

## CHILD PROTECTION POLICY AND PROCEDURE (QLD)

### NQS 2- Children's Health and Safety

Our Service 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. Our 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. 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. Our Service follows the [National Model Code and Guidelines](#) for taking images or videos of children released by ACECQA 1 July 2024.

#### 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

## LEGISLATION

<a href="#">Child Protection Act 1999</a>	<a href="#">Working with Children (Risk Management and Screening) Act 2000</a>
<a href="#">Working with Children (Risk Management and Screening) Regulation 2020</a>	

## RELATED POLICIES

Child Safe Environment Policy Code of Conduct Policy Dealing with Complaints Policy Family Communication Policy Health and Safety Policy Interactions with Children, Family and Staff Policy Privacy and Confidentiality Policy	Recruitment Policy Respect for Children Policy Responsible Person Policy Staffing Arrangements Policy Student, Volunteer and Visitors Policy Supervision Policy Work Health and Safety Policy
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## PURPOSE

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

We aim to implement effective strategies to assist in ensuring the safety and wellbeing of all children. Our Service will act in the best interest of each child, assisting them to develop to their full potential in a secure and child safe environment.

## SCOPE

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

## DEFINITIONS

**Mandatory reporting** is the legislative requirement for selected classes of people to report suspected child abuse and neglect to government authorities. In Queensland (QLD), mandatory reporting is regulated by the *Child Protection Act 1999*.

### **Mandatory reporters**

Mandatory reporters in Queensland, are people who deliver the following services, wholly or partly, to children as part of their paid or professional work:

- teachers
- doctors
- registered nurses
- police officers with child protection responsibilities
- a person performing a child advocate function under the public guardian act 2014
- early childhood education and care professionals

All staff have a responsibility to recognise and respond to concerns for safety, welfare and the wellbeing of children and young people, and to report these concerns to management and Child Safety.

### 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. There are different forms of child abuse: physical abuse, sexual abuse, emotional abuse and neglect.

### TYPES OF ABUSE AND NEGLECT

The QLD Government identifies the following types of abuse and neglect:

- physical
- sexual
- emotional
- neglect

There are common physical and behavioural signs that may indicate abuse or neglect. The presence of one of these signs does not necessarily mean abuse or neglect. Behavioural or physical signs which assist in recognising harm to children are known as indicators.

One indicator on its own may not imply abuse or neglect. However, a single indicator can be as important as the presence of several indicators. Each indicator needs to be deliberated in the perspective of other indicators and the child's circumstances. A child's behaviour is likely to be affected if he/she is under stress. There can be many causes of stress and it is important to find out specifically what is causing the stress. Abuse and neglect can be single incidents or ongoing and may be intentional or unintentional.

The QLD Government provides definitions and physical indicators: [Types of child abuse](#)

### CHILD PROTECTION GUIDE

Professionals who encounter concerns related to possible abuse or neglect of children should will use the online [Child Protection Guide](#) (CPG) to assist in making decisions about where to report or refer their concerns.

The online Child Protection Guide is a tool to assist professionals' decision making if concerns arise about a child who appears:

- to have experiences or is likely to experience significant harm AND
- may not have a parent willing and able to protect them from harm.

The CPG will help professionals decide to report to the Department of Child Safety, Youth and Women (Child Safety) or refer to other service providers, to help families receive appropriate supports.

### BLUE CARD

Queensland's Working with Children Check is administered by the Blue Card Services. Blue Card Services monitors and audits service providers to ensure compliance including risk management to ensure that appropriate safeguards are implemented and maintained to protect children from harm. Our Service will not employ or engage a person who does not hold a valid Blue Card.

### IMPLEMENTATION

Our Service strongly opposes any type of abuse against a child and endorses high quality practices in relation to protecting children. We have policies and procedures in place that demonstrate our aim and willingness to keep children and young people safe in accordance with the Working with Children (Risk Management and Screening) Act 2000 (the Act) and the Working with Children (Risk Management and Screening) Regulation 2020.

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 the Service has successfully completed a course in child protection approved by the regulatory authority
- the Service registers with Blue Card Services, validates and links each staff, educator, volunteers and students Blue Card in accordance with the *Working with Children (Risk Management and Screening) Act 2000* BEFORE the person begins working or interacting with children
- a record is kept of each Blue Card number and expiry date
- all employees, volunteers and students are:
  - provided with a copy of the current *Child Protection and Child Safe Environment Policies*
  - required to participate in a comprehensive induction and orientation program, including an understanding of child protection law
  - supported to create and maintain a child safe culture within the Service by complying with National Principles for Child Safe Organisations (Child Safe Standards)
  - provided with support to adhere to a zero-tolerance stance against child abuse
  - aware of their mandatory reporting obligations and responsibilities to report all concerns about a child suffering abuse or neglect to Queensland Government, Department of Child Safety, Seniors and Disabilities Services (DCSSDS) - Regional Intake Services
  - aware of their mandatory reporting obligations and responsibilities to report a reasonable suspicion that a child has suffered, is suffering or is at an unacceptable risk of suffering, significant harm caused by physical or sexual abuse; and may not have a parent able and willing to protect the child from the harm to Child Safety Services
  - aware of indicators showing a child may be at risk of harm or significant risk of harm.
  - aware that neglecting to report child protection concerns may be deemed a criminal offence
- training and development are provided for all educators, staff, and volunteers in child protection on an annual basis
- educators and staff are provided with a reporting procedure and professional standards to safeguard children and protect the integrity of educators, staff and volunteers
- a *Child and Youth Risk Management Strategy* is developed to identify potential risk of harm to children and young people
- all educators and staff are aware of their commitment to the *Child and Youth Risk Management Strategy*
- educators are provided with training and ongoing supervision to ensure they understand that child safety is everyone's responsibility, and they adhere to the National Principles Child Safe Organisations
- 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 45 years
- 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*).

#### EDUCATORS WILL:

- 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 Blue Card details during their employment and engagement at the service
- advise the approved provider of any circumstances that may affect their Blue Card clearance
- be able to recognise indicators of abuse to children and young people through participation in annual child protection training
- respect what a child discloses, taking it seriously and follow up on their concerns through the appropriate channels
- comprehend their obligations as mandatory reporters and their requirement to report any situation where they believe, on reasonable grounds, that a child is at risk of significant harm to the Child Safety Services:
  - during normal business hours - contact the Regional Intake Service see [QLD government website](#) for contact details
  - After hours and on weekends - contact the Child Safety After Hours Service Centre on 1800 177 135. The service operates 24 hours a day, 7 days a week.
- refer families to appropriate agencies where concerns of harm do not meet the threshold of significant harm. These services may be located through Family and Child Connect at <https://familychildconnect.org.au/>. Family consent will be sought before making referrals.
- promote the welfare, safety, and wellbeing of children at the Service by creating and maintaining 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 pass on to Child Safety Services or appropriate authority
- identify and notify any concerns around staff, educator or volunteer behaviour or conduct to management of the Service.

#### STUDENTS/ VOLUNTEERS/ VISITORS WILL:

- 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 Blue Card clearance details during their engagement at the Service
- advise the approved provider of any circumstances that may affect their Blue Card status

- promote the welfare, safety, and wellbeing of children at the Service, 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 pass on to the Queensland Government, Department of Child Safety, Seniors and Disabilities Services (DCSSDS) - Regional Intake Services
- identify and notify any concerns around staff, educator or volunteer behaviour or conduct to management of the Service.

### DOCUMENTING A DISCLOSURE

A disclosure of harm emerges when someone, including a child, tells you about harm that has happened or is likely to happen. When a child discloses that he or she has been abused, it is an opportunity for an adult to provide immediate support and comfort and to assist in protecting the child from the abuse. It is also a chance to help the child connect to professional services that can keep them safe, provide support and facilitate their recovery from trauma. Disclosure is about seeking support and your response can have a great impact on the child or young person's ability to seek further help and recover from the trauma.

### WHEN RECEIVING A DISCLOSURE OF HARM, THE PERSON RECEIVING THE DISCLOSURE WILL:

- give the child or young person their full attention
- remain calm and find a private place to talk
- not make promises that can't be kept. For example, never promise that you will not tell anyone else
- honestly tell the child or young person what you plan to do next
- tell the child/person they have done the right thing in revealing the information but that they'll need to tell someone who can help keep the child safe
- only ask enough questions to confirm the need to report the matter because probing questions could cause distress, confusion and interfere with any later enquiries
- let the child or young person take his or her time
- let the child or young person use his or her own words
- not attempt to conduct their own investigation or mediate an outcome between the parties involved
- not confront the perpetrator
- document as soon as possible so the details are accurately captured including:
  - time, date and place of the disclosure
  - *'word for word'* what happened and what was said, including anything they (the staff member/educator) said and any actions that have been taken
  - date of report and signature.

### MAKING A REPORT

Mandatory reporters must report to Child Safety a reasonable suspicion that a child has suffered, is suffering or is at unacceptable risk of suffering significant harm caused by physical or sexual abuse and may not have a parent able and willing to protect them from the harm. Mandatory reporters should still report to Child Safety a reasonable suspicion a child may be in need of protection where the harm or risk of harm relates to any other type of abuse or neglect.

Educators should refer to the [Child Protection Guide](#) to decide whether to refer a family for help or to make a report to Child Safety. To report a concern to Child Safety, educators are to complete an online report form on the [DCSSDS Child Safety](#) website- Regional Intake.

When a report is made, ensure you provide the following information:

- the name, age and address of the child or young person
- the reasons you suspect the child or young person may have experienced or is at risk of experiencing harm
- the immediate risk to the child or young person
- contact details. You may remain anonymous; however, it is preferable to provide these details so that the officer can call you if further information is needed.

## NOTIFICATIONS

### THE APPROVED PROVIDER/NOMINATED SUPERVISOR WILL:

- notify the regulatory authority through the NQA-ITS (within 7 days) of any incident where it is reasonably believed that physical and/or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the Service
- notify the regulatory authority through the NQA-ITS (within 7 days) of any allegation that sexual or physical abuse of a child has occurred or is occurring while the child is being educated and cared for by the Service
- notify the regulatory authority through the NQA-ITS (within 24 hours) of any complaints alleging that a serious incident has occurred or is occurring at the Service
- notify the regulatory authority through the NQA-ITS (within 24 hours) of a serious incident, which may include physical or sexual abuse where emergency services attended the Service.

## CONFIDENTIALITY

It is important that any notification 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.

## PROTECTION FOR REPORTERS

All reporters are protected against retribution for making or proposing to make a report under amendments to the *Child Protection Act 1999* effective 31 August 2020. 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:

- The report will not breach standards of professional conduct
- The report cannot lead to defamation and civil and criminal liability
- The report is not admissible in any proceedings as evidence against the person who made the report
- A person cannot be compelled by a court to provide the report or disclose its contents
- The identity of the person making the report is protected.

A report is also an exempt document under the *Freedom of Information Act 1989*.

## SHARING OF INFORMATION

Sharing information is a key part of ensuring that vulnerable children are protected and supported. The *Child Protection Act 1999* sets out the legal framework for reporting concerns about children to Child Safety and referring families to Family and Child Connect and support services, including intensive family support services. It outlines information sharing rights and responsibilities between professionals, Child Safety and services that support children and families.

Sharing concerns and information about a family with the right service enables a comprehensive assessment, informs decision making and leads to better outcomes that ensure the child's safety. Sharing information can also facilitate a coordinated multi-agency response to families with multiple or complex needs.

Where possible, you should obtain a family's consent to share information. You do not need written consent to share information. A verbal agreement or acknowledgment is sufficient. It is advisable to document the conversation for your own records.

The legislative provision that enables direct referrals without consent allows early support to be offered to the family before problems escalate and require statutory intervention. Sharing information takes precedence over a parent's right to confidentiality or privacy because the safety, welfare and wellbeing of the child is paramount.

#### **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* 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 the Service, including children and young people, that fails to comply with any part of the policy.

#### **MANAGING A BREACH IN CHILD PROTECTION POLICY**

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

- liaising with the DCSSDS for appropriate processes to ensure chain of evidence is not destroyed or compromised
- not undertaking and investigating the allegation whilst the DCSSDS 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 Child Safety Services 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.

#### **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.

#### RESOURCES FOR INDICATORS OF ABUSE OR NEGLECT

- Child Safe Organisations <https://childsafe.humanrights.gov.au>
- NAPCAN- Prevent Child Abuse & Neglect <https://www.napcan.org.au/napcan-brochures/>
- Queensland Government. Child abuse and neglect education module. Responsibility, recognising and reporting (2013)  
[https://www.health.qld.gov.au/\\_data/assets/pdf\\_file/0024/150693/childabuse-module.pdf](https://www.health.qld.gov.au/_data/assets/pdf_file/0024/150693/childabuse-module.pdf)
- Queensland Government [Queensland Child Protection Guide procedures manual](#)

#### CONTINUOUS IMPROVEMENT/REFLECTION

Our *Child Protection Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

#### SOURCES

[ACECQA. \(2023\). Embedding the National Child Safe Principles](#)

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](#)

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Education and Care Services National Law Act 2010. (Amended 2023).

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Family and Child Connect. Funded by Queensland Government <https://familychildconnect.org.au/>

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<https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card>

Queensland Government. Department of Children, Youth Justice and Multicultural Affairs *About Child Protection*.

Queensland Government. Department of Child Safety, Youth and Women. *Child Protection Guide*.

<https://secure.communities.qld.gov.au/cpguide/engine.aspx>

Queensland Government. Department of Health Child Abuse. *How to recognise child abuse*.

<https://www.qld.gov.au/community/getting-support-health-social-issue/support-victims-abuse/child-abuse/recognise-child-abuse>

Queensland Government. Department of Child Safety, Seniors and Disability Services. *Signs of child sexual abuse*. <https://www.qld.gov.au/community/getting-support-health-social-issue/support-victims-abuse/child-abuse/child-sexual-abuse/child-sexual-abuse-signs>

Queensland Government. Child abuse and neglect education module. *Responsibility, recognising and reporting* (2013) [https://www.health.qld.gov.au/\\_data/assets/pdf\\_file/0024/150693/childabuse-module.pdf](https://www.health.qld.gov.au/_data/assets/pdf_file/0024/150693/childabuse-module.pdf)

*Working with Children (Risk Management and Screening) Act 2000*

#### REVIEW

CATEGORY:	Children's Health and Safety	VERSION:	V2025.01
EFFECTIVE FROM:	January 2025	NEXT REVIEW:	January 2026
POLICY REVIEWED	June 2024	Policy reviewed as part of review cycle	
POLICY REVIEWED	PREVIOUS MODIFICATIONS		
V2025.01 October 2024	<ul style="list-style-type: none"><li>major review of policy- indicators of abuse removed from body of policy- link to Department of Child Safety, Seniors and Disability Services</li><li>additional section for volunteers and students added (Reg. 84)</li><li>additional section Notifications for AP/NS</li><li>records for Blue Card details or students and volunteers added (Reg. 149)</li><li>added information to the approved provider/nominated supervisor section</li><li>sources checked for currency and updated as required</li></ul>		
April 2024	<ul style="list-style-type: none"><li>policy maintenance</li><li>merged sections-receiving a disclosure of harm/in addition</li><li>minor formatting edits within text</li><li>hyperlinks checked and repaired as required</li><li>continuous improvement section added</li><li>CCD related resources added</li></ul>		