

Child Protection Policy

Aim

Five Dock Leisure Centre (FDLC) fully supports the aims and objectives of Child Protection Legislation, and associated provisions, and will implement all necessary measures to ensure a safe and supportive environment, which endeavours to promote the prevention of child abuse.

Background

Child abuse is common in any community. Child abuse can be any or a combination of the following: physical, domestic violence, neglect, sexual abuse, psychological harm, prenatal.

Five Dock Leisure Centre (FDLC) within its capacity will protect children from risk of harm by:

- Facilitating the reporting of children at significant risk of harm;
- Referring and supporting families and children that do not meet the significant risk of harm threshold;
- Establishing procedures to prevent the employment of persons who are prohibited by law from working with children;
- Providing a system for the reporting of any allegations of reportable conduct in compliance with requirements of the Ombudsman Amendment (Child Protection and Community Services) Act 1998;
- Ensuring the prompt notification and investigation of allegations against Centre staff of all children at risk of harm.
- Involving staff in professional development relating to child protection;
- Creating community awareness about child protection.
- Five Dock Leisure Centre (FDLC) staff are all mandatory reporters.

Relevant legislation

Child Protection (Working with Children) Act 2012 and Child Protection (Working with Children) Regulation 2012

This act/regulation was established by the NSW Commission for Young People and mandates working with children clearance for employees, volunteers and self-employed people working with children.

The Children and Young Persons (Care and Protection) Act 1998

This Act outlines the responsibilities of the Department of Human Service in child protection. As part of this responsibility, the Department receives and assesses reports of reportable conduct and acts to maintain the safety of children and young people.

Five Dock Leisure Centre will ensure that Centre staff are aware of their mandatory reporting obligation to report to the Human Services when a child or young person is considered to be at "risk of

harm", and ensure that policies, procedures and practices are in line with the Act in relation to child protection.

The role of staff is to ensure that their practice is in line with principles of the Act and to report concerns that a child or young person is "at risk of harm".

The Ombudsman Amendment (Child Protection and Community Service) Act 1988

This Act ensures that Government and some non-government agencies are aware of their reporting obligations under the Act.

It requires the NSW Ombudsman to:

- Scrutinise systems used for prevention of reportable conduct,
- Monitor investigations into reportable conduct,
- Investigate a complaint about an agency's inappropriate handling of a response to an allegation of reportable conduct.

The Children Legislation Amendment (Wood Inquiry Recommendations) Act 2009 No13

This legislation raises the reporting threshold from "risk of harm" to "significant risk of harm". It also removes criminal penalties for not reporting, and sets up an alternate reporting process, which includes Child Wellbeing units, and the referral and support to families and children who do not meet the significant risk of harm threshold by services.

Five Dock Leisure Centre Child Related Positions

A verified working with children check will be required for any contractors, self employed persons, student placements or volunteers engaged to work with or in conjunction within the following areas operated by Five Dock Leisure Centre:

- Crèche
- Gymnastics
- Stadium
- Health Club

Exemptions from the working with children check will apply in accordance with the Child Protection Regulation (Appendix 1)

Practices

The Five Dock Leisure Centre Manager will take reasonable steps to ensure that this policy is current, reviewed regularly and communicated to staff and stakeholders.

The Coordinator Operations and Business Improvement will take reasonable steps to inform and support staff of their responsibilities in implementing these policies at all times.

Five Dock Leisure Centre will:

- Only employ staff that have a current working with children check clearance.
- Only accept volunteers/students that have a current working with children check clearance.
- Ensure that a barred person is not engaged in child related work.
- Verify each staff members, volunteers/students working with children check clearance number prior to commencement at the Centre.

- Keep a record of each staff members/volunteers/students cleared working with children check number, its expiry date and the date of the verification.
- Inform staff/volunteers/students that they must apply and maintain their own working with children check clearance
- Ensure that individuals or groups of children are not permitted to be withdrawn into areas where they are not visible by other staff members, or taken into rooms that can be locked.
- Ensure that staff remain readily accessible and within the visibility of other staff while with children.
- Ensure that students and volunteers are never alone with children in a direct, un-supervised capacity.
- Ensure that while there is a child on the premises of a service, there is to be a minimum of 2 staff on the premises. It is the responsibility of the Coordinator to ensure that rosters meet this requirement and it is the responsibility of all staff to ensure this requirement is upheld.
- Ensure that in the event that a child requires a nappy change at the centre, two staff members are visibly present during this procedure
- Promote staff awareness of their own level of tolerance and stress factors and encourage them to acknowledge challenging situations/behaviours and seek assistance from other staff.
- Ensure that team members offer assistance and support to staff during challenging or difficult situation.
- Ensure that each staff member is advised of:
 - The existence and application of current child protection law
 - Any obligation they have under the law
- Provide staff training in relation to child protection to ensure that above mentioned requirements are maintained. Staff training will include: professional reading materials, in-service training, on line training, team meeting discussion, and policy review.
- Ensure that the Team Leader and anyone placed in charge of the day to day practices has successfully completed a child protection course as approved by the NSW regulatory authority.
- Ensure that under no circumstances is a child subject to any form of corporal punishment, or any discipline that is unreasonable in the circumstances. Staff, volunteers and students will implement behaviour guidance strategies in line with the Centre's behaviour guidance policy.
- Verify all child related self-employed visitors (eg incursion performers) working with children check's prior to them working at the Centre. Keep a record of cleared working with children check number, its expiry date and the date of the verification.
- Report all cases of suspected child abuse which meet the significant risk of harm threshold.

Defining significant risk of harm

A child or young person is at risk of significant harm if the circumstances that are causing concern for the safety, welfare, or wellbeing of the child or young person are present to a significant extent.

This means it is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent.

Something that is significant is not minor or trivial, it may reasonably be expected to produce a substantial and adverse impact on the child or young persons safety, welfare or wellbeing, and it can result from a single act or omission or an accumulation of these.

Making a report

If a staff member suspects on reasonable grounds that a child or young person may be at risk of significant harm, staff members will:

- Discuss their concerns with relevant centre staff. Discussion and sharing of information is strictly on a "need to know" basis.
- Access the online mandatory reporters guide at <https://reporter.childstory.nsw.gov.au/s/mrg> to assess whether a child is at risk of significant harm.

If the mandatory reporters guide identifies that staff concerns are reportable, the Centre Manager will:

- Report to the Manager, Community Life
- Print out a copy of the final decision report, and save it for centre records.
- Make a report to the mandatory reporter's line on **132 111** within 24 hours.
- Document the hotlines advice and record the reference number supplied by the hotline.
- If Centre staff are not satisfied that the Team Leader has made a report, and they still suspect a child is at risk of significant harm then they must make a report to the mandatory reporters line.

If the mandatory reporters guide identifies that the child is not at risk of significant harm, and staff still have concerns for the child's safety and wellbeing, the Team Leader will:

- Print out a copy of the final decision report and save it for centre records.
- Discuss their concerns with relevant staff.
- Contact the Child Protection Hotline on **132 111** for further advice and clarification.

If the child protection hotline identifies that the child is not at risk of significant harm, and that the family may benefit from support from agencies, the Team Leader will:

- Contact the Child Protection Hotline on **132 111** to discuss possible options regarding the referral and support available to the family.
- Discuss with the hot line appropriate strategies for addressing concerns with family members.
- Access HSNNet at www.hsnnet.nsw.gov.au or Families NSW for information regarding suitable referral services.
- Access referral services for advice and support on how to approach and discuss concerns with family members
- Discuss and obtain support from the Centre Manager
- Refer the family directly to a support service

Sharing information with prescribed bodies

Chapter 16A of the Children and Young Persons (Care and Protection) Act 1998 (the Act) allows government agencies and non-government agencies who are "prescribed bodies" to exchange information that relates to a child or young person's safety, welfare or wellbeing, whether or not the child or young person is known to Community Services and whether or not the child consents to the information exchange.

Prescribed bodies' under the legislation are:

- NSW Police Force
- NSW government department or public authority

- Government school or a registered non-government school or a TAFE
- Public health organisation or a private hospital
- Private fostering agency or a private adoption agency
- Designated agency which is a department of the Public Service or an organisation that arranges out of home care
- Agencies that conduct residential child care centre or a child care service under the 1987 Act
- Any other organisations that have direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children's services, residential services, or law enforcement, wholly or partly to children.
- The Family Court of Australia (for the purposes of section 248 but not Chapter 16A)
- Centrelink (for the purposes of section 248 but not Chapter 16A)
- The Commonwealth Department of Immigration and Multicultural and Aboriginal Affairs (for the purposes of section 248 but not Chapter 16A).

If Five Dock Leisure Centre receives a request for information, the Centre Manager will:

- Confirm the person's identity by contacting the agency before providing the information,
- Request that agencies make their request in writing and provides the following information:
 - Identifies the child;
 - Explains how the information relates to the safety, welfare or wellbeing of the child;
 - Explains why the information will assist to make a decision, assessment or plan, or to initiate or conduct an investigation, or to provide any service, or to manage any risk to the child;
 - Provides sufficient detail to assist the centre to understand the purpose of the request and to locate the relevant information in an efficient manner;
 - Provides background information relevant to the request, including whether or not the agency has informed a child, parent that the information has been sought and if not, why not;
 - Indication of a realistic time frame for the centre to provide the information.
- Ensure that the information requested relates to a child's safety, welfare or wellbeing.
- Identify whether the information requested can be used to make a decision, assessment or plan; initiate or conduct an investigation; provide a service or manage a risk in relation to the safety, welfare or wellbeing of a child or a class of children.
- Identify whether or not to inform the parent or guardian that a request for information has been made.
- Document all conversations and information that are shared with the agency
- File all information in our Database saved in a separate file under the child's profile. Any paper documents will be shredded.

If Five Dock Leisure Centre makes a request under the Act, the Centre Manager will:

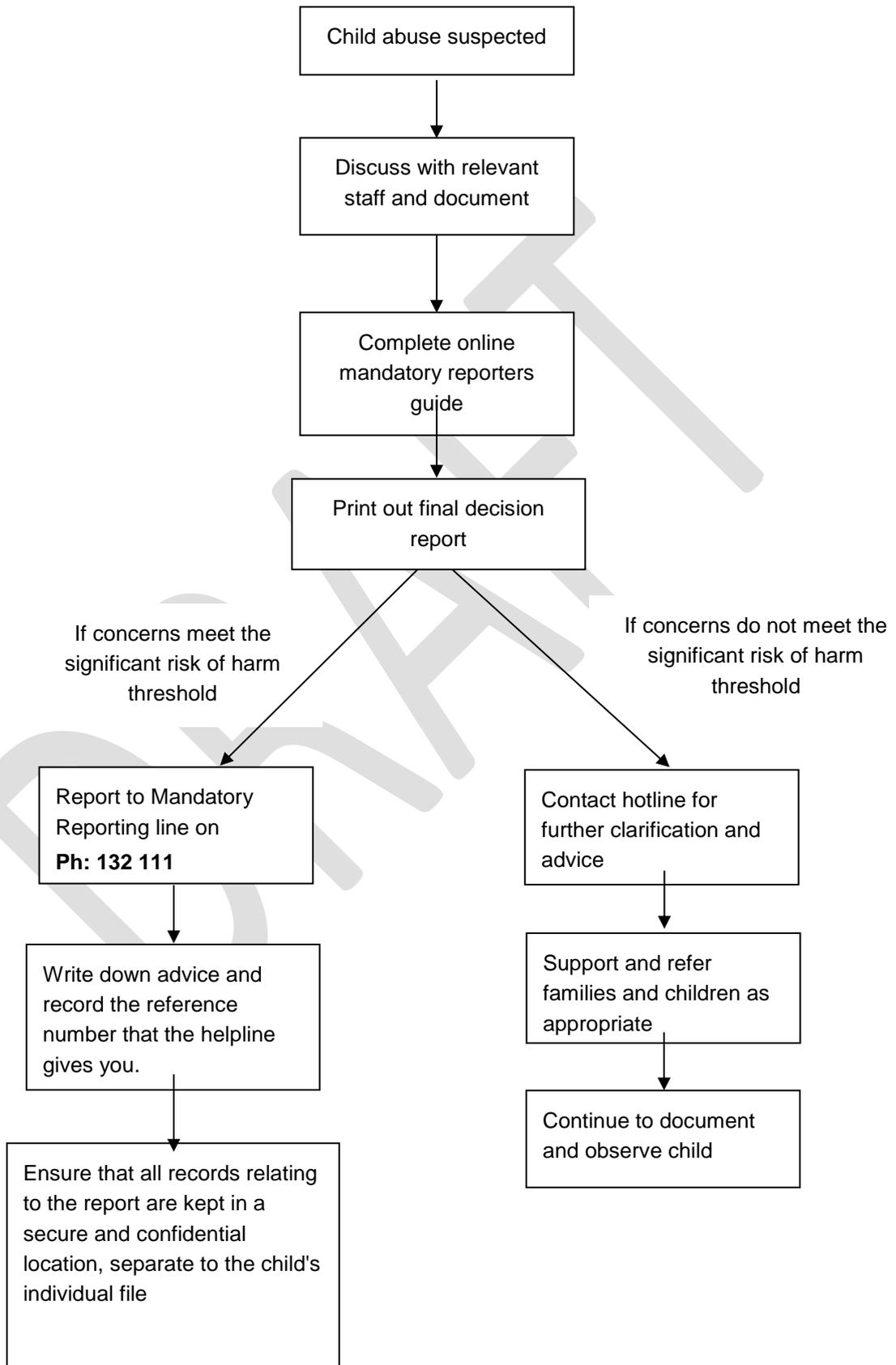
- Ensure that the information requested relates to a child's safety, welfare or wellbeing.
- Identify whether to inform that parent/guardian that a request for information is being made;
- Put all requests in writing. Written requests will:
 - Identify the child;
 - Explain how the information relates to the safety, welfare or wellbeing of the child;

- Explain why the information will assist to make a decision, assessment or plan, or to initiate or conduct an investigation, or to provide any service, or to manage any risk to the child;
- Provide sufficient detail to assist the other agency to understand the purpose of the request and to locate the relevant information in an efficient manner;
- Provide background information relevant to the request, including whether or not the agency has informed a child, or parent that the information has been sought and if not, why not;
- Indicate a realistic time frame for the agency to provide the information.

Documenting suspected cases of child abuse

- Record thorough observations and file confidentially at the Centre.
- The observation must be completed thoroughly and in a professional manner and must include all telephone and personal conversations that staff have about the case with parents, Human Services, or the Child Protection Hotline. Staff must record the date and time of conversations, who they were with and what was discussed. Staff should print their full name and sign at the end of each entry.
- When staff make and record observations they should:
 - Make sure their comments are clear, decisive and factual.
 - Use their senses and record what they see, hear, smell not what they think.
 - Never ask questions or examine a child or try to investigate the matter themselves. The wrong questions by the wrong people may mean that the information needed to protect the child is not received. It is Human Services responsibility to investigate suspected reportable conduct it is not the job of Centre staff.
- If a report is made, and an officer from the Human Services visits the Centre to see the child, centre staff must:
 - Sight the identification details of the officer.
 - Arrange for an interview to take place discreetly.
 - Ensure that a staff member that the child feels comfortable with is present during the interview.
 - Ensure that they do not actively participate in the interview but instead act as a support to the child.
- Gather all relevant information to help with the report to Human Services. Helpful information includes:
 - The name, date of birth, address, and phone number of the child/ren you are concerned about.
 - The full name (including any know aliases), approximate age, address, and phone numbers of the parents/carers.
 - A description of the child and their current whereabouts.
 - Why you suspect the child is at risk of harm (what have you seen heard or been told)
 - Whether a language or sign interpreter may be required.
 - Your name and contact details.

The flowchart for making a report through Five Dock Leisure Centre is as follows:



What to do if a child discloses that they are at risk of harm:

A purposeful disclosure is when a child tells you that they have been involved in reportable conduct. When such a disclosure occurs staff should:

- Show appropriate warm open body language
- Not act shocked or disgusted
- Tell the child that they believe them and that they have done the right thing in coming forward.
- Tell the child that they have not done anything wrong.
- Tell the child that they are pleased that they were told.
- Let the child know that they will need to tell other people in order to help them.
- Explain to the child what the next step will be.

Staff should not:

- Ask leading questions e.g. what happened next
- Ask inappropriate questions
- Say anything judgemental about the perpetrator.
- Make promises that they cannot keep.

Staff protection if they make a report to Human Services

The Children and Young Persons (Care and Protection) Act 1998 protects any person who makes a report in good faith to Human Services. Although staff must identify themselves to Human Services when they make a report their identity remains confidential. No one is allowed to identify a person who makes a report to anyone else unless the reporter gives permission or a court order requires the disclosure. The legislation also protects staff in the following circumstances:

- Making a report is not a breach of professional ethic or confidentiality.
- No liability for defamation can be incurred because of a report.
- The report is not admissible in any proceedings as evidence against the person who made the report.
- A person cannot be compelled in any proceedings to provide the report or give evidence of any of its contents.

Staff training and professional development:

On induction, staff will be informed of, read and discuss the Centres Child Protection Policy with the Team Leader or Coordinator. Staff members will be encouraged to ask questions of concern and demonstrate that they have a thorough knowledge of the centres Child Protection Policy, their individual responsibility and relevant Legislation.

Five Dock Leisure Centre Management is required to:

- Report to the NSW Ombudsman within 30 days of becoming aware of any allegations or convictions of reportable conduct made against employees.
- Conduct investigations into reportable conduct of allegations or convictions and take appropriate action as a result.

Types of Abuse and Signs

Types of Abuse

Neglect

A parent/carer is not adequately meeting a child's/young person's needs such as: supervision, shelter, medical care, hygiene/clothing, mental health care, schooling/education, nutrition, or other basic needs. A child/young person is a danger to self or others and parents/carers are not supervising or providing care.

Possible signs of neglect

Signs in children:

- low weight for age and/or failure to thrive and develop
- untreated physical problems e.g. sores, serious nappy rash and urine scalds, significant dental decay
- poor standards of hygiene i.e. child consistently unwashed
- poor complexion and hair texture
- child not adequately supervised for their age
- scavenging or stealing food and focus on basic survival
- extended stays at school, public places, other homes
- longs for or indiscriminately seeks adult affection
- rocking, sucking, head-banging
- poor school attendance

Signs in parents or caregivers

- unable or unwilling to provide adequate food, shelter, clothing, medical attention, safe home conditions
- leaving the child without appropriate supervision
- abandons the child
- withholding physical contact or stimulation for prolonged periods
- unable or unwilling to provide psychological nurturing
- has limited understanding of the child's needs
- has unrealistic expectations of the child

Physical Abuse

Non-accidental injury or physical harm to a child/young person may have been caused by a parent/carer or other adult household member. You know of treatment of a child/young person by a parent/carer or other adult household member that may have caused or is likely to cause an injury or physical harm.

Possible signs of physical abuse

Signs in children

- bruising to face, head or neck, other bruising and marks which may show the shape of the object that caused it e.g. belt buckle, hand print
- lacerations and welts
- drowsiness, vomiting, fits or pooling of blood in the eyes, which may suggest head injury
- adult bite marks and scratches
- fractures of bones, especially in children under three years old
- dislocations, sprains, twisting

- burns and scalds (including cigarette burns)
- multiple injuries or bruises
- explanation of injury offered by the child is not consistent with the injury
- abdominal pain caused by ruptured internal organs, without a history of major trauma
- swallowing of poisonous substances, alcohol or other harmful drugs
- general indicators of female genital mutilation e.g. having a 'special operation'

Signs in parents and caregivers

- frequent visits with their child or children to health or other services with unexplained or suspicious injuries, swallowing of non-food substances or with internal complaints
- explanation of injury offered by the parent is not consistent with the injury
- family history of violence
- history of their own maltreatment as a child
- fears injuring their child
- uses excessive discipline

Sexual Abuse

Sexual activity or behaviour that is imposed, or is likely to be imposed, on a child/young person by another person. Select this decision tree if you are concerned/worried that a child or young person is at risk of sexual abuse or sexually harming another child or young person.

Possible signs of sexual abuse

Signs in children

- bruising or bleeding in the genital area
- sexually transmitted diseases
- bruising to breasts, buttocks, lower abdomen or thighs
- child or child's friend telling you about it, directly or indirectly
- describing sexual acts
- sexual knowledge or behaviour inappropriate for the child's age
- going to bed fully clothed
- regressive behaviour e.g. sudden return to bed-wetting or soiling
- self-destructive behaviour e.g. drug dependency, suicide attempts, self-mutilation
- child being in contact with a known or suspected pedophile
- anorexia or over-eating
- adolescent pregnancy
- unexplained accumulation of money and gifts
- persistent running away from home
- risk taking behaviours - self harm, suicide attempts

Signs in parents or caregivers:

- exposing a child to prostitution or pornography or using a child for pornographic purposes
- intentional exposure of a child to sexual behavior of others
- previous conviction or suspicion of child sexual abuse

- coercing a child to engage in sexual behavior with other children
- verbal threats of sexual abuse
- denial of adolescent's pregnancy by family

Psychological Harm

A child/young person appears to be experiencing psychological/emotional distress and is a danger to self or others as a consequence of parent/carer behaviour. An underage marriage or similar union, where one of both partners is under 18 has occurred.

Possible signs of psychological abuse :

All types of abuse and neglect harm children psychologically, but the term 'psychological harm' or 'emotional abuse' applies to behavior which damages the confidence and self-esteem of a child or young person, resulting in serious emotional deprivation or trauma.

Signs in children:

- constant feelings of worthlessness about life and themselves
- unable to value others
- lack of trust in people
- lack of people skills necessary for daily functioning
- extreme attention-seeking behavior
- is obsessively eager to please or obey adults
- takes extreme risks, is markedly disruptive, bullying or aggressive
- is highly self-critical, depressed or anxious
- suicide threats or attempts
- persistent running away from home.

Signs in parents or caregivers:

- constant criticism, belittling, teasing of a child, or ignoring or withholding praise and attention
- excessive or unreasonable demands
- persistent hostility and severe verbal abuse, rejection and scapegoating
- belief that a particular child is bad or 'evil'
- using inappropriate physical or social isolation as punishment
- domestic violence.

Danger to Self or Others

A child/young person is demonstrating suicidal or self-harming behaviours. A child/young person is a danger to self or others and the reporter does not know whether the parent/carer behaviours contributed now or in the past.

Relinquishing Care

Parent/carer states they will not or cannot continue to provide care for a child under the age of 16 or a young person over 16 and they are unable to make an informed decision (temporarily or permanently). Child/young person is in voluntary care for longer than legislation allows

Carer Concern

A child/young person is significantly affected by carer concerns such as substance abuse, mental health or domestic violence.

Possible signs of domestic violence:

Signs in children:

- show aggressive behaviour
- develop phobias & insomnia
- experience anxiety
- show symptoms of depression
- have diminished self esteem
- demonstrate poor academic performance and problem solving skills
- have reduced social competence skills including low levels of empathy
- show emotional distress
- have physical complaints

Unborn Child

You are concerned for the welfare of an unborn child at birth.

Relevant Legislation:

Education and Care Services National Regulation 2011: **Regulation 84; 168**; Education and Care Service National Law 2011; **Section 166-167**; Protection (Working with Children) Act 2012; Child Protection (Working with Children) Regulation 2012; The Children and Young Person (Care and Protection) Act 1998; The Ombudsman Amendment (Child Protection and Community Service) Act, 1988; The Children Legislation Amendment (Wood Inquiry Recommendations) Act 2009 No13

Source: Child Story website <https://reporter.childstory.nsw.gov.au/s/mrg>, Keep Them Safe website www.keepthemsafe.nsw.gov.au; Keep them Safe Website; Keep them Safe, Information exchange fact sheet, 2010; National Quality Framework Resource Kit; Australian Children's Education and Care Quality Authority; October 2011; Office of Communities, Commission for Children and Young People website www.kids.nsw.gov.au/kids/working/newcheck

Date Developed:	March 2010
Date Reviewed:	September 2017
Implementation Date:	

Acknowledgement Form

I acknowledge that I have read and understood the contents of Five Dock Leisure Centre Child Protection Policy and agree to abide to all the conditions contained here within.

Name

Date

Signed

Appendix 1

<http://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check/about-the-check/exemptions>

Exemptions from the Working With children Check

There are specified exemptions from the Working With Children Check. People covered by these exemptions are not required to have a Working With Children Check. The exemptions are:

- **Children** (under the age of 18)
- **Volunteering by a [parent or close relative](#)** (except where the work is part of a formal mentoring program or involves intimate, personal care of children with a disability):
 - with the child's school, early education centre or other educational institution
 - with a team, program or other activity in which the child usually participates or is a team member
- **Administrative**, clerical, maintenance or ancillary work not ordinarily involving contact with children for extended periods
- **Very short term** work:
 - A worker who works for a period of not more than a total of 5 working days in a calendar year, if the work involves minimal direct contact with children or is supervised when children are present
 - As a visiting speaker, adjudicator, performer, assessor or other similar visitor for a one off occasion, in the presence of one or more other adults
- **Informal domestic** work (not on a professional / commercial basis)
- **Work only [with close relatives](#)** (except as an authorised carer)
- **Co-workers and supervisors** where a child works
- **Interstate visitors:**
 - can work or volunteer at a one-off event such as a jamboree, sporting or religious event or tour, for up to 30 days a year without a NSW Working With Children Check
 - can work or volunteer in any child-related work for up to 30 days a year, if the person holds an interstate Working With Children Check, or is exempt from the requirement to have such a check in his or her home jurisdiction
 - health practitioners working in NSW from outside the State for up to five days in any three month period

- [FACT SHEET: Overseas applicants \(PDF 105.7KB\)](#)
- **Home carers** with a current police certificate for aged care where the clients are not primarily children
- **NSW Police or Australian Federal Police** officers in the role of police officer
- **Private practice health practitioners** who do not ordinarily treat children without other adults present

Part 2 of the [Child Protection \(Working With Children\) Regulation 2013](#) also gives specific instances of work that is not child-related (which means it will not require a Check).

DRAFT