



CHILD PROTECTION POLICY

Kensington Community Children's Co-operative (KCCC) 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. It safeguards children from child abuse and harm, prioritising children's safety and wellbeing. KCCC embeds the National Principles for Child Safe Organisations and the *Victorian Child Safe Standards* 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.

KCCC follows the [National Model Code and Guidelines](#) for taking images or videos of children released by ACECQA 1 July 2024. The Early Childhood Australia (ECA) National Model Code and Guidelines provide a framework for best practices in early childhood education and care (ECEC) settings. The guidelines focus on creating a child-safe environment and cover various aspects of ECEC, including the use of personal electronic devices.

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.

PURPOSE

All educators, staff, visitors and volunteers are committed to identifying possible risk and significant risk of harm to children and young people at KCCC. 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.

KCCC aim to implement effective strategies to assist in ensuring the safety and wellbeing of all children. We 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.

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	Management, educators and staff are aware of their roles and responsibilities 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
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

<i>Failure to Protect 2015 (Under Section 49 O of the Crimes Act 1958 [Vic])</i>	<i>Crimes Act 1958 (Vic)</i>
<i>Failure to Disclose 2014 (Under Section 327 of the Crimes Act 1958 [Vic])</i>	<i>Family Law Act 1975 (Cth)</i>
<i>Child Wellbeing and Safety Act 2005 (Vic)</i>	<i>Family Violence Protection Act 2008 (Vic.)</i>
<i>Children, Youth and Families Act 2005 (Amended 2014) (Vic)</i>	<i>The Charter of Human Rights and Responsibilities Act 2006 (Vic)</i>
<i>Commission for Children and Young People Act 2012 (Amended 2014) (Vic)</i>	<i>The Worker Screening Act 2020</i>
<i>Disability Act 2006</i>	<i>Victorian Child Safe Standards (updated 1 July 2022)</i>
<i>Privacy and Data Protection Act 2014</i>	<i>Privacy Act 1988</i>



Child Wellbeing and Safety Regulations 2017	
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CHILD SAFE STANDARDS

2	Child safety and wellbeing is embedded in organisational leadership, governance and culture.
3	Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
4	Families and communities are informed and involved in promoting child safety and wellbeing.
7	Processes for complaints and concerns are child-focused.
9	Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
11	Policies and procedures document how the organisation is safe for children and young people.

RELATED POLICIES

Child Safe Environment Policy Child Safety and Wellbeing Policy Code of Conduct Policy Dealing with Complaints Policy Interactions with Children, Policy Privacy and Confidentiality Policy	Reportable Conduct Scheme Policy Staffing Policy Participation of Volunteers and Students Policy Supervision of Children Policy Occupational Health and Safety Policy
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SCOPE

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

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."

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 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 suspected child abuse to Department of Families, Fairness and Housing (DFFH) Child Protection or Victoria Police
- 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
- notifying the regulatory authority when required
- attending DFFH Child Protection Case Planning meetings
- Staff may breach their duty of care towards a child if they fail to act in the way a reasonable/diligent person would in the same situation.

MANDATORY REPORTING is the legislative requirement for selected classes of people to make a report to 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 neglect or physical, emotional 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*.

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) disclosed this information to police as soon as it is practicable to do so (section 327 of the Crimes Act 1958 (Vic)). Section 49 O of the Crimes Act 1958 (Vic) created a criminal offence of failing to remove a substantial risk that a child will become the victim of a sexual offence committed by an adult.

CONFIDENTIALITY

It is important that any notification to DFFH Child Protection or The Orange Door 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, and the risk of a suspected perpetrator absconding before the matter can be investigated or reported to the police.

INFORMATION SHARING AND PRIVACY

There are three interconnected information-sharing schemes and frameworks that enable professionals working with children to exchange information for the following purposes:

- To enhance the wellbeing or safety of children
- To assist in the assessment and management of family violence risks affecting both children and adults

These frameworks include:

- Child Information Sharing Scheme (CISS)
- Family Violence Information Sharing Scheme (the scheme)
- Multi-Agency Risk Assessment and Management Framework (MARAM)



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*.

WORKING WITH CHILDREN CHECK (WWCC)

A Working with Children Check is mandatory for all employees working or volunteering with children within Education and Care Services. Working with Children Check Screening Unit Victoria will notify organisations in writing if an employee, student or volunteers Working with Children Check has been suspended or revoked. KCCC will not employ or engage a person who does not hold a valid Working with Children Check. A WWCC is not required if the employee has a current Victorian Institute of Teaching (VIT) registration.

CHILD SAFE STANDARDS

KCCC 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.

KCCC 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.

REPORTABLE CONDUCT

The Reportable Conduct Scheme mandates KCCC to inform the Commission for Children and Young People (CCYP) and the Regulatory Authority about any alleged abuse involving staff or volunteers.

There are five categories of Reportable Conduct:

- Physical violence (against, with or in the presence of a child)
- Sexual offences (against, with or in the presence of a child)
- Sexual misconduct (against, with or in the presence of a child)
- Actions that result in significant emotional or psychological harm to a child
- Significant neglect of a child.

All staff at KCCC are required to report any allegations of Reportable Conduct involving their staff and volunteers.

RECORD KEEPING

Records that detail the reporting and investigation of child sexual abuse cases, including allegations and disclosures—even those that remain unproven—must be kept for a duration of 99 years following the conclusion of the actions taken.

Staff at KCCC centres, along with management, are prohibited from disposing of or destroying records related to child sexual abuse incidents, allegations, and disclosures without prior consultation with the Approved Provider.

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.
- other signs such as family violence, parental substance misuse, psychiatric illness or intellectual disability that is impacting on the child's safety, stability or development.

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.

IDENTIFYING SIGNS OF CHILD ABUSE

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, contractor or volunteer may be a perpetrator. Understanding the signs of child abuse is critical in supporting children's safety and wellbeing.

Victorian State Government - Child protection in early childhood PROTECT, provide definitions and physical indicators: [Identify signs of child abuse](#)

The following definitions have been provided by the Vic Government.

PHYSICAL CHILD 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 implements
- female genital mutilation.

CHILD SEXUAL ABUSE INCLUDING CHILD SEXUAL EXPLOITATION

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.

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 (for example: 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.

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 or carer.

Sometimes it is hard to see when someone is being groomed until after they have been sexually abused, because some grooming behaviour 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 (this can make a child or their parent feel special or indebted)
- controlling a child - or that child's parents - 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 (this in itself is classified as child sexual abuse but can also be a precursor to physical sexual assault).

ONLINE GROOMING

- Online grooming is a criminal offence and occurs when an adult uses electronic communication (including social media) in a predatory fashion to try to lower a child's inhibitions, or heighten their curiosity regarding sex, with the aim of eventually meeting them in person for the purposes of sexual activity.
- This can include online chats, sexting, and other interactions. Any incidents of suspected grooming must be reported by following the 4 critical actions.
- Online grooming can also precede online child exploitation, a form of sexual abuse where adults use the internet or a mobile to communicate sexual imagery with or of a child (via a webcam). Any incidents of suspected online child exploitation must be reported.

EMOTIONAL CHILD 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, emotional or psychological harm to

their physical or developmental health. Emotional abuse may occur with or without other forms of abuse.

NEGLECT

Neglect is a failure to provide the child with adequate care or support to the extent that the health or physical development of the child is significantly impaired or placed at serious risk.

Neglect can include failing to provide:

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

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 through the [4 critical actions for early childhood services](#).

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 4 critical actions for early childhood services.

CHILDREN EXHIBITING INAPPROPRIATE SEXUAL BEHAVIOUR

Inappropriate sexual behaviour

Inappropriate sexual behaviour includes:

1. 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 of age are deemed unable to consent to any form of sexual activity and cannot be held criminally responsible for their behaviour.

2. 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 4 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.

For physical and behaviour indicators all staff will refer to the [DE identify signs of child abuse](#) webpage.

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, contractor or volunteer may be a perpetrator. Understanding the signs of child abuse is critical in supporting children's safety and wellbeing.

Victorian State Government - Child protection in early childhood PROTECT, provide definitions and physical indicators: [Identify signs of child abuse](#)

THE ORANGE DOOR

The Orange Door provides help for people experiencing family violence, or who need assistance with the care and wellbeing of children and young people. They are support and safety hubs. Orange Door has replaced Child First and the Orange Door Child Protection team are DHHS employees. The closest Orange Door location is in Sunshine.

Services available at The Orange Door include:



- risk and needs assessment
- safety planning
- crisis support.

IMPLEMENTATION

KCCC 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.

To ensure best practice, all educators will attend approved child protection training certified by a registered training organisation. Educators will continue to maintain current knowledge of child protection and mandatory reporter requirements by completing Child Protection Awareness Training annually.

THE APPROVED PROVIDER/ NOMINATED SUPERVISOR WILL ENSURE:

- that obligations under the Education and Care Services National Law and National Regulations are met
- educators, staff, students and volunteers have knowledge of and adhere to this policy
- families are aware of this *Child Protection Policy*
- any responsible person in day-to-day charge of KCCC has successfully completed a course in child protection approved by the regulatory authority
- the recruitment process for all educators and staff is robust and includes pre-employment screening, reference checks
- all educators', staff, volunteers' and students' Working with Children Checks (or VIT registrations) 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 or VIT registration and expiry date on a monthly basis
- all employees, volunteers and students are:
 - provided with a copy of the current *Child Protection, Child Safe Environment, and Reportable Conduct Scheme Policies*
 - required to participate in a comprehensive induction and orientation program, includes an understanding of child protection law
 - supported to create and maintain a child safe culture within the KCCC by complying with the Child Safe Standards
 - provided with support to adhere to a zero-tolerance stance against child abuse
 - aware of mandatory reporting obligations and responsibilities if they have formed a reasonable belief that a child has suffered or is likely to suffer significant harm
 - aware of indicators showing a child may be at risk of harm or significant risk of harm
 - aware of duty of care obligations for all children who are involved in or affected by the suspected child abuse
 - aware of the Four Critical Actions to follow when responding to incidents, disclosures and suspicions of child abuse
 - aware of mandatory reporting obligations in relation to the Reportable Conduct Scheme, including reporting to the approved provider any allegations of reportable conduct or convictions
 - aware that neglecting to report child protection concerns may be deemed a criminal offence



- 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)
- educators are supported and empowered to make a report to DFFH Child Protection, Victoria Police or seek a referral to The Orange Door by having clear procedures in place
- access is provided to all staff regarding relevant legislations, regulations, standards and other resources to help educators, staff, and volunteers meet their obligations
- 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 99 years. Electronic and hard copies will be securely kept
- to adhere to the Reportable Conduct Scheme and report any allegations of 'reportable conduct'
- educators, staff, volunteers and students are well informed 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)
- 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 (*See Dealing with Complaints Policy*).
- Ensure families are aware of The Orange Door services.

EDUCATORS WILL:

- electronically sign via Employment Hero to confirm they have read and understood the *Child Protection Policy* and *Child Protection Notification Procedure*
- contact the police on 000 if there is an immediate danger to a child and intervene if it is safe to do so
- participate in a comprehensive induction and orientation program, including an understanding of child protection law
- provide valid Working with Children (WWC) Check or VIT registration details during their employment and engagement at KCCC
- advise the approved provider of any circumstances that may affect their WWC Check, VIT Registration or fit and proper status
- be able to recognise indicators of abuse to children and young people through participation in annual child protection training (best practice)
- ensure children feel safe and supported at the early childhood service and their individual needs are met
- respect what a child discloses, taking it seriously and follow up on their concerns through the appropriate channels by referring to the *Child Protection Notification Procedure*
- comprehend their obligations as mandatory reporters and their duty of care requirements if they have formed a reasonable belief that a child has suffered or is likely to suffer significant harm
- participate in annual child protection training and other relevant professional training
- participate in training about the Child Information Sharing, Family Violence Reforms and Family Violence Multi-Agency Risk Assessment Management Framework (MARAM)
- be able to identify signs of child abuse (see *Appendix 1*)
- follow the [Four Critical Actions for Early Childhood Services: Responding to incidents, disclosures and suspicions of Child Abuse](#)
 - Responding to an emergency
 - Reporting to authorities



- Contacting parents or carers
- Providing ongoing support
- refer families to appropriate agencies where concerns of harm do not meet the threshold of significant harm. These services may be located through The Orange Door - <https://services.dffh.vic.gov.au/referral-and-support-teams>. Family consent will be sought before making referrals
- promote the welfare, safety, and wellbeing of children at KCCC at all times by creating and maintaining a child safe environment
- allow children to be part of decision-making processes where appropriate
- foster a culture of openness and respect where children and young people feel safe to disclose risk of harm to children
- 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
- understand that allegations of abuse or suspected abuse against them are treated in the same way as allegations of abuse against other people
- NOT investigate suspicion of abuse or neglect but collect only enough information to substantiate concerns and make a notification to the Child Protection intake service or appropriate authority
- understand their legal obligations to report or take action in relation to suspected child abuse under the Reportable Conduct Scheme
- share information with other professionals working with children as part of the Family Violence and Child Information Sharing Schemes
- provide ongoing monitoring and follow-up for children's health and wellbeing
- report any allegations of reportable conduct to the approved provider and/or CCYP
- identify and notify any concerns around staff, educator or volunteer behaviour or conduct to management of KCCC
- work in a culturally sensitive manner with our Aboriginal and Torres Strait Islander children and children from culturally and linguistically diverse backgrounds.
- Ensure educators are aware of The Orange Door services.

STUDENTS/ VOLUNTEERS/ VISITORS WILL:

- sign to confirm they have read and understood the *Child Protection Policy* and *Child Protection Notification Procedure*.
- contact the police on 000 if there is an immediate danger to a child and intervene if it is safe to do so
- participate in a comprehensive induction and orientation program, including an understanding of KCCC's child protection policies
- provide valid WWCC or VIT registration details during their engagement at KCCC
- advise the approved provider of any circumstances that may affect their WWC Check, VIT registration or fit and proper status
- promote the welfare, safety, and wellbeing of children at KCCC, fostering a child safe culture
- participate in child protection training as required
- provide a child safe environment for all children
- allow children to be part of decision-making processes where appropriate
- 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
- understand that allegations of abuse or suspected abuse against them are treated in the same way as allegations of abuse against other people
- NOT investigate suspicion of abuse or neglect but collect only enough information to substantiate concerns and notify the Child Protection Intake service or appropriate authority
- report any allegations of reportable conduct to the approved provider and/or CCYP



- identify and notify any concerns around staff, educator or volunteer behaviour or conduct to management of KCCC.
- Ensure student/volunteers and visitors are aware of The Orange Door services.

FAMILIES WILL:

- Take action if they feel that any organisation, including KCCC, is not ensuring the safety of their child or other children.

Families are encouraged to:

- Speak with their centre director to express their concerns and explore possible next steps.
- Call the Regulatory Authority at 1300 307 415.
- Reach out to Child Protection or the Commission for Children and Young People if their concerns are not adequately addressed by Early Learning Victoria.
- Provide any existing court orders relating to the powers, duties, responsibilities or authorities of any person in relation to their child.

EDUCATING CHILDREN ABOUT PROTECTIVE BEHAVIOUR

Our program will educate children:

- about acceptable and unacceptable behaviour, and what is appropriate and inappropriate contact at an age-appropriate level and understanding
- 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
- 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.

NOTIFICATION - MAKING A CHILD PROTECTION REPORT

KCCC must take immediate action relating to concerns about potential child abuse. In the case of an emergency, staff should contact Emergency Services on 000.

Under the Failure to Disclose offence, *any adult* must report to Victoria Police if they reasonably believe that a sexual offence has been committed by an adult against a child under the age of 16.

A report must be made to DFFH Child Protection if the mandatory reporter forms a belief on reasonable grounds the child is:

- in need of protection due to child abuse
- at risk of being, harmed (or has been harmed) and the harm has, or is likely to have an impact on the child's safety, stability or development.

If an educator has a concern and they are unsure if a report should be made to DFFH Child Protection or Victoria Police, or a referral to The Orange Door they should discuss this with the approved provider, director or responsible person.

KCCC will contact their local DFFH Child Protection intake provider to report concerns.



- West Division intake: 1300 360 462

Check current contacts with the Department of Families, Fairness and Housing- [Child protection](#) contacts for details on the LGAs covered by each intake service.

For more information please see the Child Protection Notification Procedure.

BREACH OF CHILD PROTECTION POLICY

All educators, students, volunteers and staff working with children have a duty of care to support and protect children. A breach of our *Child Protection Policy* AND *Child Protection Notification Procedure* may include if a person:

- does something that a reasonable person in that person's position would not do in a particular situation
- fails to do something that a reasonable person in that person's position would do in the circumstances or
- acts or fails to act in a way that causes harm to someone the person owes a duty of care.

A breach is any action or inaction by any individual within KCCC, including children and young people, that fails to comply with any part of the policy.

MANAGING A BREACH IN CHILD PROTECTION POLICY

Management will report concerns about the immediate safety of any person by contacting Victoria Police on 000.

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

- liaising with the Commission for Children and Young People (CCYP) for appropriate processes to ensure chain of evidence is not destroyed or compromised either by phone, online or email:
 - **by phone:** 1300 78 29 78
 - **Online:** <https://ccyp.vic.gov.au/report-an-allegation/notify-about-a-reportable-allegation/>
 - **by email:** contact@ccyp.vic.gov.au
- not undertaking and investigating the allegation whilst the CCYP or the Police are conducting an investigation
- removal of the educator or staff member from a role with contact with children or young people until authorities conclude their investigation.

Management may undertake an investigation if the CCYP 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:

- emphasising the relevant element of the child protection policy and procedure
- providing closer supervision
- further education and training
- providing mediation between those involved in the incident (where appropriate)
- disciplinary procedures if required including dismissal of employment
- reviewing current policies and procedures and developing new policies and procedures if necessary

REPORTABLE CONDUCT SCHEME-ALLEGATIONS AGAINST MANAGEMENT, EMPLOYEES, VOLUNTEERS OR 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)]

If an employee, volunteer, student or contractor does not feel it is safe to raise a complaint regarding:

- the safety, health or wellbeing of a child or children has been compromised while that child or children is, or are, being educated and cared for by the approved education and care service.
- any incidents of physical and sexual abuse of a child.
- the relevant legislation has been contravened (either the Education and Care Services National Law Act or the Children's Services Act).

QARD can be contacted on:

- **Enquiry line:** 1300 307 415
- **Email:** licensed.childrens.services@education.vic.gov.au
- **Online:** NQA ITS portal

For more information please see the Child Protection Notification Procedure.

RESOURCES FOR INDICATORS OF ABUSE OR NEGLECT

NAPCAN- <https://www.napcan.org.au/napcan-brochures/>

Child Safe Organisations- <https://childsafe.humanrights.gov.au>

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

Victoria State Government Education Child protection in early childhood (PROTECT)

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

Victoria State Government. (2021). Family Violence Information Sharing and Child Information Sharing Reforms <https://www.justice.vic.gov.au/information-sharing>

Victorian Government. Multi-Agency Risk Assessment and Management Framework (MARAM) practice guides and resources. <https://www.vic.gov.au/maram-practice-guides-and-resources>

CONTINUOUS IMPROVEMENT/REFLECTION



Our *Child Protection Policy* will be reviewed on every 3 years and as required in consultation with children, families, staff, educators and management.

CHILDCARE CENTRE DESKTOP- RELATED RESOURCES

Child Protection Notification Procedure	Child Protection Notification Record Child Protection Report Form
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SOURCES

Australian Children's Education & Care Quality Authority. (2024). [Guide to the National Quality Framework](#)

Australian Government Department of Education. [Belonging, Being and Becoming: The Early Years Learning Framework for Australia](#). V2.0, 2022

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](#) *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)*
<https://www.education.vic.gov.au/childhood/professionals/health/childprotection/Pages/ecidentifying.aspx>

Victoria State Government Education. (2018). *Obligations to protect children in early childhood services*:
<https://www.vic.gov.au/child-protection-obligations-early-childhood-services>

Victoria State Government Department of Families, Fairness and Housing. Creating child safe organisations:
<https://providers.dhhs.vic.gov.au/creating-child-safe-organisations>

Victoria State Government Department of Families, Fairness and Housing. *Children, youth & families. Child Protection* <https://providers.dffh.vic.gov.au/child-protection>

Victoria State Government. [Child Information Sharing Scheme](#)

Victoria State Government. Working with Children Check. What organisations need to know.
<https://www.workingwithchildren.vic.gov.au/organisations/what-organisations-need-to-know>

Victoria State Government. Commission for Children and Young People. Reportable Conduct Scheme.
<https://ccyp.vic.gov.au/reportable-conduct-scheme/>

Working with Children Act 2005 (Vic)

<https://www.vic.gov.au/child-protection-early-childhood-protect>

REVIEW

POLICY REVIEWED BY	Megan Newton Ratna Jie Georgina Odell	Business Support Manager Consultant (Essential Resources) Consultant (Meridian Lawyers)	04/09/2024 03/03/2025 25/08/2025
POLICY REVIEWED	SEPTEMBER 2024	NEXT REVIEW DATE	OCTOBER 2028
ENDORSED BY	KCCC Board	ENDORSEMENT DATE	28/10/2025
VERSION	V1.10.25		



MODIFICATIONS

- | |
|--|
| <ul style="list-style-type: none">• new policy developed |
|--|

DRAFT

ATTACHMENT ONE

FOUR CRITICAL ACTIONS FOR EARLY CHILDHOOD SERVICES

Responding to Incidents, Disclosures and Suspicions of Child Abuse

PROTECT



It is strongly recommended that **ALL** early childhood service staff follow these **Four Critical Actions** as soon as they witness an incident, or form a reasonable belief that a child has, or is at risk of being abused.

This means acting even when you're not sure and have not directly witnessed the abuse (e.g. if another person tells you about the abuse). A reasonable belief is a deliberately low threshold. This enables authorities to investigate and take action.

Following these actions will support you to:

- best protect children in your care
- meet your legal obligations and Duty of Care.*
- It is also strongly recommended that you use the **Responding to Suspected Child Abuse Template** to keep clear and comprehensive notes. MCH services may opt to use this form, but **must** still utilise their existing information management systems.

1 RESPONDING TO AN EMERGENCY

If there is no risk of immediate harm, go to **Action 2**.

If the child is at immediate risk of harm you **must** ensure their safety by:

- separating alleged victim and others involved
- administering first aid
- calling **000 for urgent medical and/or police assistance** to respond to immediate health or safety concerns
- identifying a contact person at the service for future liaison with police

Where necessary you may also need to maintain the integrity of the potential crime scene and preserve evidence.

* In Victoria there are a range of legal obligations which set out the actions you **must** take if you suspect a child has, or is at risk of being abused. Some of these obligations apply differently across the range of licensed, approved and other early child services and can vary depending on your role within the service. For further information on how these obligations apply to you see the **Identifying and Responding to All Forms of Abuse in Early Childhood Services**.

2 REPORTING TO AUTHORITIES

As soon as immediate health and safety concerns are addressed you **must*** report all incidents, suspicions and disclosures of child abuse as soon as possible. Failure to report physical and sexual child abuse may amount to a criminal offence.

Q: Where does the source of suspected abuse come from?

WITHIN THE SERVICE

VICTORIA POLICE

You **must*** report all instances of child abuse which are led by a staff member, contractor or volunteer, or child* to Victoria Police.

REPORT TO MANAGEMENT

You **must*** report to your approved provider or licensee.

NOTIFY THE REGULATOR
Licensed or approved early childhood services* **must also** report to their Quality Assessment and Regulation Division.

Notifications may be made at www.acecqa.gov.au/national-quality-agenda-it-system or by contacting **1300 307 415**.

* Sexual offending, involving children 10 years and over.
* Licensed services operate under the Children's Services Act 1996 and approved services operate under Education and Care Services National Law Act 2010.

WITHIN THE FAMILY OR COMMUNITY

DHHS CHILD PROTECTION

You **must*** report to DHHS Child Protection if a child is considered to be:

- in need of protection from child abuse
- at risk of being harmed (or has been harmed) and the harm has, or is likely to have a serious impact on the child's safety, stability or development.

VICTORIA POLICE

You **must also*** report all instances of suspected sexual abuse (including grooming) to Victoria Police.

If you believe that a child is not subject to abuse, but you still hold **significant concerns** for their wellbeing you must still act.

This may include making a referral or seeking advice from Child FIRST (in circumstances where the family are open to receiving support), or to DHHS Child Protection or Victoria Police.

REPORT TO MANAGEMENT

You **must** report to your approved provider or licensee.

NOTIFY THE REGULATOR

Approved and licensed early childhood services* **must** notify the Quality Assessment and Regulation Division of any serious incidents, circumstances, or complaints which raise concerns about the safety, health, and wellbeing of a child being educated and cared for by a service.

Notifications may be made at www.acecqa.gov.au/national-quality-agenda-it-system or by contacting **1300 307 415**.

3 CONTACTING PARENTS/CARERS

You **must** consult with DHHS Child Protection or Victoria Police to determine what information can be shared with parents/carers. They may advise:

- **not to contact** parents/carers (e.g. in circumstances where the parents are alleged to have engaged in the abuse, or the child is a mature minor and does not wish for their parent/carer to be contacted)
- **to contact** the parents/carers and provide agreed information as soon as possible (for licensed and approved services it is a requirement that parents/carers are notified within 24 hours if the suspected abuse occurred at the service)

4 PROVIDING ONGOING SUPPORT

Your service **should*** take reasonable steps to make a child feel safe and supported whilst they are attending the service.

Your service should also consider providing support for children impacted by abuse. E.g. referral to wellbeing professionals.

MCH nurses should follow the MCH Service Practice Guidelines to determine appropriate support.

You **must** follow the **Four Critical Actions** every time you become aware of a further instance or risk of abuse. This includes reporting new information to authorities.

CONTACT

DHHS CHILD PROTECTION

AREA
North Division **1300 664 9777**
South Division **1300 655 795**
East Division **1300 360 391**
West Division (Rural) **1800 075 599**
West Division (Metro) **1300 664 9777**

AFTER HOURS
After hours, weekends, public holidays **13 12 78**

CHILD FIRST
www.dhs.vic.gov.au

VICTORIA POLICE
000 or your local police station

QUALITY ASSESSMENT AND REGULATION DIVISION

NORTH WESTERN
Loddon Mallee (03) 5440 3111
Northern Metropolitan (03) 8397 0372

SOUTH-EASTERN
Gippsland Area (03) 5127 0400
Southern Metropolitan (03) 8765 5787

NORTH-EASTERN
Eastern Metropolitan **1300 651 940**
Hume (03) 8392 9500

SOUTH-WESTERN
Barwon South West (03) 5225 1001
Western Metropolitan (03) 8397 0246
Grampians (03) 5337 8444