

Child Safe Environment

Purpose Statement

Windermere's FDC plays an important role in protecting young children from harm and reducing its impact. FDC must comply with the Victorian Child Safe Standards and the mandatory reporting requirements that sit under the Children, Youth and Families Act 2005. Compliance is promoted by:

- Implementing this policy
- Screening educators
- Training educators
- Providing ongoing support and supervision
- Maintaining an incident reporting and management system that identifies and mitigates child safety related risks
- Embedding child safe practices throughout the service.

Windermere Family Daycare is committed to the safety, wellbeing and support of all children and young people. Management, staff, educators and volunteers will treat all children with the utmost respect and understanding at all times.

To protect children from abuse, our FDC Service embeds strategies to ensure a culture of child safety by providing a safe environment for the children in our care. FDC educators are in a position to monitor behavioural and emotional changes, physical injuries, and the general wellbeing of a child. The supportive environment of an FDC setting and the relationships that educators develop with children may lead to a child making a disclosure about child abuse. Our educators undergo annual Child Protection training to assist with identifying signs and behaviours that may indicate child abuse and understand their obligations and responsibilities to respond to incidents, disclosures or suspicions of child abuse as mandated reporters. Additional training is provided to understand reporting obligations which include 'reportable conduct'.

Windermere FDC Service takes a 'zero' tolerance approach to child abuse and are committed to raise awareness about the importance of child safety in our environment and the community.

'Keeping children safe is everyone's responsibility.'

Victoria State Government- Education and Training (2019).

Scope

This policy applies to all staff (including casuals), educators, students and contractors.

National Quality Standard

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.

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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	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.

QUALITY AREA 5: RELATIONSHIPS WITH CHILDREN

5.1.1	Positive educator to child interactions	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.
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QUALITY AREA 7: GOVERNANCE AND LEADERSHIP

7.1	Governance	Governance supports the operation of a quality service
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EDUCATION AND CARE SERVICES NATIONAL REGULATIONS and NATIONAL LAW

84	Awareness of child protection law
155	Interactions with children
168	Education and care service must have policies and procedures
S162(A)	Persons in day to day charge and nominated supervisors to have child protection training
358	Working with children check to be read

EDUCATION AND CARE SERVICES NATIONAL LAW AND NATIONAL REGULATIONS

S.161	Offence to operate education and care service without nominated supervisor
97	Emergency and evacuation procedures
98	Telephone or other communication equipment
99	Children leaving the education and care service premises
103	Premises, furniture and equipment to be safe, clean and in good repair
102D	Authorisation for service to transport children
117B	Minimum requirements for a person in day-to-day charge
146	Nominated Supervisor

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Policy Statement

THAT FDC STAFF AND EDUCATORS:

- PROTECT THE RIGHTS, SAFETY AND WELLBEING OF CHILDREN
- PROVIDE A CHILD-SAFE ENVIRONMENT FREE FROM HARM AND ABUSE
- REPORT SUSPECTED CHILD ABUSE TO CHILD PROTECTION

Procedures

Windermere's Commitment to Child Safety

1. Windermere is committed to Child Safety. Children and young people have a right to:
 - *Be cared for*
 - *Feel safe and comfortable*
 - *Be safe*
2. Windermere will give its highest priority to the promotion and protection of a child's safety, health, development, education and wellbeing by implementing the Victorian Child Safe Standards:

[Standard 1: Culturally safe environments](#)

[Standard 2: Leadership, Governance and Culture](#)

[Standard 3: Child and student empowerment](#)

[Standard 4: Family engagement](#)

[Standard 5: Diversity and equity](#)

[Standard 6: Suitable staff and volunteers](#)

[Standard 7: Child focussed complaints processes](#)

[Standard 8: Child safety knowledge, skills and awareness](#)

[Standard 9: Physical and online environments](#)

[Standard 10: Review of child safety practices](#)

[Standard 11: Implementation of child safety practices](#)

3. Windermere is committed to increasing community awareness on the importance of child wellbeing and child safety
4. The leadership team will support educators to develop their own commitment to child safety and assist them in meeting their obligations by providing training and ongoing mentoring.

NOTE: For more information regarding Windermere's Commitment to Child Safety refer to Our Commitment to Child Safety brochure (see attached).

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Educator Responsibilities

Educators will:

- report any situation where they believe on reasonable grounds a child is at risk of significant harm to the coordination unit to discuss making a report to Child Protection and/or local Child Protection office (see end of policy for contact details) as appropriate.
- contact the Victorian Police on 000 if there is an immediate danger to a child and intervene instantly if it is safe to do so.
- understand their duty of care to take reasonable steps to protect children at all times
- be able to recognise indicators of abuse
- respect a child's disclosure, taking it seriously and respond to their disclosure immediately
- document any incident, disclosure or suspicion that a child has been, or is at risk of being abused
- understand that allegations of abuse or suspected abuse against them are treated in the same way as allegations of abuse against other people
- associate families with referral agencies where concerns of harm do not meet the threshold of significant harm. These services may be located through The Orange Door. Family consent will be sought before making referrals.
- Ensure all residents and visitors of the home understand their responsibilities.
- understand the critical importance of implementing active supervision strategies when children are accessing online environments to keep children safe
- promote and contribute to a culture of child safety and wellbeing in all aspects of our FDC Service's operations, including when accessing digital technologies and online learning environments
- not use personal electronic devices or non-approved service devices to take, store or share images or videos of children, access social media (Facebook, Instagram or other) or breach children and families' privacy while providing education and care at the FDC Service
- ensure written authorisation is obtained from parents/guardians to collect and share personal information, images or videos of their children online (Website, Facebook, Instagram or Educational Applications)
- Create a physical and online environment that promotes safety and wellbeing while minimising the opportunity for children and young people to be harmed.

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All FDC staff and educators are responsible for reporting child abuse and ensuring the protection of children. There are a number of obligations as detailed in the table below:

Obligations	Requirements
Duty of Care	- You must take reasonable steps to prevent injuries that are reasonably foreseeable and protect the wellbeing of children - To take positive action and report any reasonable belief that a child is being abused
Education and Care Services National Law 2010 and Children's Services Act 1996	- To operate in accordance with OSHC procedures as a means of ensuring the adequate supervision, safety, health and wellbeing of children in care - To take reasonable precautions to protect children from harm and from any hazard likely to cause harm - To ensure children are not subjected to any form of corporal punishment (ie hitting or smacking or any other form of discipline that aims to cause physical pain or discomfort)
Child Safe Standards	- To comply with all screening and recruitment procedures - To understand your 'boundaries' when working with children (see 'Boundaries' section below) - To promote the participation and empowerment of children by involving them making decisions and choices - To engage with specialist organisations where a child is identified as at risk. At risk groups include (but are not limited to) Aboriginal children and families, children and families from a culturally diverse background, children with a disability and children with a history of protection involvement.
Mandatory Reporting	- For all VIT (Victorian Institute of Teaching) registered teachers, educators with post-secondary qualifications and nominated supervisors to comply with mandatory reporting requirements. These requirements include making a report to Victoria Police and/or DFFH Child Protection as soon as practicable. The basis of making a report is the formation of a belief, on reasonable grounds, that: - a child has suffered, or is likely to suffer, significant harm as a result of physical injury and/or sexual abuse. It is a criminal offence to fail to report to authorities.
The National Model Code	- only service-issued devices are used to take images or videos of children - people working directly with children in centre based services cannot have personal electronic devices with them except for limited essential purposes. Read about National Model Code Taking Images and Videos.pdf - ensure children are always supervised and never left unattended whilst an electronic device is connected to the internet - provide a child safe environment to children- reminding them if they encounter anything unexpected that makes them feel uncomfortable, scared or upset, they can seek support from staff - reflect on our Service's physical environment, layout and design to ensure it supports child safe practices when children are engaged in using technology.
Non-Mandated Reporting	- Windermere requires all students and contractors (who may be in the process of obtaining their post-secondary qualification) to report all forms of child abuse or suspected child abuse to Child Protection (via leadership team). - All personnel working within FDC are required to report any reasonable belief that a child:

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	○ is in need of protection from physical or sexual abuse ○ is displaying sexually abusive behaviours and is in need of therapeutic treatment ○ is at risk of abuse or not having their basic care and developmental needs met. Your co-coordinator will help you assess the severity of the harm or risk of harm and support you in making a report to the relevant authority
Reportable Conduct Scheme	● To report any allegations of child abuse (and other child-related misconduct) made against an educator, contractor or student to the Commissioner.
'Failure to Protect'	● To report to Management any concerns regarding an adult visiting the Centre that poses a risk of committing a sexual offence against a child in care
'Failure to Disclose'	● To understand that reporting child sexual abuse is a community wide responsibility ● To comply with legislation by reporting to Police any reasonable belief that a sexual offence has been committed by an adult against a child under 16 years.

Understanding Your Boundaries

In your role as an educator, it is important to understand how to foster positive relationships with children and how to behave or interact appropriately. The table below lists inappropriate behaviours:

Boundary Type	Inappropriate Behaviours (examples)
Physical contact	● Physical punishment ● Unwanted touching personally or with an object ● Use of physical restraint ● Any unwanted close physical contact such as kissing, hugging, rubbing
Communication	● Commenting on a child's appearance excessively or negatively ● Talking about a child, in their presence, without acknowledging them ● Explicit and degrading language, jokes and actions ● Consumer images and recordings on personal equipment
Contact out of hours	● Children attending an educator's home ● Children invited to connect via social media

Reportable Conduct Scheme

The Reportable Conduct Scheme seeks to improve an organisation's response to allegations of child abuse and neglect by their employees and volunteers. The Approved Provider's appointed CEO must notify the Commission for Children and Young People (the Commission) about any allegations of misconduct involving a child.

There are five types of 'reportable conduct' listed in the Child Wellbeing and Safety Act 2005

1. Sexual offences (against, with or in the presence of a child)
2. Sexual misconduct (against, with or in the presence of a child)
3. Physical violence (against, with or in the presence of a child)
4. Behaviour that causes significant emotional or psychological harm
5. Significant neglect.

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A reportable allegation is made where a person makes an allegation, based on a reasonable belief that an employee, volunteer or contractor has committed reportable conduct or misconduct that may involve reportable conduct.

A person is likely to have a reasonable belief if they:

1. observed the conduct themselves
2. heard directly from a child that the conduct occurred or
3. received information from another credible source (including another witness)

Reporting Requirements

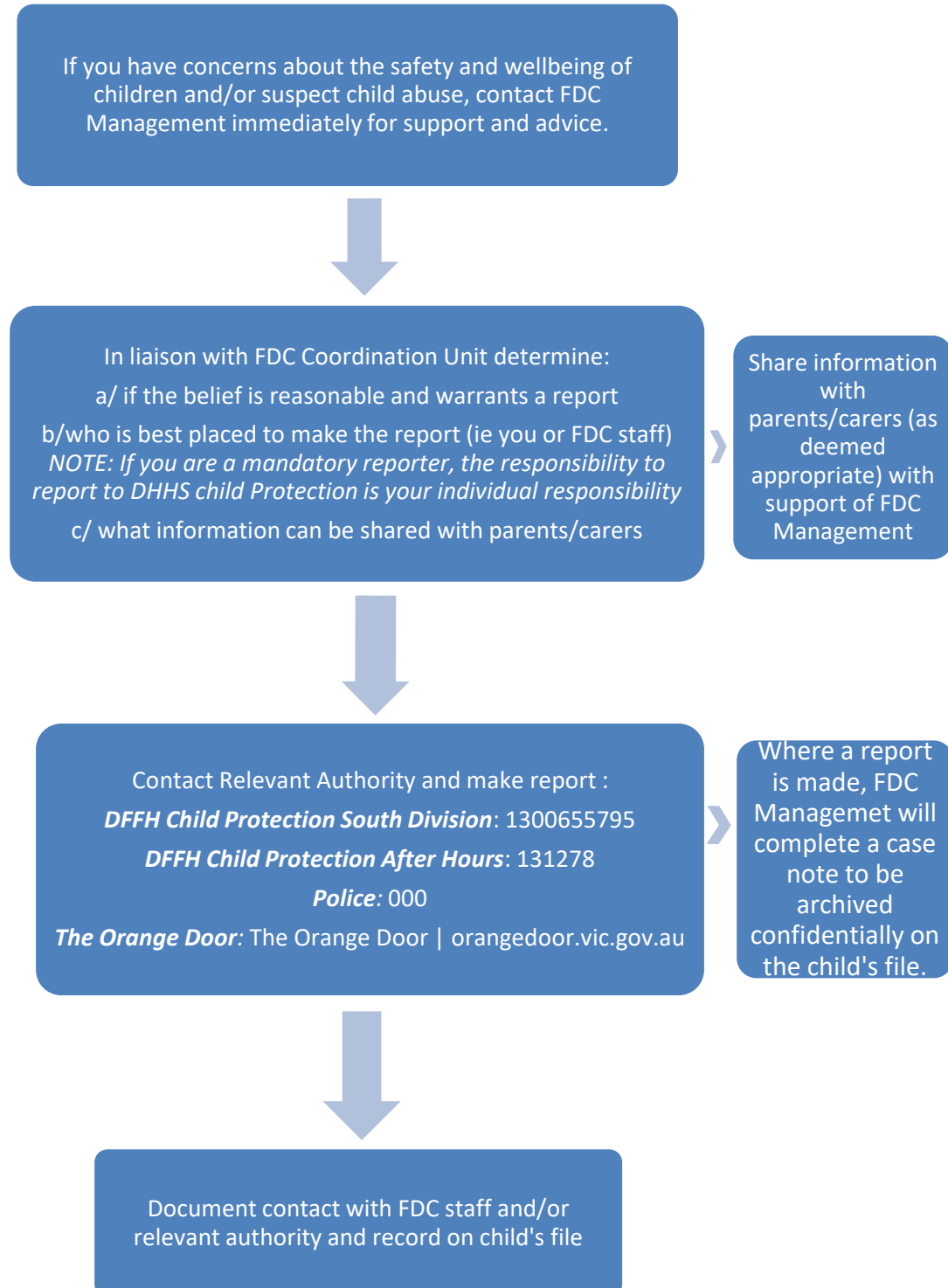
1. Enable any person to notify the Approved Provider or CEO directly of a reportable allegation.

NOTE: In instances where a child's safety or wellbeing is identified as having been compromised, the person in question is to be suspended pending an investigation.

2. It is not the CEO's responsibility to determine if there is a reasonable belief that an employee has committed reportable conduct. Any person (i.e. fellow staff, manager) may form a reasonable belief that an employee has committed reportable conduct, and once this reasonable belief has been identified, it is the CEO's responsibility to report.
3. The CEO is responsible for:
 - a) Reporting allegations against educators, students or volunteers, to the **Commission for Children and Young People strictly within 3 business days** (non-compliance with the reporting timeframe is a criminal offence); and
 - b) Reporting conduct that is suspected to be criminal to **Victoria Police**.
4. All reports must be authorised by the CEO via a web based form:
<https://ccyp.vic.gov.au/report-an-allegation/notify-about-a-reportable-allegation/>
Specific details of the Reportable Conduct Scheme and how to report are located on the Intranet under '[Legislation/Reportable Conduct Scheme](#)'.
5. A **30 day update** is required from the CEO including details about the allegation, disciplinary or other actions taken and the response of the worker to the allegation.
6. The Reportable Conduct Scheme is completely independent of DET and ACECQA incident reporting processes.

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Reporting to Relevant Authorities



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Responding to a parent, carer or guardian of a child

If a parent, carer or guardian says their child has been abused in one of our approved Family Day Care Service environments or raises concern we will:

- ensure all abuse allegations are taken very seriously
- explain our procedures as mandatory reporters
- allow the parent, carer or guardian to talk through the incident in their own words
- ask about the safety and wellbeing of the child
- explain that a coordinator or other staff member will be taking notes during the discussion to capture all details
- provide them with any incident reports
- explain our Service's reporting processes which include informing Victoria Police, Child Protection office
- report and provide ongoing support as per our procedure of child abuse allegations.

Definitions

Maltreatment refers to non-accidental behaviour towards another person, which is outside the norms of conduct and entails a substantial risk of causing physical or emotional harm. Behaviours may be intentional or unintentional and include acts of omission and commission. Specifically abuse refers to acts of commission while neglect refers to acts of omission. Note that in practice the terms child abuse and child neglect are used more frequently than the term child maltreatment.

Significant Harm refers to circumstances causing concern for the safety, welfare and wellbeing a child or young person present to a significant extent. This means it is sufficiently serious to warrant a response by a statutory authority irrespective of the family's consent.

What is significant is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child's or young person's safety, welfare, or wellbeing.

In the case of an unborn child, what is significant is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child.

Reasonable grounds refer to the need to have an objective basis for suspecting that a child may be at risk of abuse and neglect based on:

- firsthand observation of the child or family.
- what the child, parent, or other person has disclosed.
- what can reasonably be inferred based on observation, professional training and/or experience that causes the mandated reporter to believe the child has been abused or is likely to be abused.
- signs of physical or sexual abuse leading to the belief that the child has been abused.

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Failure to disclose refers to the failure of a mandated reporter who has reasonable belief that a child under 16 has had a sexual offence committed to them by an adult to make a report to the police.

Failure to protect refers to a person of authority in the organisation who has the power or responsibility, but who negligently fails to reduce or remove the threat of substantial risk of child sexual abuse.

Relevant Standards

- National Quality Framework for Early Childhood Education and Care Services including:
 - Education and Care Services National Law 2011 (Amended 2024)
 - Education and Care Services National Regulations 2011 (Amended 2024)
- Victorian child Safe Standards 2022

Relevant Legislation

- Children, Youth and Families Act 2005
- Working with Children Act 2005 (Vic)
- Crimes Amendment (Protection of Children) Act 2014
- Child Wellbeing and Safety Act 2005
- Privacy and Data Protection Act 2014
- Victorian Information Privacy Principles
- Disability Services Act 2006
- The National Model Code 2024

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Our Commitment to Children and Young People

Windermere is committed to keeping children and young people safe. Children and young people have a right to:

- Be cared for
- Feel safe and comfortable
- Be safe

Everyone at Windermere works hard to make sure children and young people are protected from any harm.

It is not okay for anyone to hurt a child.

It is okay for a child to say NO to an adult if they are asked to do something that makes them feel unsafe or uncomfortable.

About Windermere

Windermere is an independent community service organisation working across south east Victoria to help those who need it most. Since our beginning more than 150 years ago, we have been working to create a stronger, more connected and supported community.

Our support comes in many forms as we work together to find the right solutions for the many and varied complex issues faced by children, families and individuals in our community.

Our aim is to get in early by providing programs and services within these primary areas:

1. Family Wellbeing to create positive behavioural changes, greater understanding and respond to violence and/or neglect
2. Childhood Development, Education & Support including child care and services for children and adults with developmental delays and disability
3. Assistance and support for victims of trauma, assault and/or violent crime
4. Community Strengthening designed to respond quickly to critical and emerging needs.

Whilst we receive funding for some services from state and federal governments, others are funded solely by donors and sponsors to whom we are truly grateful.

We believe that everyone is someone in our community and that is reflected in our approach with those we work with everyday.



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windermere.org.au



Our Commitment to Child Safety



windermere.org.au

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Child Safety Policy:

- Windermere will give its highest priority to the promotion and protection of a child's safety, health, development, education and well-being
- Windermere will guide its people on acceptable behaviour and appropriate boundaries when interacting with children
- Windermere is committed to increasing community awareness on the importance of child wellbeing and child safety
- If we believe a child or young person is at risk of being harmed or has been harmed, we must report it to Windermere management for appropriate action
- Any form of child abuse is a crime in Victoria and concerns of this nature must be raised and referred to Police and/or Child Protection authorities
- Windermere works with children and young people in accordance with the Child Safety and Wellbeing Act 2005 and the Children, Youth and Families Act 2005.

NOTE: For a more detailed outline of Windermere's reporting process please request a copy of Windermere's Child Safety policy.

Reporting Process:

- Every member of the community has a responsibility to keep children safe and report to police any reasonable belief they have that a child¹ is being sexually abused
- Everyone who works with us is expected to report suspected abuse
- The child's family is included and informed as much as possible when reporting abuse.

¹ Under the age of 16 years

Physical Abuse

Where a person means to hurt a child by punching, beating, flogging, shaking, biting or burning them.

- Hitting a child and leaving marks, welts or bruises
- Shaking a baby/child out of frustration
- Burning a child with a cigarette.

Emotional Abuse

Where adults repeatedly say things to children that make them feel bad, mad or sad; feel threatened or rejected.

- Telling a child they are no good
- Not giving a child love or affection
- Leaving a child alone or locking up a child
- Not allowing a child to have friends
- Subjecting a child to family violence (seeing or hearing parents or adults in the home fighting).

Neglect

Where a child is hurt because their parent or carer doesn't give them what they need in the way of food, nurturing, a home, physical and emotional care.

- Not taking the child to the doctor or hospital when they are sick or hurt
- Repeatedly ignoring a child when they are upset and needing a hug
- Not sending children to school
- Not providing children with food, clothing or hygienic housing.



Sexual Abuse

Where an adult or older child does sexual things to a child or gets a child to do sexual things to them or someone else, or expose them to explicit sexual activity or images.

- Forcing or coercing children to have sex or engage in sexual acts with other children or adults.
- Inappropriate touching
- Saying things that are obscene or suggestive
- Taking or exposing children to sexually explicit images and videos.

Grooming

Where a trusted person seeks a special bond with a child/adolescent with the intent of involving them in sexual activity.

- Favouring or giving gifts to a child or young person
- Inappropriate interactions with children either in person or via social media
- Asking a child or young person to keep a secret of any aspect of their relationship
- Ignoring professional boundaries or rules.