

## 13. Providing a child safe environment



### Introduction

The National Principles for Child Safe Organisations, endorsed by all Australian governments, operationalise laws and regulations pertaining to Child Safe Standards. These principles offer guidance on key actions and performance measures essential for the implementation of these standards in early education and care settings.

Our service supports all children, with a strong commitment to ensuring their safety and creating a secure environment. The safety and wellbeing of children are of utmost importance. We implement the National Principles for Child Safe Organisations and foster a culture of safety and wellbeing. Our service promotes a sense of security and belonging, and acceptance of all children.

### Purpose

Our service has a moral and legal responsibility to ensure that the rights and best interests of the child are paramount and that we will provide training, resources, information and guidance to support this in order to:

- Ensure that the health, safety and wellbeing of children at the service is protected at all times;
- Ensure that people educating and caring for children at the service act in the best interests of the child;
- Protect and advocate the rights of all children to feel safe, and be safe, at all times;
- Maintaining a culture in which children's rights are respected;
- Encouraging active participation from families at the service, supporting a partnership approach and shared responsibility for children's health, safety, wellbeing and development;
- Ensure the National Principles for Child Safe Organisations are implemented and regularly reviewed.
- Adopt The National Model Code as a further support to promote a child safe culture

## Goals – What are we going to do?

All children have the right to experience quality education and care in an environment that promotes opportunities to thrive with adults who safeguard and advocate for their health, safety, security and wellbeing including the right to:

- Be asked to express their views and wishes about matters affecting their lives and to have those views appropriately considered by adults;
- Feel and be safe in their interactions with adults and other children and young people; and
- Understand, as early as possible, what is meant by ‘feeling and being safe’.

## Strategies – How will it be done?

### The physical Environment

In order to promote safe physical environments we will:

- Ensure all equipment and materials used at the service meet relevant safety standards.
- Remove, repair or replace worn and damaged buildings, structures equipment and resources which may provide a safety risk for children in a timely manner.
- Ensure learning environments are established that provide appropriate child groupings, sufficient space, and include carefully chosen and well-maintained resources and equipment.
- Organise indoor and outdoor spaces to ensure risks to the health and safety are minimised.
- Conduct a risk assessment of the service environment to determine any risks to children’s health and safety.
- Analyse and evaluate the risks associated with identified hazards.
- Determine appropriate ways to eliminate or control identified hazards.
- Review risk assessments after any serious incident report is made to the Regulatory Authority.

### The safe use of digital technologies and the online environment

- All stakeholders have a responsibility to ensure online safety, as their children grow up in digital contexts. Children will be provided information about online safety.
- The Approved provider, Nominated Supervisor and educators must:
  - Maintain supervision whenever children use internet-connected devices
  - Provide a safe and supportive digital environment
  - Regularly audit the physical space to identify risks and ensure safe tech use
  - Ensure digital equipment is visible and used only in monitored, open areas

- Prevent access to high-risk online behaviours such as sharing personal information, accessing inappropriate content, or unsafe communication
- Password-protect all devices with access restricted to staff
- Follow policy procedures during excursions and transport
- Services are recommended to be following the four fundamental principles and recommended practices
  1. Young children’s relationships with adults and peers matter in digital contexts
  2. Young children’s health and wellbeing is actively supported in digital contexts
  3. Young children’s citizenship is upheld and fostered in digital contexts
  4. Play and pedagogy promotes young children’s exploration, social interaction, collaboration and learning in digital contexts.

(Source: Early Childhood Australia: Statement on young children and digital technologies).

- Services will adopt The National Model Code which recommends:
  1. Only service issued devices will be used to take photos and/ or videos of children while providing education and care.
  2. Personal electronic devices that can take and/or record images are not to be carried when providing education and care including tablets, phones, digital cameras and smart watches, unless for authorised essential purposes such as emergencies, health and family needs.
  3. Approved Provider and services should have strict controls in place for appropriate storing and retention of images and videos of children.

(Source: Acecqa.gov.au – National Model code – Taking images in Early Childhood Education and Care)

- These restrictions apply to anyone working directly with children, including:
  - Teachers and educators, including casual and agency staff
  - Students and representatives of tertiary providers attending the service as part of a practicum
  - Volunteers, including parent volunteers, providing education and care or working directly with children
  - Third-party contractors delivering programs or centre events to children in a service
  - Allied health or inclusion professionals attending a service to observe, assess or work with a child at the service.
  - Primary school teachers attending a service as part of a school transition program.
- If a third-party professional attending a service and working directly with children (such as an allied health or inclusion professional) needs to use a device (for example, to undertake an assessment or take notes) they can use a device that is:
  - Issued by their business or institution
  - Used only for work purposes (and not personal use).

- The restrictions on the possession of personal devices do not apply to people who are not working directly with children.  
Examples include:
  - Parents and carers doing drop-off or pick-up
  - Management, Leadership and Administration employees not directly working with children
  - NSW Regulatory Authority Authorised Officers, police and officers of other regulators
  - Third-party contractors who are attending the service but not working with children or providing education or care (for example, maintenance contractors).

### Staffing and Supervision

- Ensure that sufficient numbers of educators are employed to ensure adequate supervision of children at all times.
- Manage rosters to not only ensure that adequate numbers of educators are on duty to meet ratio and qualification requirements but that duty of care implications are considered to ensure adequate supervision at all times.
- Ensure screening and suitability of staff, volunteers as per the legislation and policy at the time of employment and as part of an ongoing process.
- Working with vulnerable people/children check details must be included on volunteer staff records.
- Ensure rigorous induction processes for staff, volunteers and students that embed Child Safe Standards and practices of a child safe culture including The National model Code.
- Respond proactively to emerging staff performance concerns.

### Child Protection

- Ensure that all staff including educators, students and volunteers have current working with children checks or equivalent as required by state or territory specific legislation.
- Ensure that all staff are given information and/or training about child protection law and any obligations they have under that law.
- Refer to the Child Protection Policy.
- All educators and volunteers of our service are required to familiarise themselves with child protection legislation in their state/territory and take appropriate measures according to state/territory specific protocols if they have reasonable grounds to suspect a child or young person is at risk of significant harm and have current concern about the safety, welfare or wellbeing of a child or young person.
- Complaint handling policies include policies and procedures for managing complaints about children exhibiting harmful sexual behaviours.
- Complaint handling policies and procedures are child focussed, in accordance with the National Principles for Child Safe Organisations
- Staff will undertake training in order to effectively:
  - make appropriate responses to all disclosures of abuse and any allegation of abuse against staff members of the service;

- understand the responsibilities and processes as a mandatory reporter (or equivalent);
- be able to recognise the factors that increase a child's vulnerability to maltreatment;
- be aware of the vulnerabilities which may indicate a need to assess, monitor or curtail the behaviour of individuals in relation to children and young people within organisations;
- staff will implement procedures for releasing children only into the care of authorised persons

## Preventing other harms and hazards

The service will ensure that:

- At a governance level, Approved Providers/Nominated Supervisors identify and manage risk that align with the Child Safe Standards. (see risk management tips from the Office of the Children's Guardian) Resources | Office of the Children's Guardian (nsw.gov.au)
- Risk assessments are conducted regularly for excursions and transportation provided or arranged by the service in conjunction with the service's Excursions and/or Transportation of Children policies.
- Risk minimisation practices are in place for the management of medical conditions in conjunction with the service's Medical Conditions policy.
- Emergency evacuation plans specific to the service are implemented in conjunction with the service's Emergency and Evacuation policy.
- If staff consume hot drinks, they are made and consumed away from children.

## Roles and Responsibilities

Approved Provider will:

- Ensure the service operates in line with the Education and Care Services National Law and National Regulations with regard to the delivery and collection of children at all times.
- Ensure all staff have access to relevant professional development.
- Ensure that the Nominated Supervisor and educators at the centre who work with children are advised of current child protection legislation, its application, and any obligations that they may have under that law (Regulation 84).
- Ensure that a record of the services compliance history is kept and is able to be access by any person on request.
- A record of the services compliance history will be published and displayed in the form approved by the Regulatory Authority in accordance with NSW regulations. This will include the service compliance history for 2 years and the services current and previous quality rating.

Nominated Supervisor will:

- Provide all staff and educators working directly with children with access to the Child Story reporter Community Website and the Mandatory Reporter Guide to assist them in their reporting.
- Ensure screening and suitability processes are maintained to meet policy and legislated requirements.
- Identify and provide appropriate resources and training to assist educators, visitors, volunteers and students to implement this policy.
- Keep up to date and comply with any relevant changes in legislation and practices in relation to this policy.
- Co-operate with other services and/or professionals in the best interests of children and their families.
- Ensure that families are made aware of support services available to them and of the assistance these services can provide.
- Ensure that all educators and staff who work with children are supported to implement this policy and any policy of the centre designed to protect children being educated and cared for by the centre from harm and from any hazard likely to cause harm in the centre.
- Protect the rights of children and families, and encourage their participation in decision-making at the centre.
- Ensure educators are aware of the need to adequately supervise children at all times. This may include the development of supervision plans for outdoor and indoor areas
- Ensure that a record of the services compliance history is kept and is able to be access by any person on request.
- A record of the services compliance history will be published and displayed in the form approved by the Regulatory Authority in accordance with NSW regulations. This will include the service compliance history for 2 years and the services current and previous quality rating.

Educators will:

- Act in accordance with the obligations outlined in this policy.
- Raise concerns when barriers or threats to the protection of children and young people's safety and wellbeing are identified, including through the conduct of other adults at the centre.
- Keep up to date and comply with any relevant changes in legislation and practices in relation to this policy.
- Follow all record keeping requirements.
- Undertake appropriate training and education on child protection.

- Identify any potential for risk and harm to a child at the centre and develop and implement effective prevention strategies in consultation with the approved provider and the nominated supervisor.
- Co-operate with other services and/or professionals in the best interests of children and their families.
- Inform families of support services available to them and of the assistance these services can provide.
- Ensuring that no child is left alone (or is out of sight) with a contractor, visitor, volunteer, student or parent/guardian at the service.
- Implementing the procedures for reporting suspected child abuse.
- Adequately supervise children within their room/group/supervision area whenever children are around them at all times and ensure that no child is left alone (or is out of sight) with a visitor, volunteer, student or parent/guardian at the centre.
- Notify the nominated supervisor or the approved provider immediately on becoming aware of any concerns, complaints or allegations regarding the health, safety and welfare of a child at the centre and implement the procedures for reporting suspected child abuse.
- Maintain confidentiality at all times.
- Adhere to all centre policies.

### Families will:

- Read and comply with this policy
- Report any concerns, including in relation to potential for child abuse, to the Nominated Supervisor.

### Related Legislation

- Education and Care Services National Law Act: Section 18, 162a, 165, 166, 167, 20
- Education and Care Services National Regulations: Regulations 82, 83, 84, 99, 103, 115, 122, 123, 158-159, 165, 167, 168(2)(h), 172, 175, 176, 177
- Child Protection (Working with children) Act 2012
- Child Protection (Working with children) Regulation 2013
- Child Protection (Working with children) Amendment (Miscellaneous) Regulation 2013
- Crimes Act 1900
- Ombudsman Act 1974
- Privacy Act 1998 (Privacy Act)
- Office of the Australian Information Commissioner [www.oaic.gov.au](http://www.oaic.gov.au)

### Links to other policies and documents

- Child Protection Policy
- Child Protection Collection Form and Notification Form
- The Child Safe Standards
- ECA Code of Ethics
- The National Model code

## Links to Education and Care Services National

### Regulations:

82, 83, 84, 99, 103, 115, 122, 123, 158-159, 165, 167, 168(2)(h), 172, 175, 176, 177

### Links to National Quality Standards/Elements:

2.2, 3.1, 3.2, 7.1, 7.2

National Principles of Child Safe organisations

The National Model Code

## Sources

- ACECQA: [www.acecqa.gov.au](http://www.acecqa.gov.au)
- [www.childstory.nsw.gov.au](http://www.childstory.nsw.gov.au)
- Working with Children Check [ocg.nsw.gov.au](http://ocg.nsw.gov.au)
- United Nations Convention on the rights of the child [www.unicef.org.au](http://www.unicef.org.au)
- The Guide to the Child Safe Standards
- Community Early Learning Australia - CELA
- ECA Code of Ethics
- The National Model Code