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### STATEMENT

The United Nations Convention on the Rights of the Child (UNCRC) outline that children and young people have a right to be safe and cared for, no matter where they are or who they are with. Children have the right to be protected from violence, abuse or neglect. When working with children and young people, it is important to understand children's rights and needs.

We are advocates for children and have a strong commitment to child safety and establishing and maintaining a child safe environment. Children's safety and wellbeing are paramount at our Service. Our Out of School Hours Care Service embeds the National Principles for Child Safe Organisations 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.

### PURPOSE

KCS has a legal and ethical responsibility to provide a safe and friendly environment where all children are respected, valued and encouraged to reach their full potential. Children's safety and wellbeing is paramount, and we aim to take all practical steps to protect children and young people from harm, ensuring a healthy and safe environment. KCS provides children and staff with an environment free from the use of tobacco, alcohol and illicit drugs.

### SCOPE

This policy applies to KCS Staff, KCS Volunteers/Students, children, families, and visitors of KCS.

### IMPLEMENTATION

Under the Education and Care Services National Regulations KCS must ensure that policies and procedures are in place for providing a child safe environment and take reasonable steps to ensure those policies and procedures are followed. (Regulation 168, Regulation 170). The National Law requires management to ensure all children being educated and cared for are adequately supervised and every reasonable precaution is taken to protect children from harm and any hazard likely to cause injury. Our focus is to build a child safe environment which is reflected in our policies and procedures and understood and practiced by all educators, staff, volunteers and students.

*'Child safety is everyone's responsibility.'* (A guide to the Child Safe Standards. p.26. 2020)

### KEY TERMS & DEFINITIONS

- **Child Safe Standards:** A list of ten standards that organisations can use to keep children safe from harm and abuse as recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse.
- **Code of Conduct:** Lists of dos and don'ts which describe acceptable and non-acceptable behaviour
- **Disclosure:** The process where a child or young person conveys or attempts to convey that they are being or have been abused.
- **Information sharing:** Refers to sharing or exchanging information, including personal information about or related to, abuse in organisational contexts. The terms refer to sharing information between (or within) organisations, as well as sharing information with professionals who provide key services for children.
- **Mandatory reporter:** A person who is required to report known and suspected cases of child abuse and neglect to a nominated government department or agency.
- **Mandatory reporting:** The legislative requirement for selected classes of people to report suspected cases of child abuse and neglect.

- **Reportable conduct:** Certain organisations or entities have legal obligations under Reportable Conduct Schemes to notify and investigate certain allegations of abuse involving a child, when the allegation is against someone they employ, engage or contract in circumstances outlined in the legislation.
- **Rights of the Child:** Human rights belonging to all children, as specified in the United Nations Convention of the Rights of the Child
- **Wellbeing:** Sound wellbeing results from the satisfaction of basic needs.
- **Working with Children / working with vulnerable people check (WWCC/WWVP):** A notice, certificate or other document granted to, or with respect to a person under a working with children law. The person has been assessed as suitable to work with children; there has been no information that if the person worked with children the person would pose a risk to the children; or the person is not prohibited from attempting to obtain, undertake or remain in child-related employment.

Definitions sourced from

ACECQA. (2021). Policy and procedure guidelines. *Providing a Child Safe Environment*.

NSW Department of Education (2021). [Guide to the Child Safe Standards for early childhood education and care and outside schools hours care services](#)

Reporting suspected non-compliance with provider requirements

### COMMITMENT TO THE SAFETY OF CHILDREN AND YOUNG PEOPLE (NATIONAL PRINCIPLES 1-10)

KCS is committed to being a child safe organisation and endorses the National Principles for Child Safe Organisations, placing the protection of children as a priority of our responsibilities and obligations. The Child Safe Standards recommended by the Royal Commission provide guidance for our Service to ensure our policies and procedures, strategies and attitudes, ensure children's safety is paramount.

KCS has a zero tolerance to child abuse, and we are committed to the safety, participation and empowerment of all children. We promote diversity and tolerance and aim to form equitable and positive relationships with children. We ensure children participate in decisions affecting them and listen and respect their suggestions and ideas. We respond to any concerns, disclosures, allegations or suspicions of harm by reporting to the relevant authorities.

We are dedicated in promoting cultural safety for Aboriginal children, cultural safety for children from culturally and/or linguistically diverse backgrounds and to providing a safe environment for children with a disability.

KCS will not tolerate bullying or harassment. Our priority is to ensure the safety and wellbeing of children and encourage positive relationships.

### COMMUNICATION (NATIONAL PRINCIPLES 2 AND 3)

KCS aim to build and maintain positive and respectful relationships with children, families and staff and prioritise a child safe environment. We communicate regularly and clearly with all stakeholders and ensure our policies and procedures are available to employees, volunteers, families and children and young people. (Reg. 170). Feedback and evaluation of our policies and procedures is welcomed through surveys, feedback or discussions with management.

### CODE OF CONDUCT (NATIONAL PRINCIPLES 4 AND 6)

KCS Staff, volunteers and students will adhere to our Service's *Code of Conduct Policy*.

**We will:**

- adhere to our Providing A Child Safe Environment Policy, Child Protection Policy at all times

- provide adequate supervision of children at all times
- take reasonable action to protect children and young people for risk of harm
- ensure the service premise is free from the use of tobacco, illicit drugs and alcohol
- be responsible for their own, and others health and safety
- be a positive role model to children and young people
- respect children's privacy and dignity at all times
- listen and respond appropriately to the views and concerns of children and young people
- report any allegations of child abuse to KCS Management immediately or as soon as reasonable (no longer than 24 hours)
- notify the KCS Management and/or the regulatory authority within 24 hours of any serious incident or complaint as per the National Regulations
- encourage children and young people to 'have a say' on issues that are important to them.

#### **KCS Staff, KCS volunteers/students must:**

- not discriminate against any child, because of age, gender, cultural background, race, ethnicity or disability
- not put children at risk of abuse- refusing food/play, making threats, exposing children to inappropriate language or material (movies, internet, photos)
- not develop any 'special' relationships with children or young people that could be seen as favouritism such as the offering of gifts or special treatment.

#### **PARTICIPATION OF FAMILIES, CHILDREN AND YOUNG PEOPLE (NATIONAL PRINCIPLE 2)**

KCS ensures families are always welcome and feel comfortable asking questions on how we prioritise child safety. We provide a range of opportunities for consultation and collaboration about decisions about their child's safety whilst at our Service including:

- policy and procedure review
- child protection
- grievance procedures
- sun safety
- written authorisations- parenting orders
- code of conduct
- inclusivity and supporting children with diverse needs.

We promote a respectful, child safe culture where children concerns are always responded to, and children feel empowered to participate in decisions and provide feedback to educators and staff.

#### **RECRUITMENT (NATIONAL PRINCIPLE 5)**

KCS maintains a rigorous and consistent recruitment, screening and selection process to ensure the best staff possible based on skills, qualifications, experience and suitability for the position available. All staff participate in robust interviews and have reference checks completed to ensure the applicant's suitability to the role, previous experiences and their commitment to child safe values and practices. All staff are provided with a comprehensive induction process which outlines our Code of Conduct, identifying and responding to child abuse, grievance processes, and work health and safety.

### WORKING WITH CHILDREN CHECK- POLICE CHECKS

Working in conjunction with the Child Protection Act and National Regulations, the safety, welfare and wellbeing of children is paramount within KCS, our Out of School Hours Service and community. A Working with Children Check (WWCC) is a requirement for people who work in child-related work. It involves a national criminal history check and a review of findings of workplace misconduct.

Management is responsible for the periodic review and maintenance of up-to-date records of employees' Working with Children Check, including the Working with Children Check number and the date on which each clearance expires. Once an employee provides their WWCC clearance, management will verify the clearance to ensure that it is valid and current. The WWCC will be placed in the individual's file and continue to be updated as required.

### CHILD PROTECTION- REPORTABLE CONDUCT SCHEME (NATIONAL PRINCIPLE 6)

Children and young people always have a right to be safe and protected. To comply with legislation and ensure a child safe environment, educators are provided with training and ongoing supervision to ensure they understand that child safety is everyone's responsibility.

KCS Leadership Team, Community Engagement Team, and Children's Services Team are mandatory reporters and must make reports if they suspect on reasonable grounds, a child is at risk of significant harm. All staff are provided with up-to-date training about child protection law and their obligations under this law and to ensure they are confident in following the reporting guidelines within NSW and adhere to our child protection policy.

Through continual education and training, staff are equipped with the knowledge, skills and awareness to keep children safe. Training gives educators and staff confidence to identify, respond and report child abuse.

KCS Leadership Team, Community Engagement Team and Children's Services Coordinators or responsible persons in day-to-day charge must complete a course in child protection approved by the regulatory authority on an annual basis. All staff must refresh their knowledge about mandatory reporting each year.

### CHILD PROTECTION- ALLEGATIONS AGAINST EMPLOYEES

To protect children and ensure their safety, welfare and wellbeing, management is responsive to report allegations or convictions of child abuse and child related misconduct by any staff member or volunteer or contractor to the office of the children's guardian (OCG) as part of the reportable conduct scheme.

KCS will ensure an appropriate level of confidentiality of information relating to the reportable allegations as per the children's guardian act 2019. We take our legislative responsibilities as part of the reportable conduct scheme seriously and will respond to any reportable allegation or conviction against employees or volunteers that may arise.

### REPORTING AND RESPONDING TO GENERAL COMPLAINTS (NATIONAL PRINCIPLE 6)

Feedback from children, families, staff and the wider community is fundamental in creating an evolving KCS working towards the highest standard of care and education. We aim to investigate all complaints and grievances with a high standard of equity and fairness. Our Service believes in procedural fairness and natural justice that govern the strategies and practices, which include:

- The right to be heard fairly
- The right to an unbiased decision made by an objective decision maker

- The right to have the decision based on relevant evidence.

#### PHYSICAL ENVIRONMENT- SUPERVISION AND SAFETY CHECKLISTS (NATIONAL PRINCIPLES 5 AND 6)

Children's safety is embedded in our day-to-day practices. We ensure effective and adequate supervision is provided to children at all times. Children's Services Staff will employ 'active supervision' strategies within the service environment and when participating in excursions or transporting children. Consideration will be made for the different ages and abilities of children and the activities that may require different levels of supervision.

To ensure compliance with regulations, we will only include Children's Service educators in the educator to child ratio who are working directly with the children and ensure a current roster and a sign on/sign off record are available to verify this. Staff rosters and routines ensure adequate supervision of children is always provided.

The following child: educator ratios are the minimal requirement for our Children's Service's various types of activities:

- 15 children to 1 educator for service-based activities.
- 15 children to 1 educator for regularly scheduled local excursions.
- 10 children to 1 educator for excursions.
- 5-8 children to 1 educator for swimming at a supervised facility
- 5 children to 1 educator for swimming in an unsupervised facility
- Consideration will be given to the risks posed by the activity, age and developmental stage of children when determining the supervision requirements of all children.
- For more details about excursions of higher risks which require a more detailed and thorough risk assessment, please refer to the Excursion Policy and Water Safety Policy for more details.

Through conducting risk assessments, we assess and manage risks in the physical environment collaborating with children to develop behaviour guidelines for play including adventurous play to ensure their safety. KCS Staff have a sound understanding of their duty of care and responsibilities in ensuring a child safe environment.

Children's Services Educators conduct regular safety checks to maintain basic standards of safety within our OSHC service venues. We believe that child safety is a shared responsibility at all levels within our OSHC service. Children and young people are encouraged to speak up about their safety and the safety of their friends by telling an educator if they feel unsafe in a particular situation or environment.

Children's Services Educators will complete the following daily checklists to assist and record inspections of the physical environment where foreseeable risks may be evident and cause harm or injury to a child:

- Daily Hazard identification guidelines
- Food preparation & handling guidelines

Any findings that require attention will be submitted into the risk identification form and when required dealt with immediately. The approved provider/ nominated supervisors and principals of primary schools must be notified of any areas that need immediate attention within the service venue.

#### RISK ASSESSMENT & RISK ASSESSMENT TOOL (NATIONAL PRINCIPLE 8)

It is a legislative requirement that all services implement a risk management system where they identify and manage hazards and risks within the workplace to ensure a child safe environment. Strategies are in place to make sure child safety (through the National Principles for Child Safe Organisations) and

Education and Care National Regulations are embedded across our Service. The key principles of risk management include:

1. Identifying all hazards or potential hazards in the service/residence/venue
2. Assess the risk of harm or potential harm for each hazard
3. Control or manage the risk – Risk Rating Matrix
4. Monitor and improve safety
5. Evaluate and Review

It is the responsibility of all Children's Services Coordinators or Responsible persons in day-to-day charge to complete a risk assessment where children's safety may be jeopardised and when organising an excursion/incursion. Children's safety must be incorporated into everyday practice within the OSHC Service.

It is the responsibility of all other Aged Care, Community Engagement and other KCS Staff where identified, to complete a risk assessment where children's safety may be jeopardised. Children's safety must be incorporated into everyday practice within the KCS.

Common hazards which may require a risk assessment include:

- cross-infection and infectious disease
- administration of medication
- anaphylaxis procedures and management
- building and equipment (including storage)
- inadequate space for conducting activities and experiences
- hazardous chemicals
- electrical appliances
- food preparation and storage
- environmental influences such as shade, noise etc
- sun safety
- children's behaviours
- water safety
- fire equipment
- pets and/or animals
- inadequate supervision of children
- children's activities and experiences
- Work Health and Safety such as manual handling
- non-compliance risk
- hot drinks
- transportation of children (regular outing and regular transportation)
- excursions

To maintain a child safe environment, we will adhere to our Children's Services policies and procedures and conduct the following checklist and audits:



- Compliance Calendar

### EMERGENCY AND EVACUATION PROCEDURES

Management will ensure that copies of the emergency and evacuation floor plan is displayed in prominent positions near each exit of the service premises, including indoor and outdoor learning areas. All staff are familiar with emergency evacuation procedures and regulatory requirements. Rehearsals for emergency and evacuation procedures, including lock downs, are conducted at least once every 3 months. Records will be kept for all rehearsals.

### CHILDREN'S SERVICES ARRIVAL AND DEPARTURE AUTHORISATION

Our OSHC service prioritises children's safety at all times. We will only release children to an authorised person as named on the child's enrolment form. We request families provide current court orders, and parenting plans to ensure our records are up to date.

National Regulations require our OSHC Service to keep a record of children and visitor's arrival and departures, with the signatures of the person responsible for verifying the accuracy of the record and the identity of the person collecting the child.

Educators will work in collaboration with our *Delivery of children to and Collection from Education and Care Premises Policy* and *Student and Visitors Policy* to ensure children feel safe and secure at all times.

To ensure children's safety, educators have a clear understanding of their legal obligation to check identification when a person is collecting a child from their service

### ONLINE SAFETY (NATIONAL PRINCIPLE 8)

KCS is committed to create and maintain a safe online environment with support and collaboration between staff, families and community. Management ensures anti-virus and internet security systems are installed to block access to unsuitable web sites, newsgroups and chat rooms.

KCS ensures backups of important and confidential data is made regularly and either stored securely offline, or online. Software and devices are updated regularly to avoid any breach of confidential information.

Written authorisation is requested as part of the enrolment process for children to have their photo taken and published as part of promotional marketing or on the app program used by the service. The identity of a child is not published on any platform. Personal mobile phones are not used to take photos or video of children at the Service.

### STORAGE OF HAZARDOUS SUBSTANCES

KCS will endeavour to provide a safe environment where necessary chemical and hazardous equipment are safely stored away from children and handled appropriately.

- Staff must ensure that all toxic chemicals are stored in a locked cupboard.
- Chemicals should be stored in their original container. If stored in another container, they must be labelled clearly to indicate what it is.
- Chemicals should never be stored in food or drink containers.
- Any recommended personal protective equipment such as gloves, aprons, goggles, masks, etc. must be used when handling chemicals.
- Educators are to ensure that store room/room/cabinet doors remain closed and craft materials, tools, first aid equipment and medications are not inadvertently accessible to any child.



### EQUIPMENT, FURNITURE & MAINTENANCE RECORD

There are several factors that can contribute to a hazard, such as a deprived program, insufficient supervision and dilapidated equipment. To ensure a child safe environment free from hazards, we have implemented practices and continue to monitor service policies and procedures that uphold Australian safety standards.

- Equipment will be chosen to meet children's developmental needs and interests. KCS will provide suitable furniture, materials and developmentally appropriate equipment for the education and care of children.
- Service premises, all equipment and furniture will be maintained in a safe and clean condition at all times.
- Children will use the onsite toilet, washing and drying facilities where the service operates. KCS will ensure that they are adequate, developmentally and age-appropriate where possible. Any risks and hazards of these facilities will be reported to the Coordinator/Manager as soon as practicable.
- All plug sockets located in areas accessible to children shall be maintained as child safe.
- Electrical appliances shall be in good working order.
- Regular maintenance and immediate repair will be conducted to ensure up-to-date standards.
- All contractors will have their own public liability insurance and must provide a copy of their certificate of currency to KCS prior to commencing any work.
- Recycled craft materials should be checked for potential hazards prior to use.
- Staff should ensure safe handling of all tools used as part of any activity.
- Families will be encouraged to notify staff of any safety issues they observe whilst accessing KCS.
- All Staff have a duty of care to report any maintenance requirements to the Coordinator/Manager as soon as possible.
- Faulty equipment should be removed or protection placed around any dangerous building sites.
- For major repairs, a minimum of three quotes will be sought and reviewed by Management who will make a decision on a further course of action.
- It is the responsibility of KCS Management (in collaboration with the school or council), once a major hazard has been raised, to ensure that it is rectified in the most efficient manner possible and that the Service is safe for everyone.

### SECURITY

- Only KCS Staff with delegated authority will be given a key to access the building and equipment areas.
- Extra keys will only be cut after agreement by the Manager and/or the school/council where identified.
- All monies and staff records will be kept in a lockable cabinet in a secure place.
- Staff will ensure that the places use for education and care of children at the Service are left in a secure manner before leaving, all lighting is off and all doors are properly locked before departure.
- Staff will inform the Police and the management team as soon as possible if there has been any kind of break-in at the Service. Children's Services should notify the school for any situation occurring at the service on site.

### STORAGE

- Storage areas will be cleaned and tidied at least twice a year or as necessary.
- Play equipment and toys will be brought out from the storage areas for children's easy access during the operating hours of Children's Services.

- Children will be encouraged to respect KCS equipment and be directed to pack away equipment that they have used in order to avoid trip hazards.
- All equipment is to be neatly packed away at the end of each session.
- Separate storage units will be available for storage of sporting and large outdoor equipment to prevent clutter.
- All personal records (including medication records and staff records) are kept in a nominated secure place ensuring that they are kept confidential and restrictive to access by designated staff members.

### VENTILATION, TEMPERATURE AND NATURAL LIGHTING

- All heating and cooling systems will be of good quality and checked regularly to ensure safety and reliability.
- Adequate ventilation will be provided at all times.
- Where activities involve toxic materials such as paints, educators are to ensure there is adequate ventilation available before undertaking the activity.
- Natural light is considered to be most desirable. Provision of natural light areas will be enhanced as much as possible.
- In areas where natural light is not available/or adequate, artificial light will be provided.

### PEST CONTROL

- Equipment and food items will be properly stored so as not to attract pests and vermin.
- Recycle bins will be cleared when needed. Garbage bins will be cleaned weekly by the KCS cleaner or school for Children's Services.
- Kitchen, food preparation areas and storage areas will be cleaned and maintained after each session/program.
- Should any pests or vermin be identified then action should be taken:
  - Initially using non-chemical methods such as physical removal, maintaining a clean environment, and use of any non-chemical products.
  - Low irritant, environmentally friendly sprays to be used minimally and only with adequate ventilation and preferably not in the presence of the children.
  - Other methods such as the employment of a pest control company if deemed necessary by KCS Management where the above methods have failed.
- Any use of chemical products should be conducted outside the hours of the children and educators' presence in the building if possible.

### CONTINUOUS REVIEW (NATIONAL PRINCIPLE 9)

To ensure we maintain a culture of continuous improvement, we will ensure our child safe practices are regularly reviewed, evaluated and improved. We aim to ensure all Staff and volunteer/students understand and effectively implement our policies and procedures to provide a child safe environment at KCS.

We will regularly review and monitor the effectiveness of our child safe policies and procedures and invite children, staff members, families and communities to contribute to their development. Any updates or revisions will be communicated to all stakeholders. Our Providing a Child Safe Environment Policy will be reviewed on an annual basis.

### CHILD SAFE STANDARDS LEGISLATION/RESOURCES

#### NSW

The Children's Guardian Amendment (Child Safe Scheme) Bill 2021 came into effect on 1 February 2022 requiring organisations who work with or provide services to children to implement the NSW Child Safe Standards. Compliance and enforcement measures under the Children's Guardian Act commenced from 1 February 2023.

[Children's Guardian Act 2019](#)

Children's Guardian Amendment (Child Safe Scheme) Bill 2021

NSW Office of the Children's Guardian [Child Safe Self-Assessment](#)

### RECORD OF REVISIONS

*Unless the Policy specifically states otherwise, the Policy does not form part of your employment agreement with KCS. KCS may unilaterally vary, remove or replace this Policy at any time. To the extent that this Policy imposes any obligations on KCS and/or purports to provide any right or benefit to you, those obligations are not contractual and do not give rise to any contractual rights. The Employee is required to be familiar with the content of the Policy and comply with the terms at all times.*

File Reference	KCSP059 – Providing a Child Safe Environment				
Date Created	15/11/2021	Created By	Marisa Turcinskis	Responsible	CEO

Version Number	Modified or Reviewed by	Modifications Made/Notes	Date	STATUS (Internal, External, Archived)
V1	OM	Compliance with NQF & Rebrand	January 2016	External
V2	TT	Update due to changes to government department names and Acts	July 2017	External
V3	TT	Incorporated Childcare Desktop format and update due to Regulations changes	December 2020	External
V4	MT	Content review	January 2021	External
V5	JR	New format	October 2021	External
V5	MT	Content review, formatting and approval	25/11/2021	External
V6	JR	<ul style="list-style-type: none"> <li>Policy updated to include Child Safe Standard Principles</li> <li>Policy sections rearranged to align with Child Safe Policy template suggestions from NSW (OCG)</li> <li>Additional related policies added</li> <li>Key Terms/Definitions added</li> <li>additional information added re: Child Safe Standards for each state/territory</li> <li>links to MTOP V2.02 added in sources</li> <li>Additional law/regulations added- ACECQA Guidelines to Policy and Procedure document (June 2021)</li> <li>additional information re: supervision and rosters</li> </ul> sources checked for currency	9/05/2023	External
V7	MT	CCD original made in whole of KCS policy	18/5/2023	Live/Ext