service is located)</li> <li>▪ Program planning includes regular experiences that encourage diversity for all children and consideration of the cultural heritage of others</li> <li>▪ Families are encouraged to identify their Aboriginal or Torres Strait Islander heritage at enrolment, through a question on the child's enrolment record or at the specific service in which their child/ren is attending</li> </ul>
<b>The organisation recognises and responds to the particular needs of children from diverse cultural, linguistic and religious backgrounds</b>	<ul style="list-style-type: none"> <li>▪ Cultural diversity is welcomed and celebrated</li> <li>▪ Activities offered are representative of the cultural and religious mix of the local community</li> <li>▪ Staff, volunteers and other children acknowledge and show respect for the diversity</li> <li>▪ Families are encouraged to identify their cultural heritage at enrolment, through a question on the child's enrolment record or at the specific service in which their child/ren is attending</li> </ul>

**Document Control:**

Approval Date: May 2019	Last Reviewed: August 2022
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### SIGNS OR INDICATORS OF HARM

- Physical signs of physical, sexual, emotional abuse or neglect may include but are not limited to: bruises, burns, sprains, bites, cuts, fractures, frequent hunger, malnutrition, poor hygiene and inappropriate clothing.
- Behavioural signs of physical, sexual, emotional abuse or neglect may include but are not limited to: wariness or distrust of adults, fear of parents and going home, fearful when other children cry or shout, excessively friendly to strangers, very passive and compliant, headaches or stomach pains, displaying sexual behaviour that is unusual for the child's age, frequent rocking, sucking and biting, difficulty sleeping, withdrawn, aggressive and demanding, highly anxious, delayed speech, acting like a much younger child, often being tired and falling asleep.
- Disclosures by the child or others.
- Reporting made by other associated agencies (i.e. the school in which the service is located)

### IMPORTANT NOTES

- You do not have to prove that abuse has taken place, only reasonable grounds for your belief.
- You do not need permission from parents or caregivers to make a notification, nor do they need to be informed that a notification is being made.
- If you make a notification in good faith, you cannot be held legally liable—regardless of the notification outcome.
- The identity of the notifier will remain confidential unless the notifier chooses to inform the child and/or family, or if the notifier consents in writing to it being disclosed or the court decides it requires that information

### INCIDENT/CONCERN MANAGEMENT AND REPORTING GUIDELINES

When determining if a concern should be reported to the relevant authorities, the educator and management representative should consider:

- The child's best interests are always the primary consideration, with due regard to confidentiality and fairness to the person against whom the allegation is made.
- Children are encouraged to approach any educator in the service to express concerns about their treatment and be confident that they will be taken seriously.
- Employees and volunteers are clear about whom they can approach to express concerns.
- Any investigation by the relevant authority will ensure procedural fairness and natural justice for a person suspected of abusing a child.
- Records are kept about any child safety complaint and stored per the Record Keeping (including the confidentiality of these records) Policy.
- Records contain information about the action taken, any internal investigation, and reports made to statutory authorities or professional bodies.
- All educators and staff are aware of the need to report serious matters involving child protection to external authorities. Privacy is maintained, and the information is only reported to appropriate persons.
- The physical and sexual abuse of children are crimes and are reported to the police.
- A report can be made, even if they do not have all the necessary information.
- Permission is not required from the parents, and they do not need to be notified that a report has been made.

### FORMING A PROFESSIONAL JUDGEMENT

Making objective observations and forming a professional judgement are based on:

- Warning signs (or indicators) of harm or potential harm that have been observed or inferred for information
- Knowledge of child development

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#### Document Control:

Approval Date:	May 2019	Last Reviewed:	August 2022
----------------	----------	----------------	-------------

- Details of a child disclosure
- Knowledge of any support currently being received by the family
- Consultation with colleagues and other professionals
- Professional obligations and duty-of-care responsibilities
- Established protocols
- Individual service processes
- Legal requirements, such as mandatory reporting

**GATHERING INFORMATION**

VERBAL DISCLOSURE OR OBVIOUS SIGNS	SUSPECTED BUT UNSURE
<p><b>Educators will:</b></p> <ul style="list-style-type: none"> <li>▪ Support the child, listen carefully, and reassure the child that they have done the right thing in telling them.</li> <li>▪ Write down what the child has said.</li> <li>▪ Not be accusatory about anyone, including the alleged perpetrator.</li> <li>▪ Discuss with the Responsible Person of Service, who will determine the next step. This may be in consultation with the Area Manager and escalated to the National Quality &amp; Compliance Manager.</li> <li>▪ Take whatever immediate action is necessary for the protection of the child.</li> <li>▪ If the child is suffering from an injury which appears to warrant immediate medical attention, Educators will ensure that the child receives the appropriate medical treatment.</li> </ul>	<p><b>The Quality &amp; Compliance Manager may:</b></p> <ul style="list-style-type: none"> <li>▪ Share concerns with the family in a sensitive and tactful manner, provided that this will not increase the risk to the child. The parents' explanations will be carefully noted, and they will be encouraged to seek appropriate help. (This is not an appropriate step with regard to sexual or other serious abuse which should be reported to the regulatory authority immediately; Holy Family Catholic School OSHC is mandated to report under legislation)</li> <li>▪ Monitor the situation. Records will be kept including when and under what circumstances including disturbing or encouraging physical and emotional changes occur, and exact quotes from the</li> <li>▪ family or child that may seem relevant to the issue</li> <li>▪ The Area Manager, the Responsible Person of Service and where appropriate the team member concerned will meet to decide whether it is necessary to discuss the concerns with the relevant regulatory authority</li> </ul>

**HOW TO MAKE A NOTIFICATION**

- Educators will discuss any observation/disclosure with the Responsible Person.
- An educator can notify at any time, however, it is recommended that they notify Holy Family Catholic School Principal to enable support.

**Department for Child Protection**

<https://www.childprotection.sa.gov.au> for e-CARL

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**Document Control:**

Approval Date:	May 2019	Last Reviewed:	August 2022
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Provide the following information:

- The child's name, date of birth and address.
- The parent's name, date of birth, address and telephone number.
- The reason for believing that the injury or behaviour is the result of abuse or neglect
- The reason why the call is being made at this point
- An assessment of immediate danger to the child/ren (information may be sought on the whereabouts of the alleged abuser/s)
- A description of the injury or behaviour observed
- The current whereabouts of the child or young child
- Knowledge of other services involved with the family
- Any other information about the family, such as siblings/others living in the home
- Any specific cultural background, language barriers or disability circumstances

## DEFINITIONS

**Abuser, offender and perpetrator:** Words used to describe a person who abuses a child or young person.

**Abuse, neglect and maltreatment:** Any non-accidental injury to a child.

**Bullying:** Act of intimidating weaker people to make them do something; act of intentionally causing harm to others through verbal harassment, physical assault or other more subtle methods of coercion.

**Child:** 'A child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier' (Convention on the Rights of the Child, United Nations, Article 1). The Child and Young Persons Act 1989 describes a child or young person as a person under seventeen years.

**Child abuse:** Act or omission by an adult that endangers or impairs a child's physical or emotional health and development. Children can be harmed both physically and emotionally. It can be a single incident but usually takes place over time. Abuse, neglect and maltreatment are generic terms used to describe situations in which a child may need protection.

**Abuse includes any and all of the following:**

- *Physical:* When a child suffers or is likely to suffer significant harm from an injury inflicted by a parent/caregiver or other adults. The injury may be inflicted intentionally, or it may be the inadvertent consequence of physical punishment or physically aggressive treatment of a child. Physical injury and significant harm to a child may also result from neglect by a parent/caregiver or another adult. The injury may take the form of bruises, cuts, burns or fractures, poisoning, internal injuries, shaking injuries or strangulation.
- *Sexual:* 'Utilisation of a child for sexual gratification by an adult or older child in a position of power, or permitting another person to do so'. This occurs when a person uses power or authority over a child to involve the child in sexual activity and the child's authority over a child to involve the child in sexual activity and the child's parent/caregiver has not protected the child. Physical force is sometimes involved. Child sexual abuse involves a wide range of sexual activity, from inappropriate touching or fondling of a child, exposing a child to pornography to having sex with a child (OCSC).
- *Emotional and psychological:* 'Chronic failure by the parent/caregiver to provide support and affection necessary to develop a sound and healthy personality.' This may include repeated rejection, use of threats to frighten the child, name calling, putdowns or continual coldness. This

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**Document Control:**

Approval Date:	May 2019	Last Reviewed:	August 2022
----------------	----------	----------------	-------------

may include repeated rejection, use of threats to frighten the child, name calling, putdowns or continual coldness.

- *Racial, cultural and religious:* Conduct that demonstrates contempt, ridicule, hatred or negativity towards a child because of their race, culture or religion (OCSC).
- *Neglect:* The failure to provide the 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 (Department of Human Services).
- *Exposure to domestic violence:* When children and young people witness or experience the chronic domination, coercion, intimidation and victimisation of one person by another by physical, sexual or emotional means within intimate relationships (adapted from the Australian Medical Association definition).

**Child sex offender:** Someone who sexually abuses children and may or may not have been convicted.

**child protection (lower case):** The term used to describe the whole community's 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.

**Code of conduct:** List behaviours that are acceptable and those that are unacceptable, including professional boundaries, ethical behaviour and acceptable and unacceptable relationships.

**Disclosure:** The statement that the child or young person makes to another person that describes or reveals abuse.

**Domestic/family violence:** The repeated use of violent, threatening, coercive or controlling behaviour by an individual against a family member(s) or someone with whom they have or have had an intimate relationship, including carers.

**Duty of care:** A common law concept that refers to the responsibilities of organisations to provide children with an adequate level of protection against harm and all reasonable foreseeable risk of injury.

**Grooming is a dual process of:**

- Building a trusting relationship with the child and his/her carers
- Isolating the child in order to abuse them.
- Grooming occurs before the sex offence to access the child and after the offence to:
- Maintain access to the child
- Ensure the child's silence and the carer'/adults' continued trust.
- Negligence:
- When someone is able to establish that:
- The organisation or individual owed a duty of care to the person
- The standard of care was breached
- The alleged act occurred
- This breach has caused the person to suffer some form of damage.

**Mandatory reporting:** Describes the legal obligation of certain professionals and community members to report incidences of child sexual abuse.

**Violent behaviour:** Includes not only physical assaults but also an array of power and control tactics used along a continuum in concert with one another, including direct or indirect threats, sexual assault, emotional

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**Document Control:**

Approval Date:	May 2019	Last Reviewed:	August 2022
----------------	----------	----------------	-------------



and psychological torment, economic control, property damage, social isolation and behaviour that causes a person to live in fear.

**REFERENCES:**

- ACECQA National Quality Framework Resource Kit (2012)
- Quality Area 1 – Educational Program and Practice.
- Quality Area 2 – Children’s health and safety
- Education and Care Services National Law Act (2010), Section 167
- Education and Care Services National Regulations (2011), Regulation 84

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**Document Control:**

Approval Date:	May 2019	Last Reviewed:	August 2022
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