



Providing a Child Safe Environment

Approval: September 2021

Review: September 2023

POLICY STATEMENT:

Bondi Before & After School Care provides an environment that ensures the safety, health and wellbeing of children at all times. The welfare and protection of all children is of paramount importance. Educators will maintain the premises and equipment, adhere to procedures regarding safe practices and operate in line with legislative requirements relating to child protective practices and the Education and Care Services National Regulations and Law. Educators and management are aware of their legal responsibility as Mandatory Reporters to take action to protect and support children they suspect may be at significant risk of harm. Educators will ensure that children are adequately supervised at all times and that every reasonable precaution is taken to protect children from harm and any hazard likely to cause injury or trauma (National Quality Standards 2.3.1 & 2.3.2).

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY

2.2	Safety	Each child is protected
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, practised 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.

QUALITY AREA 5: RELATIONSHIPS WITH CHILDREN

5.1.1	Positive educator to child interactions	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.
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EDUCATION AND CARE SERVICES NATIONAL REGULATIONS and NATIONAL LAW

82	Tobacco, drug and alcohol-free environment
84	Awareness of child protection law
102(A-D)	Transportation of children (risk assessments and authorisations)
103	Premises, furniture and equipment to be safe, clean and in good repair

104	Fencing
105	Furniture, materials and equipment
106	Laundry and hygiene facilities
109	Toilet and hygiene facilities
115	Facilities designed to facilitate supervision
123	Educator to child ratios- centre based services
136	First aid qualifications
155	Interactions with children
162	Health information to be kept in enrolment record
168 (h)	Providing a child safe environment
S162 (A)	Persons in day to day charge and nominated supervisors to have child protection training
S165	Offence to inadequately supervise children
S167	Offence relating to protection of children from harm and hazards

PROCEDURES:

(a) Managing the Facility

- SECURITY:
 - Only approved educators and management members will be given a key to access the building and equipment areas.
 - Bondi BASC will adhere to key registry requirements of Bondi Public School. A key register will be maintained that indicates the person's receipt of the key, date received, and date returned on completion of employment or completion of term as member of Management.
 - All money and important documents will be kept in a lockable place and access will only be permitted by approved staff and management members.
 - Educators will ensure that the building is left in a secure manner before leaving and all windows, cupboards, safe, and other relevant areas are locked. All heating and lighting is off and all doors properly secured.
 - Educators will inform the police and the committee as soon as possible if there has been a break in to the service of any kind.
 - Educators will remain at the service until the police arrive or inform them of what to do.

- BUILDINGS, EQUIPMENT AND MAINTENANCE:
 - Equipment will be chosen to meet the children's developmental needs and interests. There will be sufficient access to furniture, materials and developmentally appropriate equipment suitable for the education and care for each child.
 - Service premises and all equipment and furniture will be maintained in a safe, clean condition and in good repair at all times.

- o Children will be provided with adequate, developmentally and age-appropriate toilet, washing and drying facilities. These will enable safe use and convenient access by children.
- o There must be no damaged plugs, sockets, power cords or extension cords.
- o All plug sockets shall be maintained as child safe.
- o Electrical appliances shall be in good working order.
- o Provision will be made in the budget for regular maintenance and repair work and for deferred costs of major capital repairs.
- o All contractors employed should have their own public liability insurance.
- o The service and equipment will be regularly checked to ensure that they are in a good and safe condition, comply with relevant Australian Standards and have appropriate soft-fall surfacing maintained.
- o Equipment will be regularly washed and cleaned.
- o Recycled craft materials should be checked for potential hazards.
- o Educators should ensure safe handling of all tools if used as part of any activity.
- o Families will be encouraged to notify educators of any safety issues they observe.
- o Anything that requires maintenance is to be reported to the Nominated Supervisor as soon as possible.
- o Faulty equipment should be removed or protection placed around any dangerous building sites.
- o A maintenance document will be kept that records any maintenance that needs to be addressed.
- o The maintenance document will record;
 - Type of problem
 - Date that it was observed
 - Who notified the Nominated Supervisor and when?
 - What was done to rectify the problem?
 - Date repaired
 - Tradesperson employed to repair the problem
- o For urgent repairs the Nominated Supervisor will organise a contractor to attend to the problem. The contractor will be chosen from a list that has been previously approved by the committee.
- o Non-urgent repairs will be recorded in the maintenance book. The Nominated Supervisor will note this in their report and bring it to the attention of management at the next meeting. Management and the Nominated Supervisor will organise to rectify the problem.
- o For major repairs a minimum of two quotes will be sought and reviewed by management who will make a decision on a further course of action. The Nominated Supervisor or someone with management control may obtain the quotes.
- o The Nominated Supervisor will review works completed by any tradesman employed, for future reference.
- o It is the responsibility of management, once a problem has been raised, to ensure that it is rectified in the most efficient manner and that the service is safe for educators and clientele.
- o Should the service be considered unsafe or as being a health risk, then the service will be closed, after notice has been given to all relevant parties, until the problem has been rectified.
- o The service will have an appropriate number of first aid kits that are suitable to the ages and needs of the children attending. The first aid kit will be well stocked and be easily recognised and accessible at all times.

- STORAGE:

- A storage system should be devised that ensures easy access and un-cluttered storage of all equipment.
 - Storage areas will be cleaned and tidied at least twice a year or when seen as necessary.
 - Play equipment and toys should be easily accessible to all children during the operating hours of the service.
 - Children will show respect for the equipment and be expected to pack equipment away that they have used to avoid trip hazards.
 - All equipment is to be neatly packed away at the end of each session.
 - Craft equipment will be stored in a separate area, children should ask permission before removing any craft equipment, such as paints and glues etc. which has not been set up by the staff.
 - All craft equipment is to be properly washed and cleaned before storage.
 - Where room permits, a separate storage area will be available for sporting and large outdoor equipment to prevent clutter.
 - All items such as cleaning materials, disinfectants, flammable, poisonous and other dangerous substances, tools, toiletries, first aid equipment, and medications should be stored in the designated secured area which is inaccessible to the children. Educators are responsible to ensure that these areas remain secure and that they do not inadvertently provide access to these items.
 - Kitchen and other refuse areas will be provided with lidded facilities that are cleaned and emptied daily.
 - Educators and management will ensure that all family records are kept in a nominated secure place, ensuring that records are kept confidential and not left accessible to others during the course of the daily operations.
- VENTILATION, TEMPERATURE AND NATURAL LIGHT:
 - All heating and cooling systems will be of good quality and checked regularly to ensure safety and reliability.
 - All heating and cooling systems and power cords will be kept in a safe area and away from children.
 - Educators will take individual needs and specific activities into account when ensuring that heating, ventilation levels are comfortable.
 - Should educators, children or families complain about the temperature in the service not being at a comfortable level, this matter will be drawn to the attention of management and steps will be made to address the problem.
 - Adequate ventilation will be provided at all times. Windows will be properly maintained to ensure easy opening.
 - Where activities involve toxic materials such as paints and glues, staff are to ensure there is adequate ventilation before undertaking the activity.
 - Windows are to be opened during operation of the service unless closed to protect from extreme weather conditions.
 - Natural light is considered to be most desirable. Provision of natural light areas will be enhanced as much as possible.
 - In areas made available for children's homework or other fine detail, natural light will be made available where possible and good overhead lighting provided.
 - Adequate light will be maintained both indoors and outdoors. A security light will be placed at the entrance to the service that clearly provides unobstructed view of the door and surrounding areas.
 - Outdoor lighting will be suitable so that families, staff and children can enter and exit the building without any unsafe dark areas.

- PEST CONTROL:

- o Equipment and especially food items will be properly stored, not to attract pests and vermin.
- o Recycle bins and disposal areas will be emptied and cleaned daily.
- o Kitchen, food preparation areas and storage will be cleaned and maintained daily.
- o All areas will be checked daily for any signs of pests or vermin.
- o Should any pests or vermin be identified then action should be taken to rid the service of the problem by:
 - o 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 management where the above methods have failed.
 - If urgent, the Nominated Supervisor may obtain a contractor from management list to address the problem.
 - If non urgent, the Nominated Supervisor will bring the problem to the attention of management in their report and management will decide on the appropriate course of action.
- o All families will be notified of any use of chemicals.
- o Any use of chemical products should only be conducted outside the hours of the children and educators' presence in the building.
- o All action will be taken to remove the children, educators, families and visitors from the environment for as long as is safe and viable.

(b) Managing the Indoor and Outdoor Environment:

- INDOOR ENVIRONMENT:
 - o The services indoor environment will be smoke free.
 - o The Nominated Supervisor will only enrol the number of children in the service, which can comfortably fit into the building space and in accordance with the National Regulations.
 - o Where children are indoors for long periods due to weather conditions, special activities will be planned and other areas sought to disperse the group such as school halls and verandas.
 - o Separate areas in the indoor environment will be provided for:
 - Signing children in/out of the service.
 - Collection of fees, answering phones, and maintaining daily records.
 - Educators and families to talk in confidence.
 - Children to store their bags and belongings.
 - Storage of equipment, food, dangerous materials, and family records.
 - Preparation of food and drinks.
 - Kitchen and other refuse.
 - Cleaning of equipment.
 - Male and female toilet, hand basins and hand drying facilities.
 - Creative and other activities.
 - Large and small group activities.
 - Display of children's activities and work.
 - Quiet space for children to retreat to, or do homework or lie down if unwell.
 - o The indoor area is to be set up to allow children to participate in a variety of activities with easy access to equipment. Drawing paper and other materials will be made available to the children at all times.
 - o Easy access to areas should be maintained by making clear easily definable passageways and walkways through the building.

- o Staff will ensure that children properly store their bags and that bags and other items are not thrown into walkways or play areas.
 - o All items obstructing areas are to be removed and placed in the correct storage areas.
 - o Areas must be set up to ensure that proper supervision can be maintained at all times.
 - o Access to the outdoor environment should be clear and easily accessible by the children and staff.
- **OUTDOOR ENVIRONMENT:**
 - o The outdoor environment provides each child with at least 7 square metres of unencumbered outdoor space in compliance with National Regulation 108.
 - o The outdoor environment will be smoke free.
 - o The outdoor space will be inspected daily for any obstacles or dangerous items and the hazard check will be recorded.
 - o Any hazardous items will be disposed of in a safe and careful manner prior to the children playing in the area.
 - o The outdoor space will be set up in a variety of ways to encourage participation.
 - o Areas will be made available where children can play in large or small groups or by themselves.
 - o Supervision should be properly maintained. Children are only to play in areas that are clearly visible to educators, and where child/educator ratios are maintained.
 - o Clear boundaries shall be set and enforced.
 - o When it is necessary to go outside the boundaries or line of supervision, an educator must accompany children.
 - o Adequate shade via trees and coverings will be maintained.
 - o As far as possible, activities will be set up in shaded areas.
 - o Use of other outdoor venues will be considered where access to the area is safe, adequate supervision can be maintained, the area is considered of value to the children's physical development and personal comfort, and where adequate staff/educator ratios can be maintained.

(c) Child Protective Practices

Mandatory Reporting

- A Mandatory Reporter is anybody who delivers services to children as part of their paid or professional work.
- In OOSH services mandatory reporters are:
 - o Staff that deliver services to children
 - o Management, either paid or voluntary, whose duties include direct responsibility or direct supervision for the provision of these services.
- Staff are mandated to report to Community Services if they have current concerns about the safety or welfare of a child relating to section 23 of the NSW Children and Young Persons (Care and Protection) Act 1998

Section 23 (1)

a-b) Child is at significant risk of harm – Neglect

- a) Basic physical or psychological needs not being met or are at risk of not being met
- b) Parents/ carers unwilling or unable to provide necessary medical care
 - b1) parents/ carers unwilling or unable to arrange for the child or young person to receive an education

- c) Child is at significant risk of harm – Physical / Sexual abuse
- d) Child is at significant risk of harm – Domestic violence
- e) Child is at significant risk of harm – Serious Psychological harm
- f) Child is at significant risk of harm – Prenatal report

- Staff will undergo training in relation to child protection and reporting as part of the training budget.
- Any staff that forms a belief based on reasonable grounds that a child is at risk of harm should ensure they record the details of the report in a clear objective format.
- Reports should be treated with strict confidentiality in adherence to the service’s Confidentiality Policy and Procedures.
- Any staff who forms a belief based on reasonable grounds that a child is at risk of harm should discuss their concerns with their coordinator/ nominated supervisor, as he or she may have information the staff member is not aware of. The Coordinator will then assist staff in running the online Mandatory Reporters Guidelines tool (see point below for more information) to determine whether the report meets the threshold for significant risk of harm.
- If directed by MRG to report to Community services, staff should report their concerns to the Child Protection Helpline:
 - Mandatory Reporters phone 13 36 27
 - Non-Mandatory reporters phone 132 111
- When reporting to the Helpline it is important to have as much information as possible available to give to the Helpline. This might include child’s information, family information, reporter details and outcomes of the MRG.
- If Coordinator/ Nominated Supervisor has been advised to but has not reported to Community Services you are legally responsible to do so.
- Once a report is made to the CS Helpline no further report needs to be made unless new information comes to hand.

Mandatory Reporting Guidance Tool

- A Mandatory Reporting Guidance tool has been developed to help frontline mandatory reporters, including OOSH workers determine whether the risk to a child or young person meets the new statutory threshold of ‘risk of significant harm’. The MRG will guide reporter on what action should be taken. The MRG is an interactive tool and is available online at: <https://reporter.childstory.nsw.gov.au>
- If still in doubt the Community Services Helpline will provide feedback about whether or not the report meets the new threshold for statutory intervention.
- If new information presents concerning the child or young person run the MRG tool again
- Where concerns do not meet the significant harm threshold, the MRG tool may guide you to ‘Document and continue the relationship’. This requires the service to continue to support, provide services, and coordinate assistance and referral for the child and their family.
- The report page from the MRG should be printed and placed in the child/family file for future reference regardless of whether or not further action is recommended.

For assistance with referral information.

Human Services Network www.hsnet.nsw.gov.au

Family Services NSW www.familyservices.nsw.asn.au

Information Exchange

In order to provide effective support and referral it may be necessary to exchange information with other prescribed bodies including government agencies or non-government organisations and services.

- The NSW Children and Young Persons (Care and Protection) Act 1998 has been amended (2009) to include chapter 16A Information Exchange
- Chapter 16A requires prescribed bodies to take reasonable steps to coordinate decision making and the delivery of services regarding children and young people
- Under Chapter 16 A NSW Children and Young Persons (Care and Protection) Act 1998, Staff will exchange information that relates to a child or young persons safety, welfare or wellbeing, whether or not the child or young person is known to Community Services and whether or not the child or young person consents to the information exchange.
- The information requested or provided must relate to the safety, welfare or wellbeing of the child. Information includes:
 - A child or young person's history or circumstances
 - A parent or other family member, significant or relevant relationship
 - The agency's work now and in the past
- Where information is provided in good faith and according to legal provisions, under section 29 & section 245G NSW Children and Young Persons (Care and Protection) Act 1998; reporters cannot be seen as breaching professional etiquette or ethics or as a breach of professional standards. There can be no liability for court action.

Where a complaint is made about a staff member, or someone in the service

- Should an incident occur that involves a child being put at risk of harm from a member of staff, volunteer, trainee or person visiting the service, this is regarded as '**reportable conduct**' and necessitates such conduct to be reported.
- Under the [Children's Guardian Act 2019](#), BASC Management must notify the *Office of the Children's Guardian* within seven business days and conduct an investigation into the allegations. If the final entity report should be submitted within 30 days. contact (02) 8219 3800 or at reportableconduct@kidsguardian.nsw.gov.au
- Where the allegation is made to a staff member or member of management the facts as stated will be recorded in writing, using an Incident Report template that includes dates, times, names of person/s involved, name of person making allegation and the person making the report. This report should be kept on record and treated as strictly confidential.
- If the Director or person in charge is suspected then the chairperson on management committee should be informed.
- The person making the report should follow the advice provided by the *Office of the Children's Guardian*. Management will also follow this advice.
- The matter will be treated with strict confidentiality.
- For the protection of both the children and the staff member involved, the staff member should be encouraged to take special leave or removed from duties involving direct care and contact with children, until the situation is resolved.
- Support should be provided to all involved. This support can be given in the form of counselling or referral to an appropriate agency.

Recruitment & Orientation of Staff

- All staff employed by the service including management, full time/ part time carers, volunteers and students will be subject to a Working with Children Check carried out by the NSW Commission for Children and Young People. Written approval from the prospective employee will be sought prior to this check being carried out.
- When the service engages a self-employed individual to provide services, the provider is required to provide a Certificate for Self-Employed People. This certificate ensures verification that the person employed is not banned by law from working with children. These certificates are issued through the NSW Commission for Children and Young People. Application form and instructions are available on www.kids.nsw.gov.au
- All staff will be informed of their responsibilities as a Mandatory Reporter as part of their orientation and induction process. This will involve discussion regarding their current understanding, use of this policy and resources and access to Child Protection training. Information related to sexual grooming will also be provided upon orientation and induction to ensure that staff are fully aware of the signs and limits related to appropriately interacting with children.

For further information

- Child Story <https://reporter.childstory.nsw.gov.au>
- Human Services Network www.hsn.net.nsw.gov.au
- Office of the Children's Guardian reportableconduct@kidsguardian.nsw.gov.au
- Community Services www.community.nsw.gov.au
- NSW Commission for Children and Young People www.kids.nsw.gov.au
- Child Protection Helpline 13 36 27

POLICY REVIEWED	MODIFICATIONS	NEXT REVIEW DATE
September 2020	<ul style="list-style-type: none"> • Amend reportable conduct from NSW Ombudsman to Office of the Children's Guardian. • Under the new Children's Guardian Act 2019, BASC Management must notify the <i>Office of the Children's Guardian</i> within seven business days and conduct an investigation into the allegations. If the final entity report should be submitted within 30 days. contact (02) 8219 3800 or at reportableconduct@kidsguardian.nsw.gov.au 	August 2022

CONSIDERATIONS	
Education & Care Services National Regulations	82, 84, 85, 86, 87, 89, 103, 105, 107, 108,

	109, 110, 114, 115, 170, 176, 168,
National Quality Standard	Quality /'Area's 2, 3, 4, 5 & 7
Service Policies & Documentation	<ul style="list-style-type: none"> ● Family handbook ● Staff handbook ● Child Protections Policy ● Health and Safety policies and procedures ● Staffing policies and procedures
Other	<ul style="list-style-type: none"> ● NSW Children and Young Person's (Care and Protection) Act 1998 ● Commission for Children and Young People Act 1998 ● Child Protection (Prohibited Employment) Act 1998 ● Children's Guardian Act 2019. ● reporter.childstory.nsw.gov.au ● Ombudsman Act 1974 (with relevant Child Protection Amendments) ● NSW Department of Community Services Mandatory Reporting Guidelines ● NSW Child Protection Interagency Guidelines (2006) ● Legislation Amendment (Wood Inquiry Recommendations) Act 2009 No 13 ● My Time, Our Place.