

PROVIDING A CHILD SAFE ENVIRONMENT POLICY GUIDELINES

The approved provider of an education and care service must ensure policies and procedures are in place at the service for providing a child safe environment.

All children have the right to experience quality education and care in a safe and healthy environment, be it physical, emotional or social.

Your policy should provide a clear set of guidelines to ensure:

- children at the service are provided with a safe environment
- approved providers, nominated supervisors, educators and staff at a service meet their legislative obligations to prevent harm and hazard towards children
- there is a timely and effective identification of and response for children who may be at risk of or are experiencing abuse or neglect.

When developing your policies and procedures for providing a child safe environment, you will need to consider the physical environment, staffing and supervision, and child protection requirements.

In addition to meeting your obligations under the *Education and Care Services National Law* and *National Regulations*, you may need to consider other applicable state and territory requirements. For example, child protection laws and child safe standards may apply in your jurisdiction.

Every service is different so it is not sufficient to apply generic policies and procedures to multiple services. You will need to contextualise your policies and procedures to your service's operations and its unique context.

Under the *Education and Care Services National Regulations*, education and care services must have policies and procedures in place for providing a child safe environment. These guidelines are part of a series and are intended to assist in the development of your *Providing a child safe environment policy*. They have been designed to guide you in the development of your policy and are not an exact format.

1. Title

Providing a child safe environment policy

2. Policy statement

The policy statement will reflect your service's philosophy about providing a child safe environment.

For example:

Children's safety and wellbeing is paramount and will be fostered through responsive relationships, engaging experiences and a safe and healthy environment.

3. Background

Your policy needs to include a statement of why this policy is in place.

For example, the *Education and Care Services National Regulations* require policies and procedures are in place for *Providing a child safe environment* to minimise risk of harm and hazard to children attending education and care services.

4. Legislative requirements

Your policy should refer to legislative requirements for providing a child safe environment. Examples include, but are not limited to:

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
Reg 82	Tobacco, drug and alcohol-free environment
Reg 83	Staff members and family day care educators not to be affected by alcohol or drugs
Reg 84	Awareness of child protection law
Reg 103	Premises, furniture and equipment to be safe, clean and in good repair
Reg 115	Premises designed to facilitate supervision
Reg 122	Educators must be working directly with children to be included in ratios
Reg 123	Educator to child ratios - centre-based services
Reg 123A	Family day care co-ordinator to educator ratios - family day care service
Reg 124	Number of children who can be educated and cared for - family day care educator
Reg 165	Record of visitor
Reg 166	Children not to be alone with visitors
Reg 167	Record of service's compliance
Reg 168	Education and care services must have policies and procedures
Reg 169	Additional policies and procedures – family day care service
Reg 170	Policies and procedures to be followed
Reg 171	Policies and procedures to be kept available
Reg 172	Notification of change to policies or procedures
Reg 175 (d)(e)	Prescribed information to be notified to Regulatory Authority

When writing your policy you will need to break down what is required under each regulation and how your service will meet these requirements. How these work in practice will be contained in your procedures.

As you reflect on the *Providing a child safe environment policy*, it might highlight the need to split its various areas into different policies and procedures that can be readily accessed by all staff to follow in relation to the service's philosophy and their roles and responsibilities. For example, you may wish to have separate policies for *Recruitment and induction of educators and staff*, *Staff performance* and *Child protection*.

5. Principles to inform your policy

All decision-making should be carried out in accordance with the principles of your service's *Providing a child safe environment policy*. Examples include, but are not limited to:

- All children attending our service are provided with a safe environment.
- Children's wellbeing is paramount and they will be actively involved in decision-making to provide an environment that encourages them to reach their potential.
- Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.
- At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
- Procedures to effectively manage incidents and emergencies are in place and regularly rehearsed.
- Nominated supervisors, educators and staff members at the service who work with children are advised of the existence and application of the current child protection law and any obligations that they may have under that law.
- Where the program involves simultaneous use of indoor and outdoor environments, educators will effectively supervise children in both environments.

Considerations for supervision

Children of different ages and abilities will require different levels of supervision, privacy and autonomy. Generally, the younger the children are, the greater the need for an adult to be close by to support and assist them.

For young children, adequate supervision may involve children remaining in close proximity to the adult who is supervising them. Supervision of infants and toddlers who are sleeping is ensured when educators can see and hear them.

For older children, it is important to balance the need for close supervision with respect for their age and developing independence. Services for school age children may also need to consider:

- the location of children's toilets and how children will be supervised when visiting and returning from the toilets
- supervision during the transition between school and the outside school hours care (OSHC) service
- supervision of children's transportation to and from the OSHC service.

Note that supervision is facilitated by the physical design and maintenance of the premises (Reg 115), the supervision practices of educators (Sec 165), and educator ratios (Regs 122-124).

Also be mindful that the *Providing a child safe environment policy* and *procedures* are closely aligned with most of your policies, especially your *Excursions policy* and *procedures*, as children's health and safety is paramount.

6. Key terms

To make it easier for your audience, provide definitions of key terms that may not be used every day. For example:

Term	Meaning	Source
ACECQA – Australian Children’s Education and Care Quality Authority	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.	
Notification Decision Tree	This Queensland-specific tool can assist in deciding whether a notification is required and the timeframe in which that notification should be made.	https://earlychildhood.qld.gov.au/legislation-and-guidelines/health-and-safety/incident-and-emergency-management/notify-the-regulatory-authority
Reasonably believes	Believes on grounds that are reasonable in the circumstances.	Schedule 3, Child Protection Act 1999 (Queensland)
Reasonable grounds	Suspects that a child may be at risk of significant harm based on your observations of the child or what has been reported to you about a child.	Schedule 3, Child Protection Act 1999 (Queensland)
Reasonably suspects	Suspects on grounds that are reasonable in the circumstances.	Schedule 3, Child Protection Act 1999 (Queensland)
Responsible person	In relation to an education and care service, means a person referred to in section 162(1)(a) to (c) of the <i>National Law</i> .	National Law
Rights of the child	Human rights belonging to all children, as specified in the United Nations Convention on the Rights of the Child.	Guide to the NQF

Wellbeing	Sound wellbeing results from the satisfaction of basic needs – the need for tenderness and affection; security and clarity; social recognition; to feel competent; physical needs and for meaning in life. It includes happiness and satisfaction, effective social functioning and the dispositions of optimism, openness, curiosity and resilience.	Guide to the NQF
Working directly with children	A person is working directly with children at a given time if at that time the person: <ul style="list-style-type: none"> - is physically present with the children, and - is directly engaged in providing education and care to the children. 	National Regulations
Working with children check (WWCC)	A notice, certificate or other document granted to, or with respect to, a person under a working with children law to the effect that: <ul style="list-style-type: none"> - the person has been assessed as suitable to work with children; or - there has been no information that if the person worked with children the person would pose a risk to the children; or - the person is not prohibited from attempting to obtain, undertake or remain in child-related employment. 	National Law

7. Links to other policies and procedures

Refer to related policies and procedures, for example:

- Delivery and collection of children
- Emergency and evacuation
- Injury, incident, trauma and illness
- Interactions with children
- Dealing with medical conditions in children
- Nutrition, food and beverages, dietary requirements
- Sun protection
- Participation of volunteers and students
- Water safety, including safety during any water-based activities
- Visitors to family day care residences and venues
- Sleep and rest for children
- Safe transportation of children
- Excursions

8. Induction and ongoing training

State information about induction training and frequency of ongoing training and information sharing to assist managers, coordinators, educators and staff to fulfil their roles effectively.

9. Policy created/reviewed

Include the date the policy was created, reviewed or changes were made.

10. Monitoring, evaluation and review

State when the policy will be reviewed and who will be responsible for this.

11. Checklist

- Have you referenced the relevant Regulations and are these reflected in the policy?
- Does the title provide a clear and concise statement identifying the intent of the policy?
- Have you checked the policy requirements and referenced related legislation that applies to your service type?
- Does your policy statement provide a framework for decision-making and ensure consistent practice?
- Does your policy statement reflect your service philosophy?
- Is it clear why this policy exists?

PROVIDING A CHILD SAFE ENVIRONMENT PROCEDURES GUIDELINES

The approved provider must ensure the service has procedures for providing a child safe environment.

Your procedures should be written in clear and concise language, making them easy to read and understand.

When thinking about your procedures for providing a child safe environment for your service, they need to be practical and achievable. For example, if your procedures state that you develop a culture in which children feel valued, respected and cared for, you will need to make sure steps are in place for this to occur.

Every service is different so it is not sufficient to apply generic policies and procedures to multiple services. You will need to contextualise your policies and procedures to your service's operations and its unique context.

Under the *Education and Care Services National Regulations*, education and care services must have policies and procedures in place for providing a child safe environment. These guidelines are part of a series and are intended to assist in the development of your *Providing a child safe environment procedures*. They have been designed to guide you in the development of your procedures and are not an exact format.

1. Title

Providing a child safe environment procedures

2. Reference to policy and philosophy

Here you refer to your *Providing a child safe environment policy* as seen in your policy documents. You can reference where you will find the policy to help those looking for it.

Your procedures will also reflect your service's overall philosophy, the *Providing a child safe environment policy*, and any supervision and action plans for specific children.

3. Procedures

This is where you detail the way you will implement the *Providing a child safe environment policy*.

Some areas that will be outlined here should include:

- where the procedures will be kept
- when they were last reviewed
- templates or documents that might be required and/or used as a part of the procedures (e.g. Safety Check template, WWCC forms, notification decision trees)
- systems to monitor the implementation of procedures.

It is the 'How to' in your service and includes specific step-by-step procedures for providing a child safe environment.

When developing your procedures you will need to consider current legislation in your state or territory in relation to child protection, and ensure that all educators and staff understand how to report their concerns about child protection issues.

You may also need to consider other procedures and how they may need to be adjusted in relation to the *Providing a child safe environment procedures*. For example, consider how you will ensure children are provided a child safe environment on excursions in relation to supervision, the physical environment and child protection.

As you reflect on the *Providing a child safe environment policy*, it might highlight the need to split its various areas into different procedures, which will be displayed or accessed by educators and staff (including casuals) to follow in relation to their actions. For example, you may wish to have separate procedures for *Recruitment and induction of educators and staff*, *Staff performance* and *Child protection*.

4. Roles and responsibilities

This is where you will designate specific roles and responsibilities for the different people within the service. This needs to align with the *National Regulations*.

It is important to note that it is the legal responsibility of approved providers to ensure systems are in place to minimise risk, and that health and safety procedures are implemented by the responsible people in services, including in family day care (FDC) environments (if applicable). Ultimate responsibility lies with the approved provider to ensure their service/s are meeting the requirements under the National Quality Framework.

When developing this section consider:

- What are the roles and responsibilities of the approved provider, responsible person, nominated supervisor, coordinators, educators or other staff in your service when providing a child safe environment?
- How will you clearly define these roles and expectations and where will it be documented?
- How will you ensure that the necessary tools are available so educators and staff can follow the procedures in relation to providing a child safe environment? How will educators and staff be made aware of the procedures?
- Do the roles and responsibilities reflect your service type?

An example of roles and responsibilities could include, but is not limited to:

Roles	Responsibilities
<p>Approved provider</p>	<ul style="list-style-type: none"> • ensure that obligations under the <i>Education and Care Services National Law</i> and <i>National Regulations</i> are met • ensure that the <i>Providing a child safe environment policy and procedures</i> are implemented, the appropriate risk assessments and action plans are completed, and all identified actions are taken to minimise the risks to children’s health and safety (also known as a risk minimisation plan) • ensure all educators and staff have undertaken current child protection legislation training, including for the Mandatory Reporting requirement and obligations in their state/territory. If not, develop a plan to ensure training is undertaken in a suitable timeframe • provide an environment that is free from the use of tobacco, illicit drugs and alcohol and ensure no educators or staff are affected by alcohol or drugs (including prescription medication) so as to impair their capacity to supervise or provide education and care to children in the service • take reasonable steps to ensure that nominated supervisors, educators, staff and volunteers follow the policy and procedures • ensure copies of the policy and procedures are readily accessible to nominated supervisors, educators, staff and volunteers, and available for inspection • notify families at least 14 days before changing the policy or procedures if the changes will: <ul style="list-style-type: none"> - affect the fees charged or the way they are collected or - significantly impact the service's education and care of children or - significantly impact the family's ability to utilise the service
<p>Nominated supervisor/ Responsible person</p>	<ul style="list-style-type: none"> • implement the <i>Providing a child safe environment policy and procedures</i> and ensure that any plans developed from risk assessments are in place for individual children and are carried out • ensure all educators and staff are aware of current child protection legislation, including the Mandatory Reporting requirement and obligations in their state/territory • meeting staff to child ratios to ensure adequate supervision • ensure all educators and staff know where to access the <i>Providing a child safe environment policy and procedures</i> • maintain ongoing communication with educators and staff about their responsibilities and any changes to policies, procedures and legislation • regularly monitor child protection training schedules and ensure all educators and staff are up-to-date with their training • when required, work collaboratively with appropriate services and/or professionals to support children’s access, inclusion and participation in the program • ensure the safety and wellbeing of children attending the service by keeping a visitors’ record, including signatures and arrival/departure times

Roles	Responsibilities
Educators	<ul style="list-style-type: none"> • be aware of current child protection legislation, including the Mandatory Reporting requirement and obligations • implement the <i>Providing a child safe environment policy and procedures</i> and ensure that any action plans for individual children are carried out • know the individual needs and action plans for the children • maintain current accredited Child Protection, First Aid and approved CPR, Asthma and Anaphylaxis training • monitor and maintain staff to child ratios to ensure adequate supervision of children • provide an environment that is free from the use of tobacco, illicit drugs and alcohol (FDC educator) • keep a visitors' record, including signatures and arrival and departure times (mandatory requirement for FDC educators)
Families	<ul style="list-style-type: none"> • be familiar with the <i>Providing a child safe environment policy and procedures</i>

The following table will assist you in developing procedures specific to your needs and context. Don't forget to refer to the Regulations when you are writing your procedures to make sure that you are meeting your obligations.

Areas to include in your procedures	Things to consider and outline in each area <i>(this will be specific to the context of your service)</i>	Strategies for monitoring and implementing procedures	Related policy and/or procedures
<p>Physical environment</p> <p>Reg: 82, 83, 103, 165, 166, 168, 170, 171, 172</p> <p>QA2: 2.1.2, 2.2.1, 2.2.2, 2.2.3</p> <p>QA3: 3.1.1, 3.1.2, 3.2.1</p> <p>QA4: 4.1.1</p> <p>QA7: 7.1.1, 7.1.2, 7.1.3, 7.2.1, 7.2.3</p>	<ul style="list-style-type: none"> • How you will ensure you are providing a child safe environment, e.g. free from hazards, tobacco, drugs and alcohol • How regularly you will undertake safety checks of equipment, the environment and practices • How you will set up learning environments to support the safety and wellbeing of children • How you will undertake risk assessments and action plans that will identify potential risks and hazards within the environment and minimise any risks • Ensuring regular monitoring of the environment and the needs of the child are met, e.g. daily shade patterns, water hazards, UV index, natural disaster impacts (if applicable) • What adjustments may need to be made to your environment to ensure it is safe for children, e.g. supervision, additional or rearrangement of equipment • What precautions may be necessary to protect the safety, health and wellbeing of the children, e.g. excursions in relation to supervision, the physical environment and child protection • How you will keep children safe from hazardous materials, e.g. where and how you store your chemicals for cleaning, repairs, maintenance, replacements 	<ul style="list-style-type: none"> • Make sure your <i>policy</i> and <i>procedures</i> are available for all to access • Complete safety checklists and equipment maintenance schedules • Ensure risk assessments are carried out, reviewed and updated as required (refer to your procedures for developing a risk assessment) • Develop and implement plans as a result of risk assessment • Consider creating a <i>How to identify hazards</i> checklist • Provide educator and staff induction training on risk management, standalone risk management training, and regular updates and reviews at meetings. Topics should include: <ul style="list-style-type: none"> - identify hazards - evaluate and manage the risk - implement risk minimisation plans to control identified risk • Regularly discuss monitoring and scanning of the environment, strategies and actions to minimise risks • Regularly check that outdoor and indoor spaces, buildings, fixtures and fittings are suitable for their purpose, including supporting the access of every child • Regularly check that the premises, furniture and equipment are safe, clean and well maintained • Ensure all items meet Australian Standards if applicable • Ensure manufacturer's instructions for equipment that is regularly disassembled and reassembled are stored and made available to educators and staff 	<p>Emergency and evacuation</p> <p>Injury, incident, trauma and illness</p> <p>Interactions with children</p> <p>Nutrition, food and beverages, dietary requirements</p> <p>Sun protection</p> <p>Water safety, including safety during any water-based activities</p> <p>Safe transportation of children</p> <p>Dealing with infectious diseases</p> <p>Dealing with medical conditions in children</p> <p>Excursions</p>

Areas to include in your procedures	Things to consider and outline in each area <i>(this will be specific to the context of your service)</i>	Strategies for monitoring and implementing procedures	Related policy and/or procedures
<p>Staffing and supervision</p> <p>Leg: s165, s174</p> <p>Reg: 122, 123, 123A, 124, 168, 170, 172, 175</p> <p>QA2: 2.1.1, 2.2.1, 2.2.3</p> <p>QA4: 4.1.1, 4.2.1, 4.2.2</p> <p>QA5: 5.1.1, 5.1.2, 5.2.1, 5.2.2</p> <p>QA7: 7.1.1, 7.1.2, 7.1.3, 7.2.1, 7.2.3</p>	<ul style="list-style-type: none"> • What recruitment practices you will implement to ensure the suitability of educators and staff as outlined in legislation • How you will monitor educator and staff performance and develop their individual learning plans, and what performance management plans may be required • How you will meet staff to child ratio and qualification requirements • How you will monitor staffing and supervision requirements and practices • What practices you will put in place to promote teamwork and good communication among educators and staff to ensure adequate supervision. For FDC services, how you will support the educators to assess supervision needs in their learning environment • How you are going to ensure educators and staff are not impaired by the consumption of alcohol or drugs (including prescription medicines) • How you will notify the regulatory authority if you are aware that an educator is under the influence of alcohol or drugs • How you will implement your policy when on excursions or transitioning children to and from your service • Implementation and monitoring of behaviour guidance to promote safe, positive play and children's agency 	<ul style="list-style-type: none"> • Implement a recruitment policy and procedures • Conduct regular one-on-one meetings with educators and staff to discuss performance and individual learning plans • Regularly review behaviour management strategies at team meetings or FDC visits • For centre-based services, regularly review staff rosters to ensure staff to child ratios and qualifications are being met • Regularly reflect on supervision strategies to ensure they promote children's best interests • Implement systems to identify when qualifications need to be updated or renewed • Undertake Code of Conduct and Code of Ethics training • Provide educator and staff induction training, standalone training sessions, and regular updates and reviews at team meetings on: <ul style="list-style-type: none"> - Code of Conduct, Code of Ethics and Australian Standard for Teachers (if applicable) - supervision strategies - building relationships with children 	<p>Arrival, departure and access</p> <p>Child protection</p> <p>Emergency and evacuation</p> <p>Injury, incident, trauma and illness</p> <p>Interactions with children</p> <p>Dealing with medical conditions</p> <p>Nutrition, food and beverages, dietary requirements</p> <p>Sun protection</p> <p>Visitor, volunteer and students on practicum placements</p> <p>Water safety, including safety during any water-based activities</p> <p>Work, health and safety</p> <p>Dealing with infectious diseases</p>

Areas to include in your procedures	Things to consider and outline in each area <i>(this will be specific to the context of your service)</i>	Strategies for monitoring and implementing procedures	Related policy and/or procedures
<p>Child protection</p> <p>Reg: 84, 165, 166, 168, 170, 171, 172, 175</p> <p>QA2: 2.2.3</p> <p>QA5: 5.2.2</p> <p>QA7: 7.1.1, 7.1.2, 7.1.3, 7.2.1, 7.2.3</p>	<ul style="list-style-type: none"> • Do your procedures reflect current child protection law in your state or territory? • How you, your educators and staff keep up-to-date with current legislation in your state or territory in relation to child protection, and ensure that everyone understands how to report their concerns about child protection issues • How educators and staff know about their obligations under Mandatory Reporting Guidelines, e.g. who must report, what to report, when to report and how to report • What your processes are for ensuring appropriate WWCC (e.g. Blue Card) are in place and ongoing monitoring • How you will ensure all educators and staff know how to identify if a child or young person is, or may be, at risk and how to respond appropriately • Actions you will take if you reasonably believe or receive an allegation that physical abuse or sexual abuse of a child or children has occurred or is occurring while the child is or children are being educated and cared for by the service 	<ul style="list-style-type: none"> • Regularly review State legislation and amend policies and procedures where necessary, e.g. <i>Child Protection Act 1999</i> • All educators and staff are given induction and ongoing training and information about Mandatory Reporting, child protection law and any obligations they have under that legislation • Educators and staff have current WWCC or equivalent; implement a system to regularly review educator and staff WWCC status • Include child protection as a topic within team meetings and during FDC visits • Ensure all educators and staff receive Code of Conduct training within your induction process and that this is reviewed and updated regularly in all meetings • Record details of visitors in the service’s visitor book • Implement strategies to ensure no child is left alone with visitors 	<p>Interactions with children</p> <p>Staffing, including the participation of volunteers and students on practicum placements</p> <p>Governance and management</p>

5. Procedures created/reviewed

Include the date the procedures were created or reviewed.

6. Monitoring, evaluation and review

Your service, in consultation with educators, staff, families and other stakeholders, should review the effectiveness of these procedures within a set timeframe or earlier if there is a change in relevant legislation.

State when the procedures will be reviewed and who will be responsible for this.

7. Checklist

- Do the procedures align with your *Providing a child safe environment policy*?
 - Have your procedures been written in plain English and can they be easily implemented by an educator or staff member new to your service?
 - Is it clear who is responsible for the implementation of the procedures?
 - Are all educators and staff aware of the procedures and can implement them if required?
 - Do you need to develop any resources to monitor and record the procedures?
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Useful Resources

Include links to useful resources that have helped inform the development of your policy. In addition, be mindful of the existence of any state- or territory-specific content.

Some examples include, but are not limited to:

- Active supervision: Ensuring safety and promoting learning – <https://www.acecqa.gov.au/media/22946>
- Australian Human Rights Commission – <https://www.humanrights.gov.au/>
- Child safe organisation – training and resources (NSW) – <https://www.kidsguardian.nsw.gov.au/child-safe-organisations/become-a-child-safe-organisation>
- Child Safe Organisations – <https://childsafef.humanrights.gov.au/>
- Children’s Health and Safety (Queensland) – <https://earlychildhood.qld.gov.au/legislation-and-guidelines/health-and-safety/childrens-health-and-safety>
- Guide to the National Quality Framework – <https://www.acecqa.gov.au/nqf/about/guide>
- Health and wellbeing – <https://wehearyou.acecqa.gov.au/2015/02/17/health-and-wellbeing/>
- Kidsafe Australia – <https://kidsafe.com.au/>
- Mandatory reporting (Queensland) – <https://www.csyw.qld.gov.au/child-family/protecting-children/about-child-protection/mandatory-reporting>
- Providing a child safe environment (sample policy) – <https://www.cela.org.au/wp-content/uploads/2017/06/providing-a-child-safe-environment-1.pdf>
- Queensland child safety rules – <https://www.playbytherules.net.au/got-an-issue/child-safe-sport/child-safeguarding-laws-explained/qld-child-safety-laws>
- Responsive environments – <https://earlychildhood.qld.gov.au/earlyYears/Documents/res-env-transition-newsletter-case-study.pdf#search=providing%20a%20child%20safe%20environment>
- Responsible person requirements for approved providers – <https://www.acecqa.gov.au/media/23131>
- Risk assessment and management - <https://www.acecqa.gov.au/media/29421>
- United Nations Convention on the Rights of the Child – <https://www.unicef.org/child-rights-convention>
- Working with children check (Queensland) – <https://earlychildhood.qld.gov.au/legislationandguidelines/pporresources/fact%20sheets/working-with-children-check.pdf>