

# POLICIES AND PROCEDURES

## CHILD SAFE POLICY



**Children's Services**  
Since 1895

KU Children's Services (KU) is committed to ensuring children's safety and wellbeing, complying with all relevant child safe legislation and best practice. This policy provides an overarching framework that supports the development of an organisation-wide child safe culture.

### INTRODUCTION

Since its foundation in 1895, KU has been committed to children's safety and wellbeing. The child safe standards which are embedded in our policies, processes and systems support KU's strong child safe culture and the provision of child safe environments for the children in our care.

Our stance on child safety is articulated in the KU Statement of Commitment to Child Safety and Wellbeing (2019). This Child Safe Policy sets out the child safe practices that we have undertaken to implement in accordance with the ten National Principles for Child Safe Organisations and Victoria's Child Safe Standards.

### OBJECTIVE

1. To ensure KU maintains a strong and sustainable organisation wide child safe culture for our children, families and communities.
2. To ensure KU upholds the child safe objectives and guiding principles of the National Principles for Child Safe Organisations (2019) and the United Nations Convention on the Rights of the Child (UNCRC) 1990.
3. To ensure compliance with all child safe legislated requirements.
4. To ensure KU staff, volunteers and contractors understand their duty of care to safeguard children in our organisation from harm.

### BACKGROUND

In February 2019, the Council of Australian Governments (COAG) endorsed the National Principles for Child Safe Organisations (National Principles) based on the findings of the 2013 Royal Commission into Institutional Responses to Child Sexual Abuse. The National Principles support a nationally consistent approach to children's safety

and wellbeing for all organisations working with children. The National Principles support organisations to have a child safe culture and they reflect the articles of the United Nations Convention on the Rights of the Child, as well as aligning with key elements of the early childhood sector's National Quality Framework.

KU has adopted the National Principles and Victoria's Child Safe Standard 1 across KU services and programs in NSW, ACT and Queensland. Victorian services are required to implement the Victorian Child Safe Standards and KU supports the implementation of these standards within its Victorian services and programs.

NSW and Victoria have a legislated requirement for organisations working with children to embed the state's Child Safe Standards. The NSW Office of the Children's Guardian endorses that organisations implementing the National Principles for Child Safe Organisations are satisfying the requirements of the NSW Child Safe Standards. The new Victorian Child Safe Standards (2022) support greater national consistency. The 11 Victorian Standards closely align with the 10 National Principles for Child Safe Organisations and have an additional standard which requires organisations to establish culturally safe environments in which the diverse and unique identities and experiences of Aboriginal children are respected and valued.

### LEGISLATIVE AND POLICY CONTEXT

There are a number of National, State and Territory legislative instruments and child safe frameworks in each jurisdiction in which KU operates. In addition to the following legislation, relevant legislation and frameworks are cited more fully elsewhere in relevant KU child safe related policies:

- ▶ The United Nations Convention on the Rights of the Child, ratified in Australia, 1990

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- ▶ The National Principles for Child Safe Organisations, Australian Government, Department of Prime Minister and Cabinet, 2019
- ▶ Education and Care Services National Law Act (2010)
- ▶ Education and Care Services National Regulations (2011)

## **New South Wales key legislation:**

- ▶ Children's Guardian Act (2019) (as at October 2023)
- ▶ Children and Young Persons (Care and Protection) Act (1998)
- ▶ Child Protection (Working with Children) Act (2012)

## **Victorian key legislation:**

- ▶ Child Wellbeing and Safety Act (2005)
- ▶ Victorian Commission for Children and Young People Act (2012)
- ▶ Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021 (commenced in January 2023)
- ▶ Victorian Working with Children Act (2005)

## **ROLES AND RESPONSIBILITIES**

Children's safety and wellbeing is an organisation-wide responsibility. This Child Safe Policy applies to everyone at KU, at all levels of the organisation, including:

- ▶ KU Board, CEO, Executive team and senior managers
- ▶ KU staff (permanent and casual)
- ▶ Volunteers, allied health professionals and students
- ▶ External service providers, contractors and sub-contractors who perform work for, or on behalf of KU

### **KU Board**

- ▶ Ensure KU's overall direction and performance aligns with all its legislative, financial, policy

and governance requirements as a child safe organisation

- ▶ Provide governance frameworks and leadership that ensure the organisation is adequately resourced to ensure children's safety and wellbeing
- ▶ Ensure the organisation has the people and culture, policies, systems and procedures to prevent, detect and respond to child abuse and neglect
- ▶ KU policies and procedures reflect the National Principles for Child Safe Organisations and Victoria's Child Safe Standards

### **Chief Executive Officer**

- ▶ Ensure child safe practices are prioritised at a strategic and operational level, and included in organisational planning and accountability processes and documents
- ▶ Ensure that adequate human and financial resources are allocated to child safety
- ▶ Review and continually improve organisational child safe strategies
- ▶ Ensure staff are provided with training to understand policies, systems and procedures to prevent, detect and respond to child abuse and neglect
- ▶ Ensure the KU Aboriginal Reconciliation Action Plan is understood and implemented and staff are provided with training to build their knowledge of providing culturally safe environments

### **Executive and Senior Managers**

- ▶ Demonstrate effective leadership by championing and valuing child safe practices
- ▶ Promote and support KU services and programs to implement child safe practices throughout the organisation
- ▶ Provide opportunities for training, supervision and ongoing support for those responsible for child safe practices

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- ▶ Monitor, manage and further develop KU's child safe approaches

## Child Safe and Wellbeing Team

- ▶ Provide leadership in child safe practices across the organisation
- ▶ Support KU services in fulfilling their child safe responsibilities
- ▶ Present new ideas, best practice options, or up-to-date information on National and State/ Territory child safe frameworks, strategies and initiatives

## Directors and Coordinators

- ▶ Ensure the service environment is physically, emotionally and culturally safe for children
- ▶ Uphold the right of all children to feel safe and be safe at all times
- ▶ Build relationships with local Aboriginal and Torres Strait Islander communities to support the service to provide culturally safe environments that value and respect Aboriginal and Torres Strait Islander children, families and their culture
- ▶ Support staff to understand and fulfil their obligations in relation to all child safety policies, procedures and practice
- ▶ Support staff to understand their professional responsibilities in their relationships with children
- ▶ Follow appropriate reporting processes when a concern, allegation or disclosure of child abuse or neglect arises
- ▶ Ensure all staff are informed and aware of notification and reporting responsibilities in relation to child safe, child protection and reportable conduct concerns

## All KU service staff, central and regional office employees, allied health professionals, contractors, casual employees, students and volunteers

- ▶ Contribute to a positive child safe culture by engaging and valuing child safe practices

- ▶ Contribute to a culturally safe environment that values and respects Aboriginal and Torres Strait Islander children, families and communities
- ▶ Understand signs of child abuse and how to respond
- ▶ Fulfil child protection mandatory reporting obligations
- ▶ Follow the KU Code of Conduct including Child Safe Code of Conduct in professional relationships with children
- ▶ Follow appropriate reporting processes when a concern, allegation or disclosure of inappropriate professional conduct arises

## NATIONAL PRINCIPLES FOR CHILD SAFE ORGANISATIONS AND CHILD SAFE STANDARDS IN PRACTICE AT KU

### Leadership, Governance and Culture

*'Child safety and wellbeing is embedded in organisational leadership, governance and culture'*

- ▶ National Child Safe Principle 1
- ▶ NSW Child Safe Standard 1
- ▶ Victorian Child Safe Standard 2

NQS Quality Area 7 – Governance and leadership

### We will:

- ▶ Make a public commitment to child safety
- ▶ Instil KU's commitment to excellence in child safety and wellbeing, creating a child safe, child focussed culture and environment
- ▶ Provide inclusive and welcoming environments where children's rights and best interests are at the heart of all that we do
- ▶ Provide leadership and focus both within the organisation and the wider early childhood sector and community to evolve child safe practice
- ▶ Continue to prioritise child safety and use our position, advocacy and influence to make sure strong and clear governance arrangements for implementing child safe measures are in

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place, including the management of organisational risks to children

- ▶ Foster a culture of openness that encourages professional dialogue about child safety matters – including difficult subjects and decisions, where staff feel supported to identify and act on concerns early
- ▶ Ensure that we have policies, procedures and systems in place to maintain a child safe aware culture that supports staff in understanding expectations and reporting obligations to notify any behaviours which may contravene our values, codes of conduct and/or policies
- ▶ Comply with the United Nations Convention on the Rights of the Child, all national and state child safety laws, regulations, codes (including the Early Childhood Australia *Code of Ethics*), standards, quality frameworks and contractual obligations which recognise the importance of child safety and wellbeing
- ▶ Provide clear and accessible information for families about KU's child safe policies and practices ensuring that families can access their children's documents and records and are informed of how their personal information will be managed by KU
- ▶ Make sure staff and volunteers understand their obligations in relation to information sharing and record keeping under Privacy Law and Child Protection related legislation – including disclosure to law enforcement bodies, regulatory authorities and oversight agencies

## Children's Participation and Empowerment

*'Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously'*

- ▶ National Child Safe Principle 2
- ▶ NSW Child Safe Standard 2
- ▶ Victorian Child Safe Standard 3

NQS Quality Areas 1 – Educational program and practice

NQS Quality Areas 5 – Relationships with children

**We will:**

- ▶ Respond to the individual needs of all children, fostering an inclusive, child safe culture and environments that support the rights of children
- ▶ Inform children of their rights including the right to safety, information, participation and the right to contribute to decisions which affect their lives
- ▶ Facilitate young children's developmentally appropriate participation in decision making processes that affect their lives, and encouraging this as an expression of their needs, wishes and capacities
- ▶ Foster peer relationships and friendships among children recognising support from peers helps children to feel safe and be less isolated
- ▶ Create relationships of trust with children by engaging meaningfully with them, providing opportunities to share their views and needs in a safe environment where they feel safe, valued, empowered, listened to, respected and taken seriously and where they trust adults will act in their best interests
- ▶ Help and encourage children to understand their right to protection from harm and teach children personal safety messages and protective behaviours
- ▶ Be attuned to signs of harm and facilitate ways for all children to express their views, participate in decision making and raise their concerns. Be receptive to children who may not be able to put their feelings into words, being attentive to their body language and behaviour
- ▶ Provide professional learning opportunities to help educators talk to children about sensitive issues, including conversations about their safety and wellbeing
- ▶ Create opportunities for children to participate in and have meaningful connections with their culture and family

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background, strengthening their sense of identity and belonging to their broader community

## Family and Community Involvement

*'Families and communities are informed and involved in promoting child safety and wellbeing'*

- ▶ National Child Safe Principle 3
- ▶ NSW Child Safe Standard 3
- ▶ Victorian Child Safe Standard 4

NQS Quality Area 6 – Collaborative partnerships with families and communities

### We will:

- ▶ Respectfully engage with all families recognising they have the primary responsibility for the upbringing of their child and are best placed to advise about their child's needs and capabilities
- ▶ Encourage families to participate in decisions involving their children
- ▶ Consider children's diverse needs and abilities and provide additional support as required
- ▶ Promote our commitment to child safety and wellbeing by making this *Child Safe Policy* and other relevant procedures, practices and guidelines easily accessible for parents, carers and stakeholders including procedures for families to raise issues or concerns
- ▶ Review and improve our child safe policies, practices and procedures by listening to the feedback of children and families
- ▶ Provide information to families and the community about KU's operations and governance
- ▶ Build relationships with local Aboriginal and Torres Strait Islander communities to support the service to provide culturally safe environments that value and respect Aboriginal and Torres Strait Islander children, families and culture

## Equity and Diversity

*'Equity is upheld, and diverse needs respected in policy and practice'*

- ▶ National Child Safe Principle 4
- ▶ NSW Child Safe Standard 4
- ▶ Victorian Child Safe Standard 5

NQS Quality Areas 1 – Educational program and practice

NQS Quality Areas 3 – Physical environment

NQS Quality Areas 5 – Relationships with children

NQS Quality Areas 6 – Collaborative partnerships with families and communities

### We will:

- ▶ Use language which is easy to understand, inclusive, empowering, accessible and sensitive to literacy levels and cultural differences
- ▶ Encourage and facilitate the participation of all children, being inclusive of diverse religions, cultural backgrounds, genders, sexuality, diverse abilities and circumstances; and address any barriers to participation
- ▶ Develop and implement strategies to support children with high or complex needs, and those that have experienced trauma
- ▶ Develop culturally safe policies, procedures and practices which promote the participation of Aboriginal and Torres Strait Islander children and families
- ▶ Develop and maintain relationships with Aboriginal and Torres Strait Islander community members, elders and organisations
- ▶ Develop culturally safe policies, procedures and practices which promote the participation of Culturally and Linguistically Diverse children and families

## Staff are Suitable and Supported

*'People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice'*

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- ▶ National Child Safe Principle 5
- ▶ NSW Child Safe Standard 5
- ▶ Victorian Child Safe Standard 6

NQS Quality Areas 2 – Children’s health and safety

NQS Quality Areas 4 – Staffing arrangements

NQS Quality Areas 7 – Governance and leadership

## We will:

- ▶ Recruit employees with the qualifications, skills, experience and attitude necessary to create a positive child safe work culture
- ▶ Include our stance on child safety in all job advertisements
- ▶ Clearly outline in all position descriptions our expectations of all KU employees regarding child safe work practices
- ▶ Conduct rigorous scrutiny of candidates to ensure they are suitable for child-related employment, including verification of identity, qualifications, professional experience and suitability to work with children
- ▶ Ensure all relevant staff have current working with children’s checks or equivalent background checks
- ▶ Ensure all new employees are thoroughly inducted to ensure they have a clear understanding of KU’s child safe approach, expectations and their responsibilities in accordance with KU’s Child Safe Code of Conduct.
- ▶ Make sure all staff are informed of their obligations to notify the General Manager, People Services & IT (or delegate) of any allegation or conviction of a child protection nature that they may be subject of in accordance with KU Code of Conduct
- ▶ Acknowledge that background checks cannot identify people yet to offend, and are only one of the strategies for preventing harm to children and creating child safe environments
- ▶ Volunteers and Students will be advised of their obligations under the law and information about their suitability to engage

with children recorded. Volunteers and Students will be informed of KU’s child safe approach and what is expected of them in accordance with KU’s Child Safe Code of Conduct

- ▶ Provide ongoing supervision and support to staff which is focused on child safety and wellbeing

## Child Focused Complaints Processes

*‘Processes to respond to complaints and concerns are child focused’*

- ▶ National Child Safe Principle 6
- ▶ NSW Child Safe Standard 6
- ▶ Victorian Child Safe Standard 7

NQS Quality Areas 2 – Children’s health and safety

NQS Quality Areas 7 – Governance and leadership

## We will:

- ▶ Encourage all staff to be alert to issues, concerns or complaints and assist those responsible for handling complaints to resolve them promptly and fairly
- ▶ Ensure KU complaints handling policies are accessible and clearly outlines roles and responsibilities of staff and volunteers in responding to different types of complaints and breaches of KU policies and Code of Conduct including obligations to act and report
- ▶ Ensure complaints processes are child-focused, culturally safe and understood by children, families, staff and volunteers
- ▶ Respond to any child safe incidents or concerns by focusing on the needs and best interests of children as the paramount consideration
- ▶ Respond promptly and thoroughly to all child safe concerns, complaints and allegations of reportable conduct against KU Board members, employees, contractors or volunteers

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- ▶ Demonstrate exemplary complaint handling practices, upholding procedural fairness and treating all people involved with respect including those who make complaints
- ▶ Report all complaints or concerns to relevant authorities
- ▶ Support children and families affected by incidents or complaints, and advise them about services and agencies they can contact, who can support them or advocate on their behalf
- ▶ Analyse complaints and their outcomes to improve our systems and processes

## Staff Skills and Knowledge

*'Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training'*

- ▶ National Child Safe Principle 7
- ▶ NSW Child Safe Standard 7
- ▶ Victorian Child Safe Standard 8

NQS Quality Areas 2 – Children's health and safety

NQS Quality Areas 4 – Staffing arrangements

NQS Quality Areas 7 – Governance and leadership

### We will:

- ▶ Ensure KU employees (permanent and casual), contractors and volunteers understand their responsibilities in their professional relationships with children and are provided with the *KU Code of Conduct* and the *KU Child Safe Policy*
- ▶ Provide a Child Safe Code of Conduct eLearning module to support understanding and application of the *KU Child Safe Code of Conduct*. The eLearning module outlines KU expectations of interactions with children and provides clear guidance about acceptable and unacceptable interactions for staff and volunteers to complete.
- ▶ Provide KU employees (permanent and casual), contractors and volunteers with

orientation and induction which reflect our child safe vision and values, standards of conduct and legal obligations to engage ethically and respectfully with children, families and staff

- ▶ Encourage all staff to foster a whole of organisation child safe approach and develop a contemporary understanding of child development, safety and wellbeing
- ▶ Ensure staff have the skills and knowledge to identify and respond to children who are at risk or are experiencing abuse or neglect
- ▶ Make sure employees, volunteers and contractors understand their reporting obligations in accordance with KU Policies and Procedures and Mandatory Reporting legislation
- ▶ Provide regular education and training for KU employees, contractors, volunteers and KU Board members on child safety and wellbeing policies and practices
- ▶ Provide employees with training and information on how to build culturally safe environments for children
- ▶ Provide resources, support and guidance to KU employees, contractors and volunteers on child safety and wellbeing
- ▶ Supervise and appraise staff workplace performance in child safe practices

## Safe Physical and Online Environments

*'Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed'*

- ▶ National Child Safe Principle 8
- ▶ NSW Child Safe Standard 8
- ▶ Victorian Child Safe Standard 9

NQS Quality Areas 3 – Physical environment

NQS Quality Areas 7 – Governance and leadership

### We will:

- ▶ Empower staff to proactively identify and mitigate risks in the physical and online

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- environments whilst maintaining a child's right to privacy, social connections and learning opportunities
- ▶ Ensure all employees understand and meet their legislative responsibilities in preventing harm and hazard towards children
- ▶ Conduct risk assessments for all activities and events to identify and minimise risk of accidental and intentional harm to children and ensure all staff understand and abide by KU risk management plans
- ▶ Conduct risk assessment of physical and online environments to identify and minimise risk of accidental and intentional harm to children and ensure all staff understand and abide by KU risk management plans
- ▶ Ensure staff and volunteers access and use online environments and digital technologies in line with the *KU Code of Conduct* and relevant eSafety protocols
- ▶ Treat all child safety concerns seriously, respond appropriately and report to the relevant authorities, as appropriate
- ▶ Ensure the safety and wellbeing of children accompanying their parent/carer to a KU workplace or event, in accordance with the *KU Standard Terms for the Enrolment of Children*
- ▶ Ensure procurement policies ensure the safety of children when contracting facilities and services from a third party

## Continuous Improvement

*'Implementation of the national child safe principles is regularly reviewed and improved'*

- ▶ National Child Safe Principle 9
- ▶ NSW Child Safe Standard 9
- ▶ Victorian Child Safe Standard 10

NQS Quality Area 7 – Governance and leadership

### We will:

- ▶ Foster and continuously improve KU's child safe organisational culture

- ▶ Complete site-specific Child Safe Risk Management plans which are regularly reviewed
- ▶ Regularly review child safe policies and procedures to make sure they are understood and embedded at all levels of KU
- ▶ Review incidents and complaints to identify and manage risks and systemic issues
- ▶ Findings of relevant reviews are reported to staff, volunteers, community, families and children where appropriate
- ▶ Assist KU services to demonstrate exemplary child safe practice throughout the organisation

## Policy and Procedures

*'Policies and procedures document how the organisation is safe for children and young people'*

- ▶ National Child Safe Principle 10
- ▶ NSW Child Safe Standard 10
- ▶ Victorian Child Safe Standard 11

NQS Quality Areas 2 – Children's health and safety

NQS Quality Areas 4 – Staffing arrangements

NQS Quality Areas 7 – Governance and leadership

### Our child safe policies and procedures will:

- ▶ Show that child safety and wellbeing is our highest priority and that we strive to provide a caring, nurturing, supportive and respectful environment, safe for children and families
- ▶ Inform all staff that they are responsible for ensuring the safety and wellbeing of children at all times
- ▶ Uphold the rights of all children to feel safe, and be safe
- ▶ Guide the process of preventing, identifying and reporting child safety concerns
- ▶ Be read and understood by all staff so they can respond appropriately to children who disclose safety and wellbeing concerns



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- ▶ Ensure that all KU employees understand and meet their legal and ethical obligations in relation to child safe concerns. Leaders champion policies and model compliance.
- ▶ Uphold zero-tolerance of any form of serious misconduct by any KU employee, contractor or volunteer toward children
- ▶ Document our work with children and families using clear and respectful language which is easy to understand
- ▶ Address the 10 National Principles for Child Safe Organisations and Victoria's 11 Child Safe Standards
- ▶ Are developed and reviewed through stakeholder consultation
- ▶ Actively support and facilitate participation and inclusion by Aboriginal children and their families
- ▶ Create a culturally safe and inclusive environment to meet the needs of Aboriginal children and their families
- ▶ Actively commit to developing genuine connections and relationships with local Aboriginal peoples, Elders and communities

## Culturally safe environments for Aboriginal Children

*'Establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children are respected and valued.'*

- ▶ Victorian Child Safe Standard 1

NQS Quality Areas 1 – Educational Program and Practice

NQS Quality Areas 5 – Relationships with children

NQS Quality Areas 6 – Collaborative partnerships with families and communities

### We will:

- ▶ Actively support and encourage a child's ability to express their culture and enjoy their cultural rights
- ▶ Embed strategies within the organisation which equip all members to acknowledge and appreciate the strengths of Aboriginal culture and understand its importance to the wellbeing and safety of Aboriginal children
- ▶ Adopt measures to ensure racism within the organisation is identified, confronted and not tolerated. Any instances of racism are addressed with appropriate consequences
- ▶ Challenge and address bias and discriminatory behaviour and language when it occurs

## NATIONAL PRINCIPLES FOR CHILD SAFE ORGANISATIONS AND CHILD SAFE STANDARDS IN PRACTICE AT KU

This overarching child safe organisational policy provides the foundation for the KU Child Safe in Practice initiative. This resource is designed to support early childhood professionals to have the skills, confidence and knowledge to put safeguarding strategies into practice. It consists of a compendium of factsheets and reflection sheets called 'Think About' sheets that capture key child safe messages and practice tips to guide early childhood professionals in discussion and deeper thinking about what it means to be child safe aware. It can be used in a range of KU settings including Preschools, Long Day Care services, Family Programs, Inclusion Support programs, outside of school hours services and the broader collective of KU employees, contractors, and ancillary or support staff roles.