

# Child Safe Environment and Wellbeing Policy

Quality Area 2

## 1. Purpose

We are committed to fostering a culture of child safety and wellbeing within our services, ensuring children are provided with safe and suitable care at all times, which extends to online environments, and ensuring the rights of children, young people and adults at risk to be safe and protected from all forms of abuse, violence or exploitation. The safety and wellbeing of children at our services is paramount and will be fostered through our child safe culture, responsive relationships, engaging experiences and safe and healthy environment.

The Service takes a 'zero' tolerance approach to child abuse and is committed to raising awareness about the importance of child safety and wellbeing in our environment and the community.

## 2. Scope

This policy applies to children, families, staff, contractors and visitors at the service.

## 3. Background

The Education and Care Services National Regulations require approved providers to ensure their services have policies and procedures in place for providing a child safe environment to minimise the risk of harm and hazard to children attending the services.

## 4. Principles

The Service are committed to:

- Embedding Child Safety Principles across all areas of our organisation.
- Ensuring the rights of children to feel safe and be safe at all times.
- Valuing, respecting and including children's voices and perspectives.
- Fostering opportunities for each child to be included, participate, express their views, and learn and develop.
- Always acting in the best interests of each child and having zero tolerance for any form of harm.
- Taking all reasonable steps to ensure the health, safety and wellbeing of children at all times.
- Actively managing risks including fulfilling our duty of care and legal obligations to protect children and prevent any reasonable, foreseeable risk of injury or harm.
- Taking a continuous improvement approach to the way we identify and respond to risks of harm, encourage reporting and improve responses to allegations.
- Actively engaging and sharing information with relevant authorities to promote the wellbeing and safety of a child or a group of children, consistent with their best interests.
- Engage with community agencies on early intervention and prevention strategies and programs for children.

## 4.1. Child Safe Standards

*Standard 1: Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued*

- We show respect and commitment to reconciliation.
- We create and encourage an inclusive and welcoming physical and online environment for Aboriginal children and their families by acknowledging and respecting Aboriginal peoples, communities, cultures and values.
- We seek opportunities to invite Elders and Traditional Owners to speak to children, staff and families about the histories and cultures of the local area.
- We show sensitivity and respect to Aboriginal languages by incorporating verbal and visual languages into the service environment.
- We empower Aboriginal children at our service and provide them with opportunities to participate in a culturally safe way.
- We create safe opportunities and encourage Aboriginal families to participate in our service.
- We embed strategies and practices across our service to promote the Aboriginal culture and to ensure everyone understands its importance to the wellbeing and safety of Aboriginal children and young people.
- We have zero tolerance for racism and strategies are in place to prevent racism. Incidents of racism are consistently identified and addressed.

*Standard 2: Child safety and wellbeing is embedded in organisational leadership, governance and culture*

- We have zero tolerance for all forms of abuse; the safety and wellbeing of children, young people and adults at risk is paramount.
- We prioritise good governance and quality management by having policies, procedures, and guidelines that clearly outline roles and responsibilities, focusing on creating a culturally safe and inclusive environment, meeting the needs of all children, young people and their families and identifying and responding to children at risk of abuse or neglect.
- We foster a culture of openness and respect where children and adults feel safe to disclose the risk of harm to children.
- We have clear governance arrangements in place to monitor our performance in delivering child safety and wellbeing and to ensure the risk management activities are focused on identifying, preventing and reducing risks of child abuse and harm.

*Standard 3: Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously*

- *We are committed to providing information to children in a format that is age appropriate and easy to understand, to support their understanding of their rights, how to raise concerns and what support services are available to them*
- We ensure our policies and procedures promote children's empowerment and encourage their participation.
- We create opportunities for children to express their views and participate in decision making that affects them.
- Our programs support all children to develop social connections and friendships and build skills in children to challenge bullying or isolating behaviour in children.

*Standard 4: Families and communities are informed and involved in promoting child safety and wellbeing*

- We provide regular, accessible updates to families about our child safety policies and practices via newsletters, emails, and our website.
- We engage families and community members in discussions and feedback sessions to enhance our child safety measures.
- We build strong relationships with local organisations to support child safety and wellbeing initiatives.
- We ensure our communication and engagement efforts are inclusive, offering support for diverse cultural and linguistic backgrounds.
- We seek opportunities to build capability within families and the community in relation to recognising signs of abuse and promoting child safety

*Standard 5: Equity is upheld and diverse needs respected in policy and practice*

- We are committed to promoting inclusion and addressing the diverse needs of all children, including those with disabilities and from culturally and linguistically diverse backgrounds.
- We enforce strict anti-discrimination policies and practices, ensuring an environment free from racism and bias.
- We develop and implement individual support plans for children with specific needs to ensure their safety and wellbeing.
- We provide ongoing opportunities to build capability for staff to support and respond to diverse needs effectively.
- We actively engage with families and communities to understand and address the unique needs of every child.

*Standard 6: People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice*

- We implement rigorous recruitment and screening processes, including Working with Children Checks, National Criminal History Checks and reference checks, to ensure all staff and volunteers are suitable.
- We provide comprehensive induction and ongoing child safety training for all staff and volunteers.
- We maintain regular supervision and support for staff to uphold child safety values.
- We ensure clear and accessible policies and procedures for managing and responding to allegations or concerns about child safety.
- We foster a culture of continuous improvement and accountability in child safety practices.

*Standard 7: Processes for complaints and concerns are child-focused*

- We provide clear and accessible avenues for children and families to raise complaints or concerns about child safety.
- We ensure all staff are trained to recognize and respond to child safety concerns and understand their reporting obligations.
- We act promptly and appropriately to address and resolve complaints, prioritizing the safety and wellbeing of children.
- We maintain confidential and child-friendly complaint handling procedures.
- We regularly review and improve our complaint processes to ensure they remain effective and child-focused.

*Standard 8: Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.*

- We provide comprehensive training for all staff and volunteers on child safety, including how to recognize and respond to signs of abuse and neglect.
- We ensure continuous professional development opportunities related to child safety and wellbeing.
- We maintain detailed records of all training sessions attended by staff and volunteers.
- We encourage staff and volunteers to seek further knowledge and skills to improve child safety practices.
- We regularly review and update training programs to reflect current best practices and legal requirements.

*Standard 9: Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.*

- All children attending our services are provided with a safe environment
- We conduct regular risk assessments to identify and mitigate potential hazards in physical and online environments.
- We adopt the principles of the National Model Code, ensuring the safety of children in relation to the use of electronic devices and images of children
- We establish and enforce clear safety protocols for both physical spaces and digital platforms.
- We ensure adequate supervision and monitoring in all environments where children are present.
- We provide training for staff and volunteers on maintaining safe physical and online environments.
- We engage with children, families, and the community to gather feedback and continuously improve our safety measures.
- Procedures to effectively manage incidents and emergencies are in place, with drills conducted every 90 days
- We will take action to reduce risk to children, as it relates to concerning child to child interactions, including but limited to, physical behaviour, online conduct, bullying and harmful sexual behaviours.

*Standard 10: Implementation of the Child Safe Standards is regularly reviewed and improved.*

- We develop and implement clear policies and procedures for responding to allegations of child abuse.
- We establish mechanisms for reporting and responding to allegations promptly and appropriately.
- We provide training to staff and volunteers on recognizing signs of abuse and their reporting responsibilities.
- We collaborate with relevant authorities and agencies to ensure effective responses to allegations and implementation of child protection measures.

*Standard 11: Policies and procedures document how the organisation is safe for children and young people.*

- We develop and implement rigorous policies and procedures to manage and reduce risks to child safety.
- We conduct regular risk assessments and audits to identify potential risks and implement mitigation strategies.
- We provide comprehensive training for staff and volunteers on risk management and child safety protocols.
- We engage with children, families, and the community to gather input and improve risk management practices continuously.

## 5. Mandatory Reporting

MACSEYE is committed to supporting the safety and wellbeing of children who may be at risk of harm in their home or community. We will:

- Educate all staff on Victorian Mandatory Reporting obligations during the induction process.
- Require all staff complete Department of Education Early Years Protect training (or equivalent) as a condition of onboarding and annually thereafter.
- Act immediately to ensure a child's safety and report any concerns internally to the Safety and Compliance team and relevant authorities.
- Provide clear and accessible guidelines on the reporting process to all staff and volunteers.

Educators will:

- Act immediately to ensure a child's safety.
- Consult with internal Child Safeguarding experts (Safety and Compliance Team) when relevant.
- Report any reasonable belief that a child is in need of protection to statutory Child Protection services (Department of Families, Fairness & Housing) and other authorities as required (e.g. Victoria Police)

## 6. Reportable Conduct Scheme

We are committed to ensuring all staff understand their obligations to report child safety incidents and concerns. We will:

- Educate staff on the Reportable Conduct Scheme during the induction process and through refresher training
- Immediately act to ensure the child's safety and report the matter internally to the Safety and Compliance team and relevant authorities.
- Provide clear guidelines on the reporting process and ensure it is accessible to all staff and volunteers.

We will ensure any allegations of reportable conduct involving staff are addressed promptly and appropriately. We will:

- Report any allegations of reportable conduct to the Commission for Children and Young People (CCYP) within three business days.
- Conduct thorough investigations and take appropriate actions based on the findings.

### 6.1. Duty of Care

There may be legal ramifications for individuals for not reporting a sexual offence against a child, or protecting a child from sexual abuse, which may result in criminal charges against them, as follows:

- **Failure to disclose offence:** Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.
- **Failure to protect offence:** This offence will apply where there is a substantial risk that a child under the age of 16 under the care, supervision or authority of a relevant organisation will become a victim of a sexual offence committed by an adult associated with that organisation. A person in a position of authority in the organisation will commit the offence if they know of the risk of abuse and have the power or responsibility to reduce or remove the risk but negligently fail to do so.

The above matters may also fall within Mandatory Reporting requirements to statutory Child Protection services and the Reportable Conduct Scheme.

## 7. Roles and Responsibilities

**The Approved Provider and Persons with Management or Control are responsible for:**

- providing leadership for an organisational culture of accountability for child safety which is open to scrutiny and is continuously reviewed and improved
- advising staff of current child protection legislation, and their legal and duty of care obligations (Regulation 84)
- undertaking child safety reviews and developing an action plan in consultation with staff, parents/guardians and children to maintain Child Safe Standards
- conducting recruitment and induction processes for staff in line with this policy
- undertake appropriate screening and verification of educators, contractors, volunteers and students in line with their roles and responsibilities
- ensure all staff hold a valid Working with Children Check
- ensure all staff take action to renew their Working with Children Check before expiry
- ensure no person engaged in a MACSEYE service is a prohibited person and appropriate checks are carried out and audited annually
- ensuring that contractors, volunteers, students, parents/guardians and other visitors to the service are not left with sole supervision of individual children or groups of children
- ensuring that contact is prevented or responding if it has occurred when the service has been notified of a court order prohibiting an adult from contacting an enrolled child
- ensuring staff, and where appropriate, contractors, volunteers and students undertake appropriate training on child safety, including recognising the signs and symptoms of child abuse, knowing how to respond, and understanding responsibilities and processes for reporting
- ensuring procedures for reporting and responding to suspected child abuse or neglect are promoted across the service and regularly reviewed in partnership with staff and parents/guardians, and where appropriate contractors, volunteers, students and children
- fulfilling legal obligations, including mandatory reporting and duty of care obligations
- offering support to the child and their family, and to staff in response to concerns or reports relating to the safety, health and wellbeing of a child at our Service
- maintaining co-operative relationships with appropriate services and/or professionals in the best interests of children and their families
- ensuring processes for responding to and reporting are followed when there are significant concerns for the safety, health or wellbeing of a child at the service
- notifying DE within 24 hours of a serious incident occurring at the service
- notifying DE within 24 hours in writing of becoming aware of a notifiable complaint or allegation regarding the safety, health and/or welfare of a child at the service
- notifying the Commission for Children and Young People who the nominated head of organisation and maintaining the currency of the information
- notifying the Commission for Children and Young People within 3 business days of becoming aware of a reportable allegation

- investigating an allegation (subject to police clearance on criminal matters or matters involving family violence), advising the Commission for Children and Young People who is undertaking the investigation
- managing the risks to children whilst undertaking the investigation
- updating the Commission for Children and Young People within 30 calendar days with detailed information about the reportable allegation and any action
- notifying the Commission for Children and Young People of the investigation findings and any disciplinary action taken (or the reasons no action was taken)
- maintaining confidentiality at all times
- reviewing this policy in consultation with staff, parents/guardians, and children
- providing appropriate resources and training to assist staff, contractors, volunteers and students in implementing this policy
- protecting the rights of children and families, and encouraging their participation in decision-making
- keeping staff, contractors, parents/guardians, volunteers and students informed of any relevant changes in legislation and practices in relation to this policy
- ensuring all staff, students, contractors, parents/guardians, volunteers and visitors abide by the *Code of Conduct Policy*
- ensuring an explicit statement of MACSEYE's commitment to child safety is included in all advertising, recruitment and promotion of the organisation.

**The Nominated Supervisor are responsible for:**

- keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy
- ensuring continuous improvement in the implementation of the Child Safe Standards in our Service promoting an organisational culture of accountability for child safety which is open to scrutiny and is continuously reviewed and improved
- ensuring the implementation of strategies to prevent child abuse in consultation with the senior management and the Safety and Compliance team
- providing appropriate resources and training to assist staff, contractors, volunteers and students in implementing this policy
- ensuring processes for responding to and reporting are followed when there are significant concerns for the safety, health or wellbeing of a child either at the service or within their home and community
- fulfilling legal obligations, including mandatory reporting and duty of care obligations
- notifying the senior management and the Safety and Compliance team immediately on becoming aware of a concern, complaint or allegation regarding the safety, health and welfare of a child at the Service
- offering support to the child and their family, and to educators and staff in response to concerns or reports relating to the safety, health and wellbeing of a child at the Service
- making all staff aware of this policy, the Code of Conduct Policy and the Interactions with Children Policy and holding them to account for the behavioural expectations identified
- contributing to implementing and reviewing this policy in consultation with senior management educators, staff, contractors and parents/guardians and children
- planning so that no child is left alone (or is out of sight) with a contractor, volunteer, student, parent/guardian or visitor, at the service.

**All staff are responsible for:**

- contributing to an organisational culture of child safety
- identifying the potential for child abuse and/or child harm at the Service, and developing and implementing effective prevention strategies in consultation with their manager and/or Safety and Compliance team
- fulfilling their legal responsibilities, including mandatory reporting and duty of care obligations
- following processes for responding to and reporting suspected child abuse
- undertaking appropriate training on child protection, including recognising the signs and symptoms of child abuse, knowing how to respond, and understanding responsibilities and processes for reporting
- supporting the maintenance of Child Safe Standards in their service [] in consultation with their manager, educational leader and the broader Central Support Office
- notifying the Area Manager and/or Safety and Compliance team immediately upon becoming aware of any concerns, complaints or allegations regarding the safety, health and welfare of a child at the Service

- offering support to the child and their family in response to concerns or reports relating to the safety, health and wellbeing of a child at the Service
- co-operating with other services and/or professionals (including Child FIRST) in the best interests of children and their families
- informing families of support services available to them (such as Child FIRST), and of the assistance these services can provide
- conducting activities so that no child is left alone (or is out of sight) with a contractor, visitor, volunteer, student or parent/guardian at the service
- Adhere to the Safe Use of Digital Technology and Online Environment Policy when taking or using children's images and only using MACSEYE devices for the collection of images.
- adhere to child safe processes, where the service has been notified of a court order prohibiting an adult from contacting an enrolled child, and seek guidance from either their Area Manager and/or Safety and Compliance, as required
- maintaining principles of confidentiality at all times
- educating and empowering children to speak up to seek support during situations that make them feel uncomfortable
- ensuring that children at the service are not subjected to any form of corporal punishment, verbal or non-verbal abuse or any discipline that may cause harm or isolation of a child.
- using appropriate resources, seek support and undertake training to assist with the implementation of this policy
- following policies and procedures for a safe and respectful approach to interacting with children
- abiding by the service's Code of Conduct Policy and Interactions with Children Policy
- maintain a valid Working with Children Check (and/or VIT registration) at all times
- immediately notify the Approved Provider of any delay or cause for delay in the renewal of your Working with Children Check or VIT registration
- immediately notify the People Services team and/or their General Manager of any offence or investigation that may impact holding a valid Working with Children Check, VIT registration or prohibit them from working with children.

**Parents/guardians are responsible for:**

- reporting any concerns, including in relation to potential child abuse, to the appropriate child protection authorities or the police if immediate police attention is required
- abiding by the parent's Code of Conduct.

## 8. Induction and ongoing training

This policy will be accessible by service staff via the intranet and by families via the website. A hard copy of the policy will be available through the Service. Nominated supervisors are responsible for ensuring staff access to the policy and any supporting documents and undertake induction training prior to the policy being implemented. All service staff are responsible for understanding and complying with this policy and ongoing training will be provided using a range of learning platforms.

## 9. Monitoring, evaluation and review

Monitoring of compliance with this policy and the related procedure will be overseen by the policy owner. The review process for this policy will begin eight (8) weeks prior to the scheduled review date and include a consultation period with families, educators, compliance team and any other relevant stakeholders and will be facilitated by the Policy Officer.

All service staff will receive communication about any changes in or review of the policy or procedure. Training will be provided where required to ensure an understanding of the changes. Families will be notified of any changes 14 days prior to the implementation. Breaches of this policy will be dealt with in line with the MACSEYE Code of Conduct.

## 10. Related documents

- Code of Conduct Policy
- Interactions with Children Policy
- Governance and Management Policy
- Acceptance and Refusal of Authorisations Policy
- Complaints and Grievances Policy
- Delivery and Collection of Children Policy
- Incident, Injury, Trauma and Illness Policy
- Interactions with Children Policy
- Participation of Volunteers and Students Policy
- Privacy and Confidentiality Policy
- Staffing Arrangements Policy
- Supervision Policy
- ACECQA National Model Code and Guidelines

## 11. Legislative requirements

<b>NATIONAL QUALITY STANDARDS (NQS)</b>	
Quality Area 2	Children's health and safety
Quality Area 7	Governance and leadership

<b>EDUCATION AND CARE SERVICES NATIONAL LAW ACT</b>	
Section 162A	Child protection training
Section 165	Offence to inadequately supervise children
Section 166	Offence to use inappropriate discipline
Section 167	Offence relating to protection of children from harm and hazards
Section 169	Offence relating to staffing arrangements
Section 170	Offence relating to unauthorised persons on education and care service premises
Section 171	Offence relating to direction to exclude inappropriate persons from education and care service premises
Section 173	Offence to fail to notify certain circumstances to Regulatory Authority
Section 174	Offence to fail to notify certain information to Regulatory Authority
Section 175	Offence relating to requirement to keep enrolment and other documents
Section 188	Offence to engage person to whom prohibition notice applies

<b>EDUCATION AND CARE SERVICES NATIONAL LAW REGULATIONS</b>	
Regulation 82	Tobacco, drug, and alcohol-free environment
Regulation 83	Staff members and family day care educators not to be affected by alcohol or drugs
Regulation 84	Awareness of child protection law
Regulation 103	Premises, furniture, and equipment to be safe, clean and in good repair

## EDUCATION AND CARE SERVICES NATIONAL LAW REGULATIONS

Regulation 115	Premises designed to facilitate supervision
Regulation 120	Educators who are under the age of 18 to be supervised
Regulation 122	Educators must be working directly with children to be included in ratios
Regulation 123	Educator to child ratios – centre-based services
Regulation 145	Staff Records
Regulation 149	Volunteers and Students
Regulation 165	Record of visitors
Regulation 166	Children not to be alone with visitors
Regulation 167	Record of service's compliance
Regulation 168	Education and care service must have policies and procedures
Regulation 170	Policies and procedures to be followed
Regulation 171	Policies and procedures to be kept available
Regulation 172	Notification of change to policies or procedures
Regulation 175	Prescribed information to be notified to Regulatory Authority

## 12. Definitions

Term	Meaning
<b>ACECQA – Australian Children's Education and Care Quality Authority</b>	The independent national authority that works with all regulatory authorities to administer the National Quality Framework, including the provision of guidance, resources and services to support the sector to improve outcomes for children.
<b>Child</b>	A child or young person is a person under 18 years of age.
<b>Child abuse:</b>	<p>(In the context of this policy) refers to an act or omission by an adult that endangers or impairs a child's physical and/or emotional health or development. Child abuse can be a single incident but often takes place over time. Abuse, neglect and maltreatment are generic terms used to describe situations in which a child may need protection. Child abuse includes any and all of the following:</p> <p><b>Physical abuse:</b> When a child suffers or is likely to suffer significant harm from an injury inflicted by a parent/guardian, caregiver or other adult. The injury may be inflicted intentionally or be the consequence of physical punishment or the physically aggressive treatment of a child. Physical injury and significant harm to a child can also result from neglect by a parent/guardian, caregiver or other adult. The injury may take the form of bruises, cuts, burns or fractures, poisoning, internal injuries, shaking injuries or strangulation.</p> <p><b>Sexual abuse:</b> When a person uses power or authority over a child, or inducements such as money or special attention, to involve the child in sexual activity. It includes a wide range of sexual behaviour from inappropriate touching/fondling of a child or exposing a child to pornography, to having sex with a child and grooming with the intent of committing child sexual abuse.</p> <p><b>Emotional and psychological abuse:</b> When a child's parent or caregiver repeatedly rejects the child or uses threats to frighten the child. This may involve name calling, put downs or continual coldness from the parent or caregiver to the extent that it</p>

Term	Meaning
	<p>significantly damages the child's physical, social, intellectual or emotional development.</p> <p><b>Neglect:</b> The failure to provide a child with the basic necessities of life, such as food, clothing, shelter, medical attention or supervision, to the extent that the child's health and development is, or is likely to be, significantly harmed.</p> <p><b>Grooming:</b> Grooming refers to predatory conduct engaged in by a person to prepare a child for sexual activity at a later date. It can include communication and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer</p> <p><b>Family violence:</b> When children and young people witness or experience the chronic, repeated domination, coercion, intimidation and victimisation of one person by another through physical, sexual and/or emotional means within intimate relationships. Contrary to popular belief, witnessing episodes of violence between people they love can affect young children as much as if they were the victims of the violence. Children who witness regular acts of violence have greater emotional and behavioural problems than other children.</p> <p><b>Racial, cultural, religious abuse:</b> Conduct that demonstrates contempt, ridicule, hatred or negativity towards a child because of their race, culture or religion. It may be overt, such as direct racial vilification or discrimination, or covert, such as demonstrating a lack of cultural respect (attitude and values) and awareness (knowledge and understanding) or failing to provide positive images about another culture.</p> <p><b>Bullying:</b> Repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Bullying occurs when one or more people deliberately and repeatedly upset or hurt another person, damage their property, reputation or social acceptance.</p>
<b>Child FIRST</b>	A Victorian community-based intake and referral service linked with Family Services. Child FIRST ensures that vulnerable children, young people and their families are effectively linked to relevant services, including Child Protection.
<b>Child sex offender</b>	Someone who sexually abuses children, and who may or may not have prior convictions.
<b>Child protection:</b>	The term used to describe the whole-of-community approach to the prevention of harm to children. It includes strategic action for early intervention, for the protection of those considered most vulnerable and for responses to all forms of abuse.
<b>Child protection notification</b>	A notification to the Child Protection Service by a person who believes that a child is in need of protection.
<b>Child Protection Service (also referred to as Child Protection):</b>	The statutory child protection service provided by the Victorian Department of Health and Human Services, to protect children and young people at risk of abuse and neglect. This service also works closely with Family Services (including Child FIRST) to support the assessment and engagement of vulnerable children and families in community-based services.
<b>Code of conduct</b>	A set of rules or practices that establish a standard of behaviour to be followed by individuals and organisations. A code of conduct defines how individuals should behave towards each other and towards other organisations and individuals in the community (refer to <i>Code of Conduct Policy</i> ).
<b>Contractor</b>	A person or company that undertakes a contract to provide materials or labour to perform a service or do a job. Examples include photographer, tradesperson, people contracted to provide an incursion.
<b>Disclosure</b>	(In the context of this policy) refers to a statement that a child or young person makes to another person that describes or reveals abuse.
<b>Duty of care</b>	A common law concept that refers to the responsibilities of organisations and staff to provide people with an adequate level of protection against harm and all reasonably

Term	Meaning
	foreseeable risk of injury. In the context of this policy, duty of care refers to the responsibility of education and care services and their staff to provide children with an adequate level of care and protection against foreseeable harm and injury.
<b>Head of organisation</b>	The heads of organisations under the Reportable Conduct Scheme are required to have systems in place to prevent reportable conduct within their organisation, and systems to enable staff to make reportable allegations. For the purposes of the Reportable Conduct Scheme, the head of organisation for MACSEYE is the Executive Director of MACS. For matters pertaining to the Reportable Conduct Scheme, the authority to act on behalf of the head of the organisation has been delegated to a MACSEYE representative, including Managing Director, Director Quality Safety and Compliance and the GM and Manager of Child Safeguarding.
<b>Maltreatment</b>	(In the context of this policy) refers to physical and/or emotional mistreatment, and/or lack of care of the child. Examples include sexual abuse, the witnessing of family violence and any non-accidental injury to a child.
<b>Mandatory reporting</b>	<p>The legal obligation of certain professionals and community members to report when they believe, on reasonable grounds, that a child is in need of protection from harm.</p> <p>A broad range of professional groups are identified in the <i>Children, Youth and Families Act 2005</i> as 'mandatory reporters', including:</p> <ul style="list-style-type: none"> <li>• all educators with post-secondary qualifications in the care, education or minding of children and employed or engaged in an education and care service or a children's service</li> <li>• all proprietors, nominees of a children's service, approved providers, and nominated supervisors of an education and care service.</li> <li>• educators registered with the Victorian Institute of Teaching (VIT).</li> </ul> <p>Mandated staff members must make a report to Victoria Police and/or Child Protection as soon as is practicable if, during the course of acting out their professional roles and responsibilities, they form a belief on reasonable ground that:</p> <ul style="list-style-type: none"> <li>• a child has suffered, or is likely to suffer, significant harm as a result of physical and/or sexual abuse <b>and</b></li> <li>• the child's parents/guardians have not protected, or are unlikely to protect, the child from harm of that type.</li> </ul> <p>Mandatory reporters must also follow processes for responding to incidents, disclosures or suspicions of child abuse to fulfil all their legal obligations (refer to Attachment 4: Processes for responding to and reporting suspected child abuse).</p>
<b>Neglect</b>	see Child abuse definition above.
<b>Negligence</b>	Doing, or failing to do something that a reasonable person would, or would not do in a certain situation, and which causes another person damage, injury or loss as a result.
<b>Notifiable complaint</b>	<p>A complaint that alleges a breach of the Act or Regulation, or alleges that the safety, health or wellbeing of a child at the service may have been compromised. Any complaint of this nature must be reported by the Approved Provider to the secretary of DE within 24 hours of the complaint being made (Section 174(2) (b), Regulation 176(2) (b)).</p> <p>Written notification of complaints must be submitted via the ACECQA portal <a href="#">National Quality Agenda (NQA) IT System</a>. If the Approved Provider is unsure whether the matter is a notifiable complaint, it is good practice to contact DE for confirmation.</p>
<b>Orange Door</b>	A free service for adults, children and young people who are experiencing or have experienced family violence and families who need extra support with the care of children.
<b>Organisational duty of care</b>	The statutory duty organisations have to take reasonable precautions to prevent sexual and/or physical abuse of a child.
<b>Offender</b>	A person who mistreats and/or harms a child or young person.
<b>Reasonable belief/reasonable grounds</b>	A person may form a belief on reasonable grounds that a child or young person is in need of protection after becoming aware that the child or young person's safety, health

Term	Meaning
	<p>or wellbeing is at risk and the child's parents/guardians are unwilling or unable to protect them. There may be reasonable grounds for forming such a belief if:</p> <ul style="list-style-type: none"> <li>• a child or young person states that they have been physically or sexually abused</li> <li>• a child or young person states that they know someone who has been physically or sexually abused (sometimes the child may be referring to themselves)</li> <li>• someone who knows the child or young person states that the child or young person has been physically or sexually abused</li> <li>• a child shows signs of being physically or sexually abused</li> <li>• the person is aware of persistent family violence or parental substance misuse, psychiatric illness or intellectual disability or other factors that are impacting on the child or young person's safety, stability or development</li> <li>• the person observes signs or indicators of abuse, including non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision</li> <li>• a child's/young person's actions or behaviour may place them at risk of significant harm and the parents/guardians are unwilling or unable to protect the child.</li> </ul>
<b>Reportable allegation</b>	<p>any allegation, concern or suspicion that an employee, volunteer or student has committed child abuse, placed a child at risk of significant harm, or acted in breach of MACSEYE policies as they pertain to the safety and wellbeing of children</p>
<b>Reportable Conduct as defined by the Reportable Conduct Scheme</b>	<p><b>Reportable conduct</b></p> <p>Reportable conduct for the purposes of the Reportable Conduct Scheme is:</p> <ul style="list-style-type: none"> <li>• a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded</li> <li>• sexual misconduct, committed against, with or in the presence of, a child</li> <li>• physical violence committed against, with or in the presence of, a child</li> <li>• any behaviour that causes significant emotional or psychological harm to a child</li> <li>• significant neglect of a child as defined in the <i>Child Wellbeing and Safety Act 2005</i> (Vic).</li> <li>• significant neglect.</li> </ul> <p><b>Reasonable belief – reportable conduct scheme</b></p> <p>When a person has a reasonable belief that a worker/volunteer has committed reportable conduct or misconduct, that may involve reportable conduct. A reasonable belief is more than suspicion, and there must be some objective basis for the belief. It does not necessitate proof or requires certainty.</p> <p>NOTE: the difference between the reasonable belief definitions under mandatory reporting and the reportable conduct scheme is the category of persons who are required to, or can, form the reasonable belief which forms the basis for a report.</p>
<b>Serious incident</b>	<p>A serious incident (regulation 12) is defined as any of the following:</p> <ul style="list-style-type: none"> <li>• the death of a child while being educated and cared for at the service or following an incident at the service</li> <li>• any incident involving serious injury or trauma while the child is being educated and cared for, which <ul style="list-style-type: none"> <li>– a reasonable person would consider required urgent medical attention from a registered medical practitioner; or</li> <li>– the child attended or ought reasonably to have attended a hospital e.g. a broken limb*</li> </ul> </li> <li>• any incident involving serious illness of a child while that child is being educated and cared for by a service for which the child attended, or ought</li> </ul>

Term	Meaning
	<p>reasonably to have attended, a hospital e.g. severe asthma attack, seizure or anaphylaxis*.</p> <ul style="list-style-type: none"> <li>- *NOTE: In some cases (for example rural and remote locations) a General Practitioner conducts consultation from the hospital site. Only treatment related to serious injury or illness, or trauma are required to be notified, not other health matters.</li> <li>• any emergency for which emergency services attended. NOTE: This means an incident, situation or event where there is an imminent or severe risk to the health, safety or wellbeing of a person/s at an education and care service. It does not mean an incident where emergency services attended as a precaution.</li> <li>• a child appears to be missing or cannot be accounted for at the service</li> <li>• a child appears to have been taken or removed from the service in a manner that contravenes the National Regulations</li> <li>• a child was mistakenly locked in or out of the service premises or any part of the premises.</li> </ul> <p>Examples of serious incidents include amputation (e.g. removal of fingers), anaphylactic reaction requiring hospitalisation, asthma requiring hospitalisation, broken bone/fractures, bronchiolitis, burns, diarrhoea requiring hospitalisation, epileptic seizures, head injuries, measles, meningococcal infection, sexual assault, witnessing violence or a frightening event.</p> <p>If the approved provider is not aware that the incident was serious until sometime after the incident, they must notify the regulatory authority within 24 hours of becoming aware that the incident was serious.</p> <p>Notifications of serious incidents should be made through the NQA IT System portal (<a href="http://www.acecqa.gov.au">www.acecqa.gov.au</a>). If this is not practicable, the notification can be made initially in whatever way is best in the circumstances.</p>
<b>Volunteer</b>	Parent/guardian, family member or community member who attends the service to assist the service in some capacity.
<b>Young person</b>	In Victoria, under the <i>Children, Youth and Families Act 2005</i> , a child or young person is a person under 18 years of age.

## 13. Policy information

Policy information			
<b>Policy title:</b>	QA2 Child Safety and Wellbeing Policy		<b>Version:</b> 2.0
<b>Authorised Executive:</b>	Director - Quality, Safety and Compliance	<b>Responsible Manager:</b>	Director, Quality, Safety and Compliance
<b>Approving authority:</b>	Board	<b>Approval date:</b>	09/08/2024
<b>Effective date:</b>	09/08/2024	<b>Review date:</b>	09/08/2025
<b>Review approval date:</b>	03/12/2025	<b>Next review date:</b>	03/12/2026

Version control		
Version	Date	Changes
1.0	09/08/2024	Policy developed
1.1	6/10/2025	<p>Annual review of policy undertaken. Key changes, include but not limited to:</p> <ul style="list-style-type: none"> <li>- The Policy has been strengthened to align more closely with the Child Safe Standards, with clearer articulation of staff and management roles and responsibilities, and enhanced guidance to support a safe, respectful, and inclusive environment for all children.</li> <li>- The word '<i>Environment</i>' has been added to the Policy title to reflect the requirements under the National Quality Regulations for a '<i>child safe environment policy</i>' as one of the prescribed documents.</li> </ul>
2.0	3/12/2025	Policy approved by MACSEYE Board