

Policy

Child protection in schools, early childhood education and care

Summary

This policy describes the scope of obligations that must be met to maintain child safe environments in DECD schools, early childhood education and care services, including through the provision of child protection curriculum.

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Related Legislation/Applicable Section of Legislation	Children's Protection Act 1993 South Australian Education Act 1972
Related Policies, Procedures, Guidelines, Standards, Frameworks	Protective Practices for Staff in their Interactions with Children and Young People Screening and Suitability- Child Safety Curriculum, Pedagogy, Assessment and Reporting Policy for Reception – Year 10
Replaces	Child Protection in Schools, Early Childhood Education and Care Services 2011 publication
Policy Officer	Project Director Child and Youth Safety
Policy Sponsor	Deputy Chief Executive Child Safety
Executive Director Responsible	Deputy Chief Executive Child Safety
Applies to	Staff and volunteers in schools, early childhood education and care services / Education and care leaders/Corporate leaders
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REVISION RECORD

Date	Version	Revision Description
April 2015	2.0	Updating December 2011 version 1.0 to reflect new policies; Screening and Suitability - Child Safety and Managing Allegations of Sexual Misconduct.

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1. TITLE

Child protection in schools, early childhood education and care services

2. PURPOSE

The purpose of this policy is to describe the roles and responsibilities of education and care staff and volunteers in establishing and maintaining child safe environments, including through the provision of child protection curriculum.

3. SCOPE

This policy applies to all staff and volunteers working in DECD schools and early childhood education and care services, DECD education and care leaders and DECD corporate leaders.

4. POLICY DETAIL

4.1 Principles

- a) Protecting the safety and wellbeing of children and young people is a fundamental responsibility that cannot be compromised by other considerations.
- b) Children and young people have a right to:
- be treated with respect and to be protected from harm
 - be asked to express their views and wishes about matters affecting their lives and to have those views appropriately considered by adults
 - feel and be safe in their interactions with adults and other children and young people
 - understand, as early as possible, what is meant by 'feeling and being safe'
 - the support of school based counsellors or designated staff in their education or care environment whose role includes being an advocate for their safety and wellbeing
- c) Children and young people are entitled to the rights at 4.1(b) irrespective of their special needs, gender, race, sexual orientation or cultural, religious or family circumstances.
- d) Preventing and intervening in the abuse and neglect of children and young people are moral and legal obligations. They contribute to improving the safety and health of current and future generations.
- e) Safety and wellbeing concerns arise within family, community and institutional settings. The actions and efforts of people from within and outside the education and care setting are needed so that interventions on behalf of children and young people are successful and sustained.
- f) Maintaining children and young people's attendance at, and engagement with education and care environments is a key contributor to their long-term health, safety and wellbeing.

4.2 Obligations

DECD must meet each of the following five obligations in order to maintain child safe environments.

1) Screening and suitability

Staff, volunteers and other persons identified by legislation or DECD policy will be screened as part of an on-going process to ensure adults are suitable to work, access or volunteer in DECD sites/services.

- Suitability must be established at the point of recruitment and monitored continuously.
- Continuous monitoring of suitability includes the responsibility of all adults to report inappropriate conduct towards children and young people by any person engaged with the site or service.

2) Training and support

Staff and volunteers will receive training that explains their responsibilities for children's safety and wellbeing and outlines how those responsibilities should be met with sensitivity and purpose. The training will cover the obligations underpinning a child safe environment and will include the role of a mandated notifier under Section 11(1) and (2) of the Children's Protection Act 1993.

- Staff will undertake and follow the approved full day child protection training program as a condition of employment and receive approved three yearly update programs thereafter.
- Volunteers will receive the approved child protection induction session as a condition of volunteering.
- School based counsellors or staff designated to provide advocacy for children and young people's safety and wellbeing will meet relevant DECD job and person specifications and will receive approved induction, ongoing professional development and support.
- Staff involved in teaching the approved child protection curriculum will receive training, ongoing professional development and support.
- Personnel with responsibility to investigate serious allegations against staff or volunteers in DECD sites/services will meet DECD job and person specifications, will receive induction and will have support and supervision appropriate to the critical nature of their work.

3) Adult Conduct

Staff and volunteers will relate respectfully and protectively with children and young people. Staff and volunteers have a responsibility to report and intervene against behaviours that compromise the safety or wellbeing of children and young people.

- Staff and volunteers will follow approved protective practice guidelines in all their physical and social interactions with children and young people.
- Staff and volunteers will report and document concerns raised about inappropriate adult conduct towards children and young people.
- Staff will follow approved attendance, behaviour management and incident response policies and guidelines.
- Serious allegations of sexual misconduct against staff or volunteers will be referred to the DECD Incident Management Division (in liaison with SA Police) and decisions about the placement of the individual facing an allegation will be made with the best interests of children as the paramount consideration.

4) Access to curriculum

Children and young people will engage with curriculum which explicitly teaches them about the nature of personal safety and wellbeing, their rights to personal safety and wellbeing, help seeking and self-protecting behaviours and their responsibilities to the safety and wellbeing of others. This policy utilises Section 82 of the South Australian Education Act (1972) which gives the Director General the right to determine curriculum in government schools.

- All children and young people in DECD preschools and schools will access approved child protection curriculum each year.
- The approved child protection curriculum will be taught by staff that have received training in its use.
- The approved child protection curriculum will be reviewed in response to emerging evidence about child abuse and violence prevention programs.

5) Communication, collaboration and record keeping

Issues affecting children and young people's safety and wellbeing are often complex. Successful interventions require carefully coordinated and communicated actions. Staff and volunteers will meet the following commitments, as required by their role.

- At enrolment parents/carers will be made aware of the site or service's unqualified commitment to children's safety, the fact that some matters must be reported irrespective of parents' wishes and the use of the SA Information Sharing Guidelines in preventing harm to children & young people.
- Parents and carers will be appropriately informed about allegations of sexual misconduct in keeping with the guidance of the 2013 Report of the Independent Education Inquiry Royal Commission. All available sources of support within DECD and from other agencies and organisations will be considered and sought when the needs of vulnerable children and young people are first identified.
- Education and care staff will actively support interagency efforts to improve family and community safety.
- DECD leaders will be alerted when existing collaborations and available services are unable to properly protect children's safety and wellbeing.
- DECD, state and national requirements for record keeping will be followed at all times and for all circumstances.

5. ROLES AND RESPONSIBILITIES

Role	Responsibility for
5.1 Site/service leaders	<p>Ensure</p> <ul style="list-style-type: none"> • screening of adults working or volunteering at the site complies with the DECD approved screening policy • volunteers receive approved child protection induction which is recorded at the site/service • 3 yearly approved staff child protection training is recorded on the HR system • concerns raised about staff or volunteer conduct are responded to in accordance with approved protective practice guidelines • children and young people in preschools and schools access the approved child protection curriculum each year • emerging staff performance concerns are responded to proactively • staff follow all record keeping requirements • counsellors and staff in designated advocacy positions can fulfill their roles and access required training and counselling/advocacy networks • conduct and practice at the site is monitored to ensure it meets the obligations outlined in this policy
5.2 Staff	<ul style="list-style-type: none"> • act in accordance with the obligations outlined in this policy • raise concerns when barriers or threats to the protection of children and young people's safety and wellbeing are identified, including through the conduct of other adults at the site/service
5.3 Volunteers	<ul style="list-style-type: none"> • act in accordance with the obligations outlined in this policy and the approved child protection induction for volunteers • raise concerns when barriers or threats to the protection of children and young people's safety and wellbeing are identified, including through the conduct of other adults at the site/service

<p>5.4 Education and early childhood leaders</p>	<ul style="list-style-type: none"> • Ensure emergency response plans enable support services personnel to assist sites in managing serious critical incidents • Enable support services personnel to fulfill their roles in assisting children and young people identified by sites/services as needing additional support • Enable support services personnel to contribute to interagency efforts to improve family and community safety and wellbeing • Provide support to site/service leaders experiencing difficulties in maintaining child safe environments • Address performance issues with site/service leaders as they relate to meeting the requirements of this policy • Raise concerns through corporate DECD leaders when barriers to protecting children’s safety and wellbeing are identified
<p>5.5 Corporate leaders</p>	<p>Ensure</p> <ul style="list-style-type: none"> • designated positions are maintained within corporate DECD to oversee the implementation of this policy’s requirements and to monitor and manage all associated risks • approved staff child protection training programs are updated on a three yearly basis and provided across the workforce within a 12 month period • DECD investigative responses to serious allegations against staff or volunteers are managed through the DECD Incident Management Division and are conducted with the interests of children as the paramount consideration • screening and suitability processes are maintained to meet policy or legislated requirements • risks to DECD regarding its compliance with this policy are identified and addressed • issues identified as impediments to the protection of children’s safety and wellbeing are responded to and raised at Chief Executive or Ministerial forums as appropriate • child safety collaboration with the non-government school sectors, the Teacher’s Registration Board, relevant regulating bodies and other government agencies and organisations is maintained • whole of system reviews of serious critical incidents occur and subsequent recommendations are implementation

6. MONITORING, EVALUATION AND REVIEW

- 6.1 Site/service leaders will provide ongoing monitoring of their site's/service's compliance with this policy and will, when required by DECD provide reports on elements of that compliance.
- 6.2 Education and early childhood leaders will monitor reports provided by site leaders as outlined in 6.1, support sites/services to address gaps in compliance and advise corporate leaders as required.
- 6.3 Corporate leaders will ensure the designated positions outlined in 5.5 maintain oversight of the policy's relevance, its alignment with legislation and national standards and will amend the policy as appropriate.

7. DEFINITIONS AND ABBREVIATIONS

Term	Meaning
Approved	Refers to the current version of a DECD training program, curriculum, policy or set of guidelines. See section 8 below - DECD approved policies/programs/guidelines.
Children and young people	Refers to children from birth to 18 but includes young adults over the age of 18 with developmental disabilities enrolled at a DECD site/service.
Education and early childhood leaders	Refers to individuals who supervise or line manage site/service leaders
Site/service leader	Refers to the individual who has ultimate responsibility for children/young people's welfare in that site/service; for example, the principal, the director, a manager or Family Day Care Educator supported by their coordinator.
Site/service	Refers to preschools and schools, children's centers, center-based child care facilities, Out of Schools Hours Care facilities and the homes of approved Family Day Care Educators.
Staff	Refers to employees, professional service providers, other paid education and care participants at DECD sites/services (through contracts and agreements) and tertiary students on placement.
Volunteers	Refers to all adults providing a volunteer service in DECD sites/services. This includes volunteers who may receive remuneration for their service from other organisations for example chaplains, mentors or coaches.

8. SUPPORTING DOCUMENTS

DECD approved policies/programs/guidelines

Protective Practices for Staff in their Interactions with Children and Young People

Screening and Suitability – Child Safety

Keeping Safe Child Protection Curriculum

Managing Allegations of Sexual Misconduct

Volunteers working in Education and Care Sites and Settings

Responding to Abuse and Neglect - Education and Care Training (Staff - pre-service and in-service)

Responding to Abuse and Neglect – Education and Care Induction Session (Volunteers)

Responding to Problem Sexual Behaviour in Children and Young People

Safer DECD Schools

Supporting and Managing Children’s Behaviour

Attendance Policy

Strategies for Managing Abuse Related Trauma

Suicide Postvention

9. REFERENCES

International Conventions

- United Nations Convention on the Rights of the Child

National policies

- National Framework for Protecting Australia’s Children
- Education and Care Services National Law (2010) and Regulations (2011), and associated National
- Quality Standard for Early Childhood Education and Care and School Age Care
- National Safe Schools Framework

State legislation

- Children’s Protection Act 1993
- Equal Opportunity Act 1984
- South Australian Education Act 1972

State policies

- Information Sharing Guidelines for Promoting Safety and Wellbeing
- Interagency Code of Practice - Investigation of Suspected Child Abuse or Neglect
- Curriculum, Pedagogy, Assessment and Reporting Policy for Reception – Year 10
- Guidelines for the implementation of Australian Curriculum in DECD schools: Reception – Year 10