

## **ESTABLISHING A PROTECTIVE ENVIRONMENT**

### **Legislation:**

*Education and Care Services National Law (WA) Act 2012; 165-167; 170; 171; 174; 189*  
*Education and Care Services National Regulations 2012; 76; 84-86; 88-108; 161-162; 168*  
*National Quality Standard for Early Childhood Education and Care; 2.3; 3.1; 4.1; 5.1; 5.2; 6.1; 6.2; 6.3; 7.3*  
*Children and Community Services Act 2004*

### **SOURCES:**

*Working with Children (Criminal Record Checking) Act (2004) & Regulations (2005)*  
<http://www.checkwwc.wa.gov.au/>  
*Department for Child Protection* <http://www.childprotection.wa.gov.au>  
*Department for Communities* <http://www.communities.wa.gov.au>  
*Kidsafe* <http://www.kidsafe.com.au/>  
*Professional Development and Support for Children's Service in Australia*  
<http://www.pscalliance.org.au>

### **POLICY STATEMENT:**

*Unicare aims to create an environment that promotes the safety and wellbeing of children whilst in the care of the Service. Unicare has a responsibility to ensure all educators are aware of child protection law and understand their responsibilities under the law.*

### **Strategies for implementation:**

#### **The Venue**

- *Unicare will ensure clear observation of child occupied areas through the following means:*
  - *Reviewing overall educator/staff supervision within the service to ensure all child occupied areas can be viewed by more than one staff member at all times.*
  - *Ensuring furniture/equipment is positioned in a way that all areas are visible.*
- *Visitors/trades people will be screened when entering the Service to ensure they have a valid reason to be on site. This will be implemented using the following strategies:*

#### **Security code system in place:**

- *Unicare has a security code system on the front door, the centre door will remain locked at all times, parents will have access through use of their security code. Other visitors must check at the office first.*

- *Parents and staff will be educated in regard to not allowing unauthorised access to others, as they enter or leave the premises, or giving the PIN to unauthorized persons.*
- *PINs will be changed to ensure past users do not have on-going access.*

*Ensuring validity of visitor:*

- *All visitors will be required to sign in and out.*
- *Authorised visitors will be provided with a Unicare visitors pass.*
- *Unauthorised people will be asked to provide identification, preferably photo ID.*
- *Where the visitor is unable to provide appropriate ID the service may ask them to make an appointment and return at a later date. This will be dependent on the particular circumstances at the time, i.e. a parent who has popped in to see what the service is like with a view to enrolling their child, will not be turned away provided someone is available to show them around the service at that time. If the staff member is at all unsure about the person, they will be asked to return at a later date.*
- *Appointments will only be made with people who have a valid reason for being in the Service.*

***Recruitment and employment of educators and staff***

- *Unicare will ensure all staff working with children provide a **current assessment notice under the Working with Children (Criminal Record Checking) Act 2004** (Education and Care Services National Regulations 147 d)*
- *Staff found to have an adverse criminal record check will be given the opportunity to discuss details with the employer to confirm the criminal conviction details are accurate and the circumstances of the conviction.*
- *If a prescribed offence as stated in the Working with Children (Criminal Recording Checking) Act 2004, appears on the criminal record check, **approval for employment must be obtained from the** relevant regulatory authority.*
- *All information obtained through criminal record screening will be treated in strict confidence and only used to determine suitability for employment by the service.*
- *Prior to any offer of employment, the applicants referees will be contacted to determine:*
  - *details of the applicants previous employment*
  - *any history related to child protection issues*
  - *the applicants reliability and consistency in implementing duty of care practices*
  - *the applicant's supervision skills.*
- *The applicant's employment record will be scrutinized in regard to the reasons for breaks in service, the reasons for any change of employment, and to ensure that the references provided are linked to recent employment.*

- *All new employees will be oriented to the service's protective environment policies and procedures and educator/staff code of conduct (ECA Code of Ethics). Whenever possible new employees will have a period of time to work alongside current staff to familiarize themselves with the children, families, other staff and Service procedures, prior to taking up their new responsibilities in a full capacity.*
- *Educators and staff are provided with clear statements that describe the daily responsibilities of their position identifying lines of accountability.*

### **Supervision of children**

- *Children will be supervised at a level appropriate to the age and needs of the children, the program, time of day and associated risks and in accordance with the Education and Care Services National Regulations 2012.*
- *When contact Educators are on duty they are responsible for the direct supervision of children. This requires that each child will be within sight and/or hearing of a staff member at all times. Educators will arrange play areas to ensure children can be effectively supervised, and will communicate effectively with each other about the supervision of children i.e. inform each other before leaving the room.*
- **Ratios and children's capabilities and needs will be considered before Educators engage in additional duties such as curriculum planning and cleaning.**
- *Educators will be alert to and aware of potential hazards and risk of injury to children and will use their knowledge of each child to ensure children are adequately supervised at all times.*
- *Educators will position themselves to ensure **effective supervision of all children** under their care at all times. Levels of supervision will be adapted in relation to:*
  - *Number, ages and abilities of children*
  - *Number and positioning of Educators*
  - *experience of Educators and their personal knowledge of the children*
  - *risk in the environment and types of activities taking place*
- *Educators will foster children's independence and competence by supporting children to undertake some activities that involve risk taking. However, Educators will always intervene to prevent harm, whenever this is necessary.*
- *Supervision of children away from the main play areas (i.e. bathrooms, toilets, nappy change areas, cubbies, tunnels, quiet areas, sleep areas etc.) is carefully monitored.*
- *Children will be directly supervised when interacting with animals.*
- *When exploring the University grounds increased ratios (above minimum) will apply to ensure adequate supervision.*

- *At times of the day when staffing is at a minimum (i.e. early morning, lunchtimes or late afternoon) educators will be aware of the risks and will ensure they know the whereabouts of each other, and the children within the Service.*
- *Rosters are planned to ensure appropriate supervision of children is maintained and educators on non-contact duties are replaced in order to ensure appropriate educator:child ratios are maintained in accordance with the requirements of Education and Care Services National Regulations 2012.*
- ***Individual children will only be released from the centre to authorised people.*** *Education and Care Services National Law 2012; 165A subsection 4; refer also to centre policy on collection of children.*
- *Educators will undertake appropriate consultation and referral regarding children's inappropriate behaviour (e.g. Consult with Directors and Unicare's Inclusion Support Facilitator)*
- *Educators regularly evaluate supervisory practices, and especially after accidents or incidents, excursions, or the introduction of new activities.*

### ***Supervision and support of staff***

- *Child protection issues are discussed regularly at staff meetings. Educators/Staff are encouraged to share any observations or concerns in regard to child and staff protection risks. Resolutions are sought to eliminate risks, and management is advised of the issues and current strategies to resolve them.*
- *The Service's employee performance management system addresses educator performance in relation to child protection.*
- *Educators/Staff will support each other to limit the time they are left alone with children.*
- *Volunteers, students and other visitors and trades people will not be left alone with children at any time.*
- *Newly employed Educators will be rostered on to a middle shift where possible, to ensure someone is working with them at all times. When this is not possible strategies will be implemented to minimise times when the relief person is working alone with any group of children.*
- *Educators/Staff will not leave the University grounds alone with individual children except in emergencies and in accordance with other policies.*

### ***Staff Responsibilities and Training***

- *Children's welfare is of paramount importance. Educators and staff will act in children's best interest at all times and have adopted the Early Childhood Australia*

*Code of Ethics as their code of conduct to ensure wise practice and best possible outcomes for care and education for children.*

- *Unicare requires all staff to participate in training on child protection organised by Department for Communities, Protective Behaviours WA, or other relevant authorities. (NQS 2.3.4) This training should cover:*
  - *Protective Behaviours Program;*
  - *appropriate and inappropriate behaviours in relationships with children;*
  - *the nature of child abuse and why some children are victimised;*
  - *signs and symptoms of child maltreatment;*
  - *how to respond if a child discloses sexual abuse;*
  - *how to observe and record children's behaviour;*
  - *process of reporting child maltreatment to Department for Child Protection;*
  - *Child Protection authority's role in child protection issues.*
- *A guide to recognizing signs of abuse or neglect (see attachment) will be made available to all staff who have attended relevant training, and will be regularly discussed at Staff Meetings, to remind staff of the possible signs of child abuse, and the procedures they should follow if a child in their care displays behaviour or physical signs that could indicate abuse has taken place.*
- *Unicare will ensure that educators/staff are made aware of current legislation and reporting requirements related to child protection and maltreatment and that a system for the reporting and recording of suspicious incidents is in place.*
- *Management will ensure they are aware of their roles and responsibilities in regard to child protection.*
- *All educators are regularly reminded about the services policies, procedures, and confidentiality requirements in regard to child protection and issues are discussed at staff meetings.*

### **Children's Education**

- *Educators will foster children's self esteem and positive self image through their interactions with children.*
- *Unicare's behavior management policy will be followed to positively guide children's behavior.*
- *Educators will encourage children to be assertive (ie. Learn when to stand up for themselves and say no when appropriate), and to communicate their needs and concerns. This may be done through role play, story telling, puppets etc.*
- *Educators will role model assertive behavior and language.*
- *Educators will talk with children about ways to keep themselves safe and encourage children to believe they have a right to feel safe at all times. Strategies will include:*

- *inviting community support services ie. Police, fire service, health nurse, doctor, dentist etc. to the centre to talk to the children;*
- *going out into the community and applying safety skills ie. How to cross a road safely etc.*
- *Educators will build relationships with all children based on trust, and will empower children to discuss what is 'safe' and who may be a 'safe' person to talk to. Children will be encouraged to keep telling people until they feel they are heard.*
- *Educators will convey to children that; We can talk with someone about anything, no matter how awful or small.*
- *Children are naturally curious about their bodies and will occasionally explore and compare while interacting through everyday play experiences. These behaviours are a normal part of a child's development.*
- *Educators will provide information about sexuality in an age appropriate way.*
- *Educators will inform parents of the particular occurrence and environment in which the behaviour was displayed, during their normal daily communication exchange with the parent.*

### **Information for families**

- *Unicare will make available to all parents information on establishing a protective environment.*
- *Educators will be available to discuss any issues with families.*
- *Unicare will keep families up to date with any changes and seek their input.*
- *Unicare's policy on establishing a protective environment will be made available to families.*
- *Families will be informed about relevant training undertaken by educators on the Unicare website*

### **Management Obligations**

- *An approved provider must notify the Regulatory Authority within 24 hours of any serious incident at the approved education and care service. Education and Service National Law WA Act 2012 174 (2a) Education and Care Service National Regulations 2012 176 (2a)*
- *An approved provider must notify the regulatory Authority within 24 hours of any complaint alleging the safety, health or wellbeing of the child was or is being compromised at the approved education and care service. Education and Service*

*National Law WA Act 2012 174 (2b) Education and Care Service National Regulations 2012 176 (2b)*

- *Unicare must ensure that a person with management control, nominated supervisor or certified supervisor is present at all times that Unicare is educating and caring for children. Education and Care Services National Law (WA) Act 2012 162*



**Recognizing Signs of Abuse and Neglect**

*Behavioural or physical signs which assist in recognizing child abuse are known as indicators. There may be a single indicator or several indicators. The indicators need to be considered in relation to a child’s development stage, medical history and social/cultural context.*

*A child’s behavior is likely to be affected if he/she is under stress. There can be many causes of stress, including child abuse. It is important to find out specifically what is causing the stress.*

*Below are definitions of abuse and descriptions of a range of possible adult behaviours and child indicators.*

**Physical Abuse**

*This is when significant physical harm or injury is experienced by a child as a result of severe and/or continuous actions or inactions of an adult.*

<i>Adult behavior</i>	<i>Child indicator</i>
<ul style="list-style-type: none"> <li>• <i>Excessive discipline/shaking/throwing</i></li> <li>• <i>Physical punishment</i></li> <li>• <i>Inappropriate administration of medicine</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Fear and distrust</i></li> <li>• <i>Anxious behavior</i></li> <li>• <i>Being very passive/compliant or alternatively excessively friendly</i></li> <li>• <i>Bruising</i></li> <li>• <i>Cigarette burns</i></li> <li>• <i>Injuries inconsistent with explanation</i></li> <li>• <i>Unexplained bruises and welts particularly on face, lips, mouth, back torso or several body areas.</i></li> <li>• <i>Injuries in various stages of healing</i></li> </ul>

**Sexual Abuse**

*Sexual abuse when a child is exposed or subjected to sexual behaviours or acts which are exploitive and/or inappropriate to his/her age or development level.*

*Sexual abuse is not usually identified through physical indicators. Often the first sign is when a child tells someone they trust they have been sexually abused. However the presence of sexually transmitted disease, pregnancy, vaginal or anal bleeding or discharge may indicate sexual abuse. One or more indicators may be present.*

<i>Adult behavior</i>	<i>Child indicator</i>
<ul style="list-style-type: none"> <li>• <i>Touching/fondling</i></li> <li>• <i>Sexual penetration</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Bruising and bleeding from genital and anal areas</i></li> </ul>



<ul style="list-style-type: none"> <li>• 'grooming'</li> <li>• Exposure to pornography</li> <li>• Oral sex</li> </ul>	<ul style="list-style-type: none"> <li>• UTI (urinary tract infect, thrush, herpes)</li> <li>• Inappropriate interest in sexual matters</li> <li>• Disclosure</li> <li>• Developed understanding of sexual matters</li> </ul>
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**Emotional and Psychological Abuse**

*Emotional and psychological abuse occurs when there is a sustained, repetitive, ill treatment of the child through a range of inappropriate adult behaviours. This can result in severe and persistent damage to a child's social, emotional and intellectual development and disturbances in their behavior.*

*It can damage or substantially reduce the development potential of a child's intellectual faculties and processes, including intelligence, memory, recognition, perception, attention, imagination and moral development.*

<i>Adult behavior</i>	<i>Child indicator</i>
<ul style="list-style-type: none"> <li>• Purposeful negative modeling</li> <li>• Isolating</li> <li>• Threatening/shouting/scaring</li> <li>• Rejection</li> <li>• Shaming/belittling</li> </ul>	<ul style="list-style-type: none"> <li>Symptoms of stress</li> <li>Cognitive impairment</li> <li>Speech disorders</li> <li>Aggressive behaviours/behavioural extremes</li> <li>Low self-esteem/withdrawn</li> <li>Wetting, soling, smearing</li> <li>Failure to thrive</li> </ul>

**Neglect**

*Neglect occurs when a child's care giver fails to consistently provide physical and emotional care.*

<i>Adult behavior</i>	<i>Child Indicator</i>
<ul style="list-style-type: none"> <li>• Failure to provide adequate food</li> <li>• Failure to provide adequate clothing</li> <li>• Failure to provide adequate shelter</li> <li>• Inadequate supervision</li> <li>• Failure to provide education</li> <li>• Inadequate medical care</li> <li>• Inadequate livable and safe home</li> </ul>	<ul style="list-style-type: none"> <li>• Poor hygiene/malnutrition/frequent hunger</li> <li>• Inappropriate clothing</li> <li>• Lack of medical and dental care</li> <li>• Developmental delays</li> <li>• Constant fatigue/falling asleep</li> <li>• Dull, apathetic appearance</li> <li>• Always in care, even when sick</li> <li>• Poor attendance</li> </ul>

**Procedure for an allegation of abuse within the Service:**

- Advise the senior person, nominated supervisor, licensee
- Do not investigate
- Licensee to notify the DCP within one working day
- When reporting to the DCP record
  - Time and date
  - Name of duty officer
  - Any advice or information discussed
- Contact the CSO for support
- Record observations and actions
- Maintain confidentiality
- Ensure the safety of all children – develop a service safety plan
- Seek industrial and legal advice
- Support the child and family
- Notify the DCP re the outcomes of any investigation
- Regularly review and revise service policies and procedures
- Develop a media response plan

**Procedure when there is concerns a child is being abused outside of the Service:**

- Advise the nominarted supervisor, senior staff member or licensee
- Record observations and actions
- Consult with the duty officer at the DCP
- Contact the CSO for support
- Maintain confidentiality
- Do not investigate
- When reporting to the DCP keep a written record of:
  - Time and date
  - Name of duty officer
  - Any advice or information that was discussed