CHILD PROTECTION POLICY (VIC)

The Langwarrin Community Centre is committed to providing a child safe environment where children's safety and wellbeing is supported, and children feel respected, valued and encouraged to reach their full potential. The Langwarrin Community Centre embeds the Victorian Child Safe Standards (CSS), and promotes a culture of safety and wellbeing to minimise the risk of child abuse or harm to children, whilst promoting children's sense of security and belonging.

We will ensure all employees and volunteers understand the meaning, importance and benefits of providing a child safe environment and critically, understand their obligations and requirements as Mandatory Reporters. At all times, management, staff and volunteers will treat children with the utmost respect and understanding.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2	Safety	Each child is respected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
2.2.3	Child Protection Child Safety and Protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect. Management, educators and staff are aware of their roles and responsibilities regarding child safety, including the need to identify and respond to every child at risk of abuse or neglect

EDUCATION AND CARE SERVICES NATIONAL LAW AND NATIONAL REGULATIONS	
S. 162A	Child protection training
S.165	Offence to inadequately supervise children
S. 166	Offence to use inappropriate discipline

S.167	Offence relating to protection of children from harm and hazard
S. 174	Offence to fail to notify certain information to Regulatory Authority
S. 175	Offence relating to requirement to keep enrolment and other documents
84	Awareness of child protection law
86	Notification to parents of incident, injury, trauma and illness
87	Incident, injury, trauma and illness record
115	Premises designed to facilitate supervision
145	Staff records
149	Volunteers and students
155	Interactions with children
168	Education and care service must have policies and procedures
170	Policies and procedures to be followed
175	Prescribed information to be notified to Regulatory Authority
176	Time to notify certain information to Regulatory Authority

RELATED LEGISLATION

Failure to Protect 2015 (Under Section 327 of the Crimes Act 1958 [Vic])	*Crimes Act 1958 (Vic)*
Failure to Disclose 2014 (Under Section 327 of the Crimes Act 1958 [Vic])	*Family Law Act 1975 (Cth)*
Child Wellbeing and Safety Act 2005 (Vic)	*Family Violence Protection Act 2008 (Vic.)*
Children, Youth and Families Act 2005 (Amended 2014) (Vic)	*The Charter of Human Rights and Responsibilities Act 2006 (Vic)*
Commission for Children and Young People Act 2012 (Amended 2014) (Vic)	*The Worker Screening Act 2020*

RELATED POLICIES

Behaviour Guidance Policy Child Safe Environment Policy Child Safety and Wellbeing Policy Code of Conduct Policy Communication Policy Health and Safety Policy Interactions with Children, Family and Staff Policy Nappy Change & Toileting Policy	Respect for Children Policy Responsible Person Policy Safe Use of Digital Technologies and Online Environments Policy Staffing Arrangements Policy Student and Volunteer Policy Supervision Policy Work Health and Safety Policy

Privacy and Confidentiality Policy Reportable Conduct Scheme Policy [Vic.]	

PURPOSE

All educators, staff, Visitors and volunteers are committed to identifying possible risk and significant risk of harm to children and young people at the Langwarrin Community Centre. We comprehend our duty of care responsibilities to protect children from all types of abuse and neglect, and will adhere to our moral and legislative obligations at all times. We believe children's safety is the paramount consideration for early childhood professionals and embed child safety in our daily practices, policies and procedures.

We aim to implement effective strategies to assist in ensuring the safety and wellbeing of all children. The Langwarrin Community Centre will act in the best interest of each child, assisting them to develop to their full potential in a secure and child safe environment. We understand our statutory duty of care to comply with both the Victorian Child Safe Standards and Reportable Conduct Scheme to build our capacity as an organisation to prevent and respond to allegations of child abuse.

Keeping children safe: a shared responsibility.

SCOPE

This policy applies to children, families, staff, educators, volunteers, management, the approved provider, nominated supervisor, students, volunteers and visitors of the Langwarrin Community Centre.

WHAT IS CHILD ABUSE?

The World Health Organisation ([WHO], 2006, p. 9) defines child abuse and neglect as:

"All forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power." (Australian Government, Australian Institute of Family Studies)

Child abuse is any action towards a child or young person that harms or puts at risk their physical, psychological or emotional health or development. Child abuse can be a single incident or can be a number of different incidents that take place over time.

DEFINITIONS

Duty of Care

Duty of care refers to your responsibility to adequately protect children in care from harm. This common law concept applies to all staff members within any Victorian early childhood service and is usually expressed as "*a duty to take reasonable steps to protect children from injury that is reasonably foreseeable.*" Victoria State Government (2021).

Duty of care means:

- acting on concerns quickly and in the child's best interests
- protecting the safety, health and wellbeing of children in their care
- seeking appropriate advice or consulting when unsure
- reporting concerns to the relevant authorities
- providing ongoing support to a child and their family
- sharing information, upon request, to assist DFFH Child Protection or Police to protect and/or promote the wellbeing and development of a child
- attending Department of Families, Fairness and Housing (DFFH) Child Protection Case Planning meetings

Mandatory reporting

Mandatory Reporting is the legislative requirement for selected classes of people to make a report to Department of Families, Fairness and Housing (DFFH) Child Protection and/or Victoria Police where they form a reasonable belief, that a child has been or is at risk of significant harm, as a result of physical or sexual abuse, and the child's parents have not protected or are unlikely to protect the child from that abuse. It is a criminal offence to fail to report in these circumstances. In Victoria (VIC) mandatory reporting is regulated by the *Children Youth and Families Act 2005.*

Mandatory reporters

Mandatory reporters in Victoria, are people who deliver the following services, wholly or partly, to children as part of their paid or professional work:

- registered medical practitioners
- nurses, including midwives
- Victorian police officers
- registered teachers and school principals
- out of home care workers (excluding voluntary foster and kinship carers)

- early childhood workers
- youth justice workers
- registered psychologists
- school counsellors
- people in religious ministry

https://providers.dffh.vic.gov.au/child-protection

Reportable conduct

The Reportable Conduct Scheme requires employees in approved education and care services (kindergartens, after school hours care services) and Children's services (occasional care providers) to notify the Commission for Children and Young People (CCYP) and the regulatory authority of any allegation of employee misconduct involving children. 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

TYPES OF ABUSE AND NEGLECT

The VIC Government identifies the following types of abuse and neglect:

- Physical abuse
- child sexual abuse
- grooming
- emotional child abuse
- neglect
- family violence and children exhibiting inappropriate sexual behaviour

Staff within early childhood services play a vital role in protecting children from harm by responding to and reporting any incidents, disclosure or suspicions. Educators and staff are best placed to identify signs and behaviours that may indicate that a child has been subject to abuse or identify a community member, staff member, and contractor or volunteer may be a perpetrator. Understanding the signs of child abuse is critical in supporting children's safety and wellbeing. Victoria State Government-Child protection in early childhood PROTECT provide definitions and physical indicators: Identify signs of child abuse

Working With Children Check

A Working With Children Check is mandatory for all employees working or volunteering with children within Education and Care Services. Education and Care Services and organisations are required to check the status of an employee's Working With Children Check BEFORE an employee begins working with children. Working with Children Check Victoria will notify organisations in writing if an employee's Working With Children Check has been suspended or revoked.

Child Safe Standards

The Langwarrin Community Centre is committed to keeping children and young people safe, and are compliant with the 11 Victorian Child Safe Standards and principles, and Reportable Conduct Scheme. (See: Child Safety and Wellbeing Policy)

The Langwarrin Community Centre has policies and practices in place that include robust screening of all educators and staff members prior to employment, supervision, training and other human resources practices to reduce the risk of child abuse for new and existing staff members, processes for responding to and reporting suspected child abuse, strategies to identify and reduce or remove risks of child abuse, and strategies to promote the participation and empowerment of children.

Failure to disclose and failure to protect

Failure to disclose or take action in relation to suspected child sexual abuse can constitute a criminal offence. The law requires **any adult** who holds a reasonable belief that a sexual offence has been committed in Victoria, by an adult against a child (aged under 16) discloses this information to police.

Forming a reasonable belief/reasonable grounds

A person forms a reasonable belief that a child is in need of protection, or their safety or wellbeing is at risk when they are more likely to accept rather than reject their suspicion and the belief is formed through disclosures, observations or other information. Proof is not required to support your claim.

Reasonable grounds for forming a belief may include where:

- a child states they have been abused
- a child states they know someone who has been, or is being, abused
- someone who knows the child states that the child has been abused, is being abused, or is at risk of abuse
- you observe a child's behaviour, actions or injuries that may place them at risk of harm or abuse

- you are aware of persistence violence, parental substance misuse, disability that is impacting on the child's safety, stability or development
- you observe signs or indicators of abuse

Staff should make sufficient enquiries to form a belief, however it is not the role of staff to conduct an investigation into child protection concerns or criminal offences. DFFH Child Protection or Victoria Police will determine what is to be investigated.

IMPLEMENTATION

The Langwarrin Community Centre strongly opposes any type of abuse against a child and endorses high quality practices in relation to protecting children. Educators have an important role to support children and young people and to identify concerns that may jeopardise their safety, welfare, or wellbeing including:.

- A duty of care to ensure that reasonable steps are taken to prevent harm to children
- Obligations are met under child protection legislation
- Obligations are met under work, health and safety legislation.

Our Service promotes a culture of child safety and wellbeing within the Service.. Educators will continue to maintain current knowledge of child protection law and Mandatory Reporter requirements by completing Child Protection Awareness Training annually.

MAKING A REPORT/ NOTIFICATIONS

The Approved Provider/ Nominated Supervisor will:

Dial 000 if a child is at immediate risk and Police or medical assistance is required

- report all instances (alleged or witnessed) of child abuse, including assault or sexual abuse (including grooming) to relevant authorities including Victoria Police, DFFH Child Protection, Quality Assessment and Regulatory Division (QARD) and Commission for Children and Young People
- follow the Four Critical Actions to take to respond to an incident, disclosure or suspicion of child abuse
    - responding to an emergency
    - reporting to authorities
    - contact parents or carers
    - provide ongoing support

- notify Department of Education via email (within 24 hours) of any incident or allegation where it is reasonably believed that physical and/or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the Service
- notify Department of Education via email (within 24 hours) of any complaints alleging that a serious incident has occurred or is occurring at the Service
- notify Department of Education via email (within 24 hours) of a serious incident, which may include physical or sexual abuse where emergency services attended the Service
- ensure documentation is completed to assist in making reports to relevant authorities including an incident, injury, trauma and illness record
- notify the Commission within three (3) business days of becoming aware of reportable conduct made against an employee or volunteer and ensure they are investigated, and appropriate action taken
- Services will contact their local Child Protection intake provider to report concerns

Educators will:

- contact the police on 000 if there is an immediate danger to a child and intervene if it is safe to do so
- respect what a child discloses, taking it seriously and follow up on their concerns through the appropriate channels
- be aware of their mandatory reporting obligations and responsibilities to report that a child is at risk of abuse, harm, neglect or ill-treatment to the approved provider or nominated supervisor
- report all instances (alleged or witnessed) of child abuse, including assault or sexual abuse (including grooming) to relevant authorities including Victoria Police, DFFH Child Protection, Commission for Children and Young People
- follow the Four Critical Actions to take to respond to an incident, disclosure or suspicion of child abuse
    - responding to an emergency
    - reporting to authorities
    - contact parents or carers
    - provide ongoing support
- prepare accurate records recording exactly what happened, conversations that took place and what was observed to pass on to the relevant authorities to assist with any investigation
- share information with other professionals working with children as part of the information sharing and family violence reform schemes

- understand their legal obligations to report or take action in relation to suspected child abuse under the Reportable Conduct Scheme
- notify the approved provider if there are any allegations of reportable conduct involving a staff member, volunteer or contractor as soon as practicable
- refer families to appropriate agencies where concerns of harm do not meet the threshold of significant harm. These services may be located through Orange Door. Family consent will be sought before making referrals.
- NOT investigate suspicion of abuse or neglect but collect only enough information to substantiate concerns and pass on to Child Protection or appropriate authority
- understand that allegations of abuse or suspected abuse against them are treated in the same way as allegations of abuse against other people.

CONFIDENTIALITY

It is important that any notification to Child Protection remains confidential, as it is vitally important to remember that no confirmation of any allegation can be made until the matter is investigated. The individual who makes the notification should not inform the suspected perpetrator (if known). This ensures the matter can be investigated without contamination of evidence or pre-rehearsed statements. It also minimises the risk of retaliation on the child for disclosing.

PROTECTION FOR REPORTERS

All reporters are protected against retribution for making or proposing to make a report under amendments to the *Children Youth and Families Act 2005 and Crimes Act 1958* effective April 2021. The identity of the reporter is protected by law from being disclosed, except in certain exceptional circumstances. Provided the report is made in good faith:

- does not breach standards of professional conduct or ethics
- cannot lead to defamation and civil and criminal liability

A report is also an exempt document under the *Freedom of Information Act 1982.*

CHILD INFORMATION SHARING SCHEME (CISS) AND FAMILY VIOLENCE INFORMATION SHARING SCHEME (FVISS) AND THE FAMILY VIOLENCE MULTI-AGENCY RISK ASSESSMENT AND MANAGEMENT FRAMEWORK (MARAM)

Our Service will align with the MARAM Framework to assist in identifying, assessing and responding to family violence risk. This includes ensuring our educators and staff:

- have a shared understanding of and consistent response to family violence

- work collaboratively to provide coordinated and effective risk assessment and management responses to identify family violence
- share information relevant to family violence risk with other services
- promote continuous improvement in risk assessment and management practice, information sharing and enhanced collaboration with other services.

The Child Information Sharing Scheme (CISS) allows professionals working with children (from birth to 18 years of age) 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. Victorian education and care services can share, request and use information about child wellbeing or safety through the scheme with other professionals provided certain requirements for sharing are met.

Educators within the Service need to have sufficient information in order to be able to support a child who has been impacted (or is suspected to have been impacted) by child abuse. Therefore, it is legally allowable for educators to share certain information about a child with other staff members of the Service without the consent of a parent/carer and without breaching privacy laws. Data security requirements that apply to the Service must be followed when sharing any information.

Under CISS, information sharing entities (IESs) can share confidential information with other ISEs for the purpose of promoting the wellbeing or safety of a child or group of children or sharing information to inform action.

Sharing of information may assist the ISE to

- access and engage with supportive services
- access resources for learning and development
- make a decision, assessment or plan
- start or conduct an investigation
- provide a service relating to a child/children
- manage any risk to a child/children

Under the Family Violence Information Sharing Scheme (FVISS) relevant information can be shared for two main purposes:

- Family violence assessment purpose-to establish or assess the risk of a person committing family violence or being the subject of family violence
- Family violence protection purpose- manage the risk to the victim survivor. This includes information sharing to support ongoing risk assessment.

Risk Assessment Entities (RAEs) can request and receive information for a family violence assessment. RAEs include DFFH Child Protection, Victoria Police, family violence services and some Orange Door services. Our Service will respond to all requests for information in a timely manner. The approved provider or licensee should maintain contact with Victoria Police and DFFH Child Protection as necessary to protect the safety and wellbeing of the children involved. Disclosure of information to an RAE does not constitute unprofessional conduct or a breach of professional ethics.

THE APPROVED PROVIDER, MANAGEMENT AND NOMINATED SUPERVISOR WILL ENSURE:

- that obligations under the Education and Care Services National Law and National Regulations are met and child's safety and wellbeing are prioritised at all times
- educators, staff, students and volunteers have knowledge of and adhere to this policy and associated procedure and are advised on how and where the policy can be accessed
- families are aware of this *Child Protection Policy* and procedure and are advised on how and where the policy can be accessed
- all children being educated and care for by the Service are adequately supervised (Sec. 165)
- information on all employees in the Service who have direct contact with children as part of their usual duties is recorded in the staff files.
- staff, educators, volunteers, students and visitors adhere to the National Model Code and Guidelines and not use, or have access to, any personal electronic devices, including mobile phones or smart watches used to take images or videos when educating and caring for children at the Service
- staff and educators only use electronic devices issued by the Service for taking images or videos of children enrolled at the Service
- that the premises, including toilets and nappy change facilities are designed and maintained to facilitate clear supervision of children whilst maintaining their rights and dignity
- students, volunteers and/or visitors are never left alone with a child whilst at the Service under any circumstance
- any nominated supervisor and responsible person in day-to-day charge of the Service has successfully completed a course in child protection approved by the regulatory authority
- educators and staff are provided with training and ongoing supervision to promote a child safe culture and ensure they understand that *child safety is everyone's responsibility*, and they adhere to the Child Safe Standards
- a thorough recruitment process is implemented to employ people who are committed to children's safety and ensure their views align with the Service's Code of Conduct, Statement of Philosophy and child safety policies and procedures

- the recruitment process includes pre-employment screening, reference checks
- all prospective applicants are required to complete a prohibition notice declaration to acknowledge they do not hold any prohibition notices that would prevent them from working with children
- all educators', staff, volunteers' and students' Working with Children Checks are validated and checked prior to engagement of work BEFORE the person begins working or interacting with children
- a record is kept and updated of the number of each WWC Check number and expiry date and staff and educators are reminded to renew their WWCC prior to expiry
- to emphasise child safety throughout the Service with regular discussions at team meetings and with children and families
- educators are provided with a reporting procedure and professional standards to safeguard children and protect the integrity of educators, staff and volunteers
- records of abuse or suspected abuse are kept in line with our *Privacy and Confidentiality Policy*
- records relating to child sexual abuse that has or is alleged to have occurred are kept for at least 45 years (recommendation not mandatory)
- ensure our complaint handling processes are child-focused providing support and guidance for children to know who to talk to if they are feeling unsafe
- ensure following any critical incident, children, staff and families are provided with access to support they may need- counselling, debriefing, access to community services
- ensure critical reflection on the incident is conducted with staff and educators to inform required changes to policy, procedures, practices (including supervision) and risk assessments
- all employees, volunteers and students are:
    - provided with a copy of the current *Child Protection, Child Safe Environment, Code of Conduct and Safe Use of Digital Technologies and Online Environments Policies*
    - provided with access to all relevant legislations, regulations, standards and other resources to help meet their mandatory reporting obligations
    - supported to foster a child safe culture within the Service by complying with Child Safe Standards (CSS)
    - provided with support to adhere to a zero-tolerance stance against child abuse
    - provided with regular up-to-date knowledge and training on how to identify, understand, report, and respond to child maltreatment, abuse and harm including the Reportable Conduct Scheme
    - aware that neglecting to report child protection concerns may be deemed a criminal offence

- provided with training and information are provided to all educators about the Child Information Sharing, Family Violence Reforms and Family Violence Multi-Agency Risk Assessment Management Framework (MARAM)
- supported and empowered to make a report to (DFFH) Child Protection, Victoria Police or seek a referral to Orange Door by having clear procedures in place
- provided with regular training and resources about the different ways children may express concerns, distress and disclose harm as well as the process for responding to disclosures from children- including a complaint that alleges a child is exhibiting sexual behaviours that may be harmful to the child or another child (ACECQA 2023)
- provided with regular training and resources about trauma-informed care, effective supervision and monitoring, appropriate and inappropriate discipline and online abuse
- required to participate in regular performance reviews
- aware of appropriate positive and consistent approaches to guide behaviour and ensure no child is subjected to any form of corporal punishment or discipline that is unreasonable in the circumstances (Sec. 166)
- aware of our Service policy and associated procedures for the safe use of digital technologies and online environments.

EDUCATORS AND STAFF WILL:

- adhere to the Service's policies and procedures
- promote the welfare, safety, and wellbeing of children at the Service by creating and maintaining child safe environment and adhere to the Child Safe Standards (CSS)
- foster a culture of openness, respect and cultural safety where children and young people feel safe to disclose risk of harm to children or report abuse
- participate in a comprehensive induction and orientation program
- provide valid Working with Children (WWC) Check details during their employment and engagement at the Service
- advise the approved provider of any circumstances that may affect their WWC Check or fit and proper status
- not use, or have access to, any personal electronic devices, including mobile phones or smart watches used to take images or video of children at the Service
- participate in regular up-to-date training on how to identify, understand, report, and respond to child maltreatment, abuse and harm through annual child protection training (best practice)
- complete online training- Protecting Children: Mandatory Reporting and Other Obligations Training (PROTECT)

- participate in training about the Child Information Sharing, Family Violence Reforms and Family Violence Multi-Agency Risk Assessment Management Framework (MARAM)
- allow children to be part of decision-making processes where appropriate
- provide ongoing monitoring and follow-up for children's health and wellbeing.

STUDENTS/ VOLUNTEERS/ VISITORS WILL:

- adhere to the Service's policies and procedures
- participate in a comprehensive induction and orientation program,
- provide valid Working with Children (WWC) Check details during their engagement at the Service
- advise the approved provider of any circumstances that may affect their WWC Check or fit and proper status
- promote the welfare, safety, and wellbeing of children at the Service by creating and maintaining child safe environment and adhere to the Child Safe Standards (CSS)
- participate in child protection training as required
- not use, or have access to, any personal electronic devices, including mobile phones or smart watches used to take images or video of children at the Service.
- report any concern or suspicion that a child is at risk of significant harm, or concerns for the child's wellbeing to the approved provider or nominated supervisor as soon as possible
- identify and report any concerns around staff, educator or volunteer behaviour or conduct to management/approved provider of the Service as soon as practicable
- allow children to be part of decision-making processes where appropriate.

DOCUMENTING A DISCLOSURE:

A disclosure of harm emerges when someone, including a child, tells you about harm that has happened or is likely to happen. When a child discloses that he or she has been abused, it is an opportunity for an adult to provide immediate support and comfort and to assist in protecting the child from the abuse. It is also a chance to help the child connect to professional services that can keep them safe, provide support and facilitate their recovery from trauma. Disclosure is about seeking support and your response can have a great impact on the child or young person's ability to seek further help and recover from the trauma.

WHEN RECEIVING A DISCLOSURE OF HARM, THE PERSON RECEIVING THE DISCLOSURE WILL:

- give the child or young person their full attention
- remain calm and find a-place to talk where you can give the child your full attention (ask child or young person if you can move to a place where you can hear them properly)

- not make promises that can't be kept. For example, never promise that you will not tell anyone else
- honestly tell the child or young person what you plan to do next
- tell the child/person they have done the right thing in revealing the information but that they'll need to tell someone who can help keep the child safe
- only ask enough questions to confirm the need to report the matter because probing questions could cause distress, confusion and interfere with any later enquiries
- let the child or young person take his or her time
- let the child or young person use his or her own words
- tell the child or young person that the abuse of maltreatment is not their fault
- support culturally and linguistically diverse children and children with additional needs to express themselves in the child's preferred way of communicating (NQF Safe Culture Guide)
- not attempt to conduct their own investigation or mediate an outcome between the parties involved
- not confront the perpetrator
- document as soon as possible so the details are accurately captured including:
    - time, date and place of the disclosure
    - '*word for word*' what happened and what was said, including anything they (the staff member/educator) said and any actions that have been taken
    - date of report and signature

Source: *Responding to children and young people's disclosures of* abuse (2025). Australian Institute of Family Studies

BREACH OF CHILD PROTECTION POLICY:

A breach is any action or inaction by any individual within the Service, including children and young people, that fails to comply with any part of the policy. All educators, students, volunteers and staff working with children are mandatory reporters under the *Crimes Act 1958 (Vic)* and have a duty of care to support and protect children. Any allegations of criminal offences against children must be reported to the Police immediately. Failure to report child sexual abuse to the police is a criminal offence.

MANAGING A BREACH IN CHILD PROTECTION POLICY:

Management will investigate any breaches to this policy in a fair, unbiased and supportive manner by:

- liaising with the Child Protection, Commission for Children and Young People (CCYP) and Victoria Police for appropriate processes to ensure chain of evidence is not destroyed or compromised
- not undertaking and investigating the allegation whilst the CCYP or the Police are conducting an investigation

- follow directions from the Child Protection, CCYP and Victoria Police that may include removal of the educator or staff member (who is the subject of allegations) **immediately** from a role with contact with children or young people until authorities conclude their investigation.

Management may undertake an investigation if Child Protection or the Police are **not** conducting their own investigation or if their action has concluded. Management will:

- give the educator, staff member, student or volunteer the opportunity to provide their version of events
- document the details of the breach, including the versions of all parties
- record the outcome clearly and without bias
- ensure the matters in relation to the breach are kept confidential
- reach a decision based on discussion and consideration of all evidence.

OUTCOME OF A BREACH IN CHILD PROTECTION POLICY:

Staff members or educators who fail to adhere to this policy may be in breach of their terms of employment. Visitors or volunteers who fail to comply to this policy may face termination of their engagement. Depending on the nature of the breach outcomes may include:

- disciplinary procedures if required including dismissal of employment
- emphasising the relevant element of the child protection policy and procedure not followed
- providing closer supervision
- providing further education and training
- providing mediation between those involved in the incident (where appropriate)
- reviewing current policies and procedures and developing new policies and procedures if necessary

REPORTABLE CONDUCT SCHEME ALLEGATIONS AGAINST EMPLOYEES, VOLUNTEERS, STUDENTS OR CONTRACTORS:

Report to 000 if you have immediate concerns for a child's safety.

The Reportable Conduct Scheme has been designed to ensure that the Commission for Children and Young People (CCYP) will be aware of every allegation of certain types of employee misconduct involving children in relevant organisations, including approved education and care services (kindergartens, after school hours care services) and Children's services (occasional care providers).

[see: *Reportable Conduct Scheme Policy* (Victoria only)- Child Care Centre Desktop]

EDUCATING CHILDREN ABOUT PROTECTIVE BEHAVIOUR:

Our program will educate and support children to learn about their rights and encourage them to express their views and feelings. Children will learn:

- about acceptable and unacceptable behaviour in both physical and online environments
- about what is appropriate and inappropriate contact at an age-appropriate level and understanding
- about body safety, using correct names of private body parts to help recognise inappropriate touches and respect for personal space
- about their right to feel safe at all times
- to say '*no*' to anything that makes them feel unsafe or uncomfortable
- about how to use their own knowledge and understanding to feel safe
- to identify feelings that they do not feel safe
- help them identify trusted educators, adults and friends
- the difference between 'good' and 'bad' secrets
- that there is no secret or story that cannot be shared with someone they trust
- that educators are available for them if they have any concerns
- to tell educators of any suspicious activities or people
- to recognise and express their feelings verbally and non-verbally
- that they can choose to change the way they are feeling.

RESOURCES FOR INDICATORS OF ABUSE OR NEGLECT

Commission for Children and Young People. (2021). Victoria's new Child Safe Standards

Kids Helpline

Lifeline

NAPCAN- Prevent Child Abuse & Neglect

Sexual Assault Services Victoria. Child sexual assault. Early childhood education and care settings

The Orange Door

Victoria State Government Education Protection and prevention of child abuse in early childhood settings

Victoria State Government. (2021). Family Violence Information Sharing and Child Information Sharing

Victoria State Government. Identify signs of child abuse

Victoria State Government. Understanding your obligations to protect children

SOURCES

ACECQA. (2023). Embedding the National Child Safe Principles

Australian Children's Education & Care Quality Authority. (2025). *Guide to the National Quality Framework*

Australian Children's Education & Care Quality Authority. (2025). NQF Child Safe Culture Guide.

Australian Government Department of Education. *Belonging, Being and Becoming: The Early Years Learning Framework for Australia.V2.0, 2022*
Australian Children's Education & Care Quality Authority. (2024). *Taking Images and Video of Children While Providing Early Childhood Education and Care. Guidelines For The National Model Code*
Australian Government Australian Institute of Family Studies. (2022). Australian child protection legislation
Australian Government: Australian Institute of Family Studies. (2023). Mandatory reporting of child abuse and neglect
Australian Government: Australian Institute of Family Studies. (2025). *Responding to children and young people's disclosure of abuse.*
Children Youth and Families Act 2005
Crimes Act 1958 (Vic)
Early Childhood Australia Code of Ethics. (2016).
Education and Care Services National Law Act 2010. (Amended 2023).
Education and Care Services National Regulations. (Amended 2023).
The Commission for Children and Young People Act 1998
Victoria State Government Education. *Child Protection in Early Childhood (PROTECT)*
Victoria State Government Department of Families, Fairness and Housing. Creating child safe organisations
Victoria State Government. Child Information Sharing Scheme
Victorian Government. Multi-Agency Risk Assessment and Management Framework (MARAM) practice guides and resources.
Victoria State Government. Working with Children Check.
Victoria State Government. Commission for Children and Young People. Reportable Conduct Scheme.
Working with Children Act 2005 (Vic)

REVIEW

POLICY REVIEWED BY:	Carol Hopkins	CSO	Dec 25
POLICY REVIEWED	Dec 25	NEXT REVIEW DATE	Dec 27
VERSION	• V3 12.25		
MODIFICATIONS	• policy review • reporting/notification actions moved within policy to ensure critical importance and consistency • additional information added within policy to adhere to NQF child safety changes (effective 1 September 2025-NQF Guide to Child Safety) and National Model Code • sources checked for currency and updated as required		
APPROVED BY	Claire Tyrell		

POLICY REVIEWED BY:	Carol Hopkins	CSO	OCT 2024
POLICY REVIEWED	OCT 2024	NEXT REVIEW DATE	OCT 2025
VERSION	• V2 10.24		
MODIFICATIONS	• major review of policy- indicators of abuse removed from body of policy- link to Child Protection in Early Childhood- PROTECT added		

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	• additional section for volunteers and students added (Reg. 84) • records for Working with Children details or students and volunteers added (Reg. 149) • added information to the approved provider/nominated supervisor section • indicators of abuse removed- link to Child protection in early childhood (PROTECT) added • removed the documenting suspicion of harm-merged		
APPROVED BY			
POLICY REVIEWED BY:	Samantha Neeman	Manager	August 2022
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MODIFICATIONS	• policy maintenance - no major changes to policy • Minor formatting edits within text • Hyperlinks checked and updated as required • Update of Victorian Government Department of Health and Human Services (DHHS) to Victorian Government Department of Families, Fairness and housing (DFFH)		
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POLICY REVIEWED	PREVIOUS MODIFICATIONS		REVIEW DATE
MAY 2022	• New policy		MAY 2023

Appendix 1: Identify signs of child abuse

The State Government of Victoria identifies the following signs of child abuse and includes definitions and physical and behaviour indicators. The following information has been sourced from the **Victoria State Government - Child Protection in Early Childhood (PROTECT).**

https://www.education.vic.gov.au/childhood/professionals/health/childprotection/Pages/ecidentifying.aspx

INDICATORS OF ABUSE

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

General indicators of abuse and neglect may include:

- Marked delay between injury and seeking medical assistance
- History of injury
- The child gives some indication that the injury did not occur as stated
- The child tells you someone has hurt him/her
- The child tells you about someone he/she knows who has been hurt
- Someone (relative, friend, acquaintance, and sibling) tells you that the child may have been abused

PHYSICAL ABUSE

Physical child abuse is the non-accidental infliction of physical injury or harm of a child.

Examples of physical abuse may include beating, shaking or burning, assault with implementation of female genital mutilation.

What are the physical indicators of physical child abuse?

Physical indicators of physical child abuse include (but are not limited to):

- evidence of physical injury that would not likely be the result of an accident
- bruises or welts on facial areas and other areas of the body (back, bottom, legs, arms and inner thighs)
- burns from boiling water, oil or flames or burns that show the shape of the object used to make them (iron, grill, cigarette)

- fractures of the skull, jaw, nose and limbs, especially those not consistent with the explanation offered, or the type of injury possible at the child's age of development
- cuts and grazes to the mouth, lips, gums, eye area, ears and external genitalia
- bald patches where hair has been pulled out
- multiple injuries, old and new
- effects of poisoning
- internal injuries

What are the physical indicators of physical child abuse?

In an infant or toddler:

- self-stimulatory behaviours, for example, rocking, head banging
- crying excessively or not at all
- listless and immobile and/or emaciated and pale
- exhibits significant delays in gross motor development and coordination
- their parent/carer is unresponsive or impatient to child's cues and unreceptive to support

In all children, infants and toddlers:

- disclosure of physical abuse (by child, friend, family member)
- inconsistent or unlikely explanation for cause of injury
- wearing clothes unsuitable for weather conditions to hide injuries
- wariness or fear of a parent, carer or guardian and reluctant to go home
- unusual fear of physical contact with adults
- fear of home, specific places or particular adults
- unusually nervous, hyperactive, aggressive, disruptive and destructive to self-and/or others
- overly compliant, shy, withdrawn, passive and uncommunicative
- change in sleeping patterns, fear of the dark or nightmares and regressive behaviour (bed-wetting)
- no reaction or little emotion displayed when being hurt or threatened
- habitual absences from care without reasonable explanation, where regular attendance is expected
- complaining of headaches, stomach pains or nausea without physiological basis, poor self-care or personal hygiene

CHILD SEXUAL ABUSE

Child sexual abuse is when a person uses power or authority over a child to involve them in sexual activity. This can include a wide range of physical and non-contact sexual activity.

Physical sexual contact:

- kissing or fondling a child in a sexual way
- masturbation
- fondling the child's genitals
- oral sex
- vaginal or anal penetration by a penis, finger or other object
- exposure of the child to pornography

Non-contact offences

- talking to a child in a sexually explicit way
- sending sexual messages or emails to a child
- exposing a sexual body part to a child
- forcing a child to watch a sexual act, including showing pornography to a child
- having a child pose or perform in a sexual manner (including child sexual exploitation)
- grooming or manipulation

Child sexual abuse does not always involve force. In some circumstances a child may be manipulated into believing that they have brought the abuse on themselves, or that the abuse is an expression of love through a process of grooming.

What is child sexual exploitation?

Child sexual exploitation is also a form of sexual abuse where offenders use their power (physical, financial or emotional) over a child to sexually or emotionally abuse them. It often involves situations and relationships where young people receive something (food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) in return for participating in sexual activities.

Child sexual exploitation can occur in person or online, and sometimes the child may not even realise they are a victim.

Who is most at risk of child sexual abuse?

Any child can be victim of sexual abuse, however children who are vulnerable, isolated and/or have a disability are disproportionately abused and are much more likely to a become victim.

What are the physical indicators of child sexual abuse?

Physical indicators of sexual abuse may include (but are not limited to):

- injury to the genital or rectal area (bruising, bleeding, discharge, inflammation or infection)
- injury to areas of the body such as breasts, buttocks or upper thighs
- discomfort in urinating or defecating
- presence of foreign bodies in the vagina and/or rectum
- sexually transmitted infections
- frequent urinary tract infections

What are the behavioural indicators of child sexual abuse?

The behavioural indicators of sexual abuse may be, but are not limited to in an infant or toddler

- self-stimulator behaviours, for example rocking, head banging
- crying excessively or not at all
- listless and immobile and/or emancipated and pale
- exhibits significant delays in gross motor development and coordination

In all children, infants and toddlers:

- disclosure of sexual abuse (by child, friend, family member)
- drawings or descriptions of stories that are sexually explicit and not age appropriate
- persistent and age-inappropriate sexual activity (excessive masturbation or rubbing genitals against adults)
- wariness or fear of a parent, carer or guardian and reluctance to go home
- unusual fear of physical contact with adults
- change in sleeping patterns, fear of the dark or nightmares and regressive behaviour such as bed-wetting
- wearing clothes unsuitable for weather conditions to hide injuries
- unusually nervous, hyperactive, aggressive, disruptive and destructive to self- and/or others
- exhibits significant delays in gross and fine motor development and coordination
- overly compliant, shy, withdrawn, passive and uncommunicative
- fear of home, specific places or particular adults
- poor self-care or personal hygiene
- complaining of headaches, stomach pains or nausea without physiological basis

GROOMING

Grooming is when a person engages in predatory conduct to prepare a child for sexual activity at a later time. Grooming can include communicating and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer. Sometimes it is hard to see when someone is being groomed until after they have been sexually abused, because some grooming can look like 'normal' caring behaviour.

Examples of grooming behaviours may include:

- giving gifts or special attention to a child or their parent or carer
- controlling a child through threats, force or use of authority (this can make a child or their parent fearful to report unwanted behaviour)
- making close physical contact or sexual contact, such as inappropriate tickling and wrestling
- openly or pretending to accidentally expose the victim to nudity, sexual material and sexual acts

What are the behavioural indicators of child grooming?

Behavioural indicators that a child may be subject to grooming include (but are not limited to):

- developing an unusually close connection with an older person
- displaying mood changes (hyperactive, secretive, hostile, aggressive, impatient, resentful, anxious, withdrawn, depressed)
- using street/different language, copying the way the new friend may speak, talking about the new friend who does not belong to his/her normal social circle
- possessing gifts, money and expensive items given by the friend

EMOTIONAL ABUSE

Emotional child abuse occurs when a child is repeatedly rejected, isolated or frightened by threats or by witnessing family violence. It also includes hostility, derogatory name-calling and put-downs, and persistent coldness from a person, to the extent that the child suffers or is likely to suffer, emotionally or psychological harm to their physical or developmental health. Emotional abuse may occur with or without other forms of abuse.

What are the physical indicators of emotional child abuse?

Physical indicators of emotional abuse include (but are not limited to)

- language delay, stuttering or selectively being mute
- delays in emotional, mental or physical development

What are the behavioural indicators of emotional child abuse?

In an infant or toddler

- self-stimulatory behaviours, for example, rocking, head banging
- crying excessively or not at all
- listless and immobile and/or emancipated and pale
- exhibits significant delays in gross motor development and coordination
- their parent/carer is unresponsive or impatient to child's cues and unreceptive to support

In all children, infants and toddlers

- overly compliant, passive and undemanding behaviour
- extremely demanding, aggressive and attention-seeking behaviour or anti-social and destructive behaviour
- low tolerance or frustration
- poor self-image and low self-esteem
- unexplained mood swings, depression, self-harm
- behaviours that are not age-appropriate
- exhibits significant delays in gross and fine motor development and coordination
- poor social and interpersonal skills
- violent drawings or writing
- lack of positive social contact with other children

NEGLECT

Neglect includes a failure to provide the child with

- an adequate standard of nutrition
- medical care
- clothing
- shelter
- supervision

to the extent that the health or physical development of the child is significantly impaired or placed at serious risk.

In some circumstances the neglect of a child:

- can place the child's immediate safety and development at serious risk
- may not immediately compromise the safety of the child but is likely to result in longer term cumulative harm

This includes low-to-moderate concerns for the wellbeing of a child, such as:

- concerns due to conflict within a family
- parenting difficulties
- isolation of a family or a lack of apparent support

Both forms of neglect must be responded to via the Four Critical Actions for Early Childhood Services.

What are the physical indicators of neglect?

Physical indicators of neglect include (but are not limited to):

- appearing consistently dirty and unwashed
- being consistently inappropriately dressed for weather conditions
- being at risk of injury or harm due to consistent lack of adequate supervision from parents
- being consistently hungry, tired and listless
- having unattended health problems and lack of routine medical care
- having inadequate shelter and unsafe or unsanitary conditions

What are the behavioural indicators of neglect?

Behaviour indicators of neglect include (but are not limited to):

In an infant or toddler:

- self-stimulatory behaviours, for example, rocking, head banging
- crying excessively or not at all
- listless and immobile and/or emancipated and pale
- exhibits significant delays in gross motor development and coordination
- inadequate attention to the safety of the home (e.g. dangerous medicines left where children may have access to them)
- being left unsupervised, either at home, on the street or in a car
- their parent/carer is unresponsive or impatient to child's cues and unreceptive to support
- developmental delay due to lack of stimulation

In all children, infants and toddlers:

- being left with older children or persons who could not reasonably be expected to provide adequate care and protection
- gorging when food is available or inability to eat when extremely hungry
- begging for, or stealing food
- appearing withdrawn, listless, pale and weak

- aggressive behaviour, irritability
- little positive interaction with parent, carer or guardian
- indiscriminate acts of affection and excessive friendliness towards strangers
- exhibits significant delays in gross and fine motor development and coordination
- poor, irregular or non-attendance in care (where regular attendance is expected)
- refusal or reluctance to go home
- self-destructive behaviour
- taking on an adult role of caring for parent

FAMILY VIOLENCE

Family violence is behaviour towards a family member that may include:

- physical violence or threats of violence
- verbal abuse, including threats
- emotional or psychological abuse
- sexual abuse
- financial and social abuse

A child's exposure to family violence constitutes child abuse. This exposure can be very harmful and may result in physical harm and long-term physical, psychological and emotional trauma. Action must be taken to protect the child, and to mitigate or limit their trauma.

Research shows that during pregnancy and when families have very young babies:

- there is an increased risk of family violence
- pre-existing family violence may increase in severity
- there is an opportunity for intervention as families are more likely to have contact with services

The longer that a child experiences or is exposed to family violence, the more harmful it is. This is why if you suspect that a child is exposed to, or at risk of being exposed to family violence, you must follow the four critical actions.

Family Violence in Aboriginal and Torres Strait Islander Communities

In identifying family violence in Aboriginal and Torres Strait Islander communities it is important to recognise that:

- Aboriginal and Torres Strait Islander family violence may relate to relationships that aren't captured by the Western nuclear family model (grandparents, uncles and aunts, cousins and other community and culturally defined relationships)
- Aboriginal and Torres Strait Islander family violence can also include cultural and spiritual abuse

- perpetrators of Aboriginal and Torres Strait Islander family violence may not be Aboriginal and Torres Strait Islander people

Aboriginal and Torres Strait Islander family violence occurs in a historical context of colonisation, dispossession, and the loss of culture. This has resulted in the breakdown of kinship systems and of traditional law, racism, and previous government policies of forced removal of children from families.

However, this should never detract from the legitimacy of the survivor's experience of violence, or your obligation to report and respond to any suspected family violence.

What are the physical indicators of family violence?

Physical indicators of family violence may include (but are not limited to):

- speech disorders
- delays in physical development
- failure to thrive (without an organic cause)
- bruises, cuts or welts on facial areas, and other parts of the body including back, bottom, legs, arms and inner thighs
- any bruises or welts (old or new) in unusual configurations, or those that look like the object used to make the injury (such as fingerprints, handprints, buckles, iron or teeth)
- internal injuries

What are the behavioural indicators of family violence?

Behavioural indicators of family violence may include (but are not limited to):

In an infant or toddler:

- self-stimulatory behaviours, for example, rocking, head banging
- crying excessively or not at all
- listless and immobile and/or emancipated and pale
- exhibits significant delays in gross motor development and coordination

In all children, infants and toddlers:

- violent/aggressive behaviour and language
- depression and anxiety
- appearing nervous and withdrawn, including wariness of adults
- difficulty adjusting to change

- developmentally inappropriate bedwetting and sleeping disorders
- extremely demanding, attention-seeking behaviour
- participating in dangerous risk-taking behaviours to impress peers
- overly compliant, shy, withdrawn, passive and uncommunicative behaviour
- 'acting out', such as cruelty to animals
- demonstrated fear of parents, carers or guardians, and of going home
- complaining of headaches, stomach pains or nausea without physiological basis

CHILDREN EXHIBITING INAPPROPRIATE SEXUAL BEHAVIOUR

Inappropriate sexual behaviour includes:

Problem sexual behaviour

Problem sexual behaviour is the term used by the Victorian government and funded service providers to describe concerning sexual behaviour exhibited by children under the age of 10 years. Children under 10 years are deemed unable to consent to any form of sexual activity and cannot be held criminally responsible for their behaviour.

Sexually abusive behaviour

Sexually abusive behaviour is the term used by the Victorian Government and funded service providers to describe concerning sexual behaviour by children aged 10 years or older and under 15 years of age.

A child is considered to exhibit sexually abusive behaviour when they have used power, authority, or status to engage another party in sexual activity that is unwanted, or the other party is unable to give consent. A child who engages in sexually abusive behaviour may be in need of therapeutic treatment. It may also be an indicator that the child has been, or is being sexually abused by others. Sexually abusive behaviour may amount to a sexual offence. A sexual offence includes rape, sexual assault, indecent acts and other unwanted sexualised touching, all of which are offences under the Crimes Act 1958.

It may be difficult to determine the nature of children's sexual behaviour, including whether the behaviour:

- constitutes a sexual offence
- is indicative of any underlying abuse

Under Victorian Law:

- children aged between 12-15 can only consent to sexual activity with a peer no more than two years their senior (therefore sexual contact led by a child with another child outside of these age parameters may amount to a sexual offence)
- in order for a person to consent to sexual activity they have to have the capacity to understand the context and possible consequences of the act (therefore sexual contact led by a child involving a person with a cognitive impairment or affected by alcohol and other drugs may also amount to a sexual offence)

Most critically you must follow the four critical actions if:

- you witness an incident, receive a disclosure or form a reasonable suspicion that a child has engaged in inappropriate sexual behaviour, even if you're not sure (these actions will support you to report to Victoria Police)
- a child's inappropriate sexual behaviour leads you to form a reasonable belief that the child may be subject to abuse