

**CHILD PROTECTION POLICY****WHY?**

Thrive Group Tasmania staff/Educators have a legal and ethical responsibility to: protect children and advocate for their safety and wellbeing; be aware of child protection legislation; understand their responsibilities under the law; and respond to child protection issues as they arise.

**WHO?**

This policy applies to families, staff and Educators enrolled with or working in the following Thrive Children's Services:

- Early Learning Services
- Outside School Hours Care Services
- Family Day Care Services
- Business Services
- Leadership Team

**WHAT?*****Principles***

The following fundamental principles underpin Thrive's child protection practices and approach:

- The safety and wellbeing of children is paramount
- All children have the right to be safe from abuse or neglect at all times
- Protecting children's rights involves reacting to their needs
- What happens to children when they are very young can affect them their whole lives
- Children can be damaged very easily, both physically and emotionally
- Confidentiality is important but this must not override the need to act where the safety and wellbeing of a child is threatened.
- Support families and protecting children is everyone's responsibility.

***Legislation***

Tasmanian legislation *Children, Young Persons and Their Families Act, 1997* provides the legal basis for Thrive intervention in situations of actual, suspected or potential abuse or neglect of children.

Under this legislation, child care professionals are described as mandatory reporters. This means staff/Educators have a legal responsibility to act if: they believe, they suspect; or they know on reasonable grounds that a child is suffering from, or has suffered, or is likely to suffer abuse or neglect.

***Definition of Abuse***

Abuse is categorised as follows:

**Physical Abuse** – any non-accidental injury to a child as a result of severe and/or persistent actions. It includes injuries such as bruises, burns and fractures.

**Verbal Abuse** – includes angry yelling, and includes cold statements designed to humiliate a person. Name calling, continuous criticism, humiliating in private or in public, attack on someone's intelligence, body or yelling.

**Sexual Abuse** – when a child has been exposed or subject to sexual behaviours which are exploitative and/or inappropriate to his or her age or development level. Harm which results may include emotional trauma and/or physical injury.

**Emotional Abuse** – behaviour that destroys a child's confidence, resulting in emotional deprivation and trauma. Behaviours can include persistent hostility, rejection or scapegoating.

**Neglect** – failure to provide the necessities for children's proper growth and development i.e. food, clothing, shelter, medical care and the appropriate supervision.

**Reasonable Ground for Suspecting Abuse or Neglect.** If a child tells a staff member/Educator that he or she has suffered non-accidental injury, neglect, sexual abuse and/or emotional trauma. If someone tells a staff member/Educator that a child has been abused. Staff/Educator observations of the child's physical condition or behaviours lead to the belief that the child has suffered abuse or neglect. Staff/Educators have serious concerns about the wellbeing of a child (this could be physical, emotional or developmental). Staff/Educators have serious concerns about the health and wellbeing of an unborn child.

### **Agencies for Reporting**

Strong Families Safe Kids.

### **Training**

All Thrive staff/Educators working with children have a responsibility to undertake Child Protection training every three years, or sooner if there are major legislative changes.

Training options will include face-to-face learning, self-paced learning, or online modules e.g. In Safe Hands.

Regular updates and resource information will be made available to Centre Based Services and Family Day Care Educators.

### **Employment/Registration Practices**

All Thrive staff, Educators, contractors, consultants, students and other people who may have contact with children or their information, must provide a copy of their current Working with Vulnerable People check, Child related activities card. Cards must be maintained during employment with Thrive.

Child protection and mandatory reporting responsibilities will be included as part of staff/Educator induction training.

### **Positive Guidance**

Thrive Centre Based staff and Family Day Care Educators must be a positive guidance approach when working with children. It is an offence under the National legislation to subject a child in care to any form of corporal punishment, or any discipline that is unreasonable.

## **HOW?**

Please refer to the Child Protection Procedure (following this Policy).

## **WHEN?**

All services, it is critical that staff/Educators:

- Discuss any concerns that have regarding a child's safety and wellbeing with the Person with Management and Control and/or the Person with day-to-day charge at the time the concern comes to your attention.
- Accurately record observations and/or child or third party statements, within a twenty-four hour timeframe.

- Make a notification to Strong Families Safe Kids (SFSK) referral line when there is suspicion, belief or it is known that a child is suffering, has suffered, or is at risk of suffering abuse or neglect.
- Update Child Protection training every three years
- Ensure your Working with Vulnerable People Check is current and updated every three years.

Thrive will provide all employees covered by this Policy with the appropriate training, so they are made aware of their responsibilities and obligations.

Thrive retains the sole discretion to reasonably vary, terminate or replace this policy from time to time. Thrive will consult before any amendments are made and will notify and train those to whom the amendments apply.

All persons covered under the paragraph 'Who' who breach this policy may be subject to the appropriate disciplinary action in accordance with the Disciplinary Policy and Procedure or removal from the workplace or termination of services (workers, other than employees and other persons in the workplace).

## CHILD PROTECTION PROCEDURE

## HOW?

## Supervision

**Staff/Educators who are concerned about the safety and wellbeing of a child (based on their own observations or a child's disclosure or information from a third party), need to:**

- Document their observations or the statements made by the child or a third party on the *Incident, Injury, Trauma and Illness Record*. Specify date(s), time(s), when, where, signs and behaviours and what was said and/or heard. This record is to be kept confidential.
- Discuss the matter with the Person with day-to-day Charge depending on the severity of the situation, and advise the Person with Management and Control.
- The Thrive Person with day-to-day Charge will show support whilst the staff/Educator makes notification verbally or in writing to Strong Families Strong Kids (SFSK) on 1800 000 123 – see **Appendix A**.
- Record the notification on the register.
- In making a notification, it is the responsibility of the staff member/Educator to provide information i.e. what you have observed; what you have been told; any other grounds on which you believe, have suspicion of, or have knowledge of. Staff/Educators are not responsible for investigating i.e. it is not their job to prove or disprove any information disclosed.
- SFSK will undertake an initial assessment. The level of risk to the child will determine the agencies response. In cases where support is required for the family, but where a child is at risk or immediate harm, SFSK will identify the support required and refer the family to the appropriate support.
- Child Safety Services will investigate any cases where a risk of harm to a child has been identified.

Staff/Educators who are not sure whether to make a report should contact SFSK and discuss their concerns with the agency. Staff/Educators, should also ask themselves these questions:

- What has happened to the child to raise concerns for the staff member/Educator?
- What is the impact on the child's safety, stability, health and wellbeing?
- How vulnerable is the child?
- Is there a pattern of concern with the child?
- Is the family willing and open to take action to ensure the safety and stability of the child?
- Is the family willing to use support services to promote the child's safety and wellbeing?

Other important points to consider...

If the child discloses information about his/her abuse:

- Be supportive and listen carefully
- Believe what the child has to say and be non-judgemental

- Avoid questioning the child
- Validate the decision of the child to disclose the information
- Reassure but make no commitments or promises
- Make a written notation of child's disclosure.

Staff/Educators cannot be sued or have defamation charges made against them for reporting their concerns to SFSK.

After notifying, the staff member/Educators details are strictly confidential and cannot be disclosed to others, including the family/individual the staff member/Educator is concerned about.

If, as a mandatory reporter, the staff member/Educator fails to inform SFSK of a reasonable belief, suspicion or knowledge of a child suffering abuse or at risk of abuse, the staff member/Educator can be held accountable and charged with an offence under the Act.

Staff/Educators will receive support from Thrive in working through child protection issues, including access to counselling services, where needed.

**If a parent, staff member or other person is concerned about a neglectful or abusive incident occurring in any Thrive Children's Services, the witness or person with the concern, needs to:**

Immediately notify the Thrive Person with day-to-day Charge of the Centre Based Services or the Thrive person with Management and Control (if the alleged incident relates to a child attending Family Day Care).

In the absence of the Person with Management and Control, for the specific service, the person may contact any other Person with Management and Control.

The Person with management and Control will then contact SFSK and the State Education and Care Unit (the Regulatory Authority).

The Centre staff person or Family Day Care Educator may be stood down/suspended pending an enquiry.

If the alleged offender is a student or volunteer, the training provider will be notified and the placement terminated.

If the parent/guardian is not the notifying party, he/she will be notified of the alleged incident by the Thrive Person with day-to-day Charge and/or the Person with Management and Control.

The Child Safety Service will carry out an investigation of any alleged incidents, if necessary.

The service provider may call the Police.

The staff member/Family Day Care Educator cannot resume care of children until the Grievance Unit provides a safety screening clearance, and the Child Protection investigation and report supports recommencement of child care.

If the allegations are proven, the staff member will not be reinstated and in the case of Family Day Care, the person's registration will be revoked.

These procedures relate to legislation as detailed in the Child Protection Policy.

### **BREACH OF THE PROCEDURE**

Any breach of this procedure may result in disciplinary action including, but not limited to, termination of employment or registration.

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