



## Links

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**Education and Care Services Act:** 6/167

**Education and Care Services National Regulations:** 84, 168

**National Quality Standard:** 2.2.1; 2.2.2; 2.2.3; 3.1.2; 4.2.2; 5.1.2; 7.1.2

## Policy statement

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At Tropics Early Learning we fundamentally believe that all children have the right to a life that is free from harm, we take our responsibility to provide a safe and caring environment for all children very seriously.

We believe that individuals who care for children must act in the best interests of the child and take all reasonable steps to ensure the child's safety. We support the rights of the child and will act without hesitation to ensure a child safe environment is maintained at all times. We also support the rights and wellbeing of our educators and encourage their active participation in building and maintaining a secure environment for all participants.

We will ensure that all parties affected by this policy are made aware of their roles and responsibilities regarding child protection and will educate all parties about their roles in child protection, identifying indicators of abuse, and ensure all Mandatory reporting requirements are being met. We will provide regular training to our educators on child protection issues, to ensure that, in the tragic event that a child may have suffered abuse, the organisation can act quickly, and in the best interests of the child.

## Implementation

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### We will ensure:

- That all staff, students and volunteers have a current Working with Children Check. (Ochre Card)
- That all staff are fully informed of their legal rights, responsibilities and procedures under the Care and Protection of Children Act (2007), in relation to Mandatory Reporting of known or suspected abuse.
- Maintain confidentiality, so that children are not put at further risk of abuse, and so that a wrongly accused adult does not suffer damage to reputation and/or livelihood.
- Adequate supervision of children at all times, in indoor and outdoor areas, and that at least 2 staff members will be present at the centre at all times that children are present.
- That children are not interviewed by staff, students or volunteers about suspected abuse, this is the responsibility of the relevant governing bodies.
- Staff are aware that they are legally protected, and cannot be prosecuted for reporting suspected abuse.
- That staff support and assist vulnerable children and their families by developing and maintaining positive relationships, and by referring them to appropriate services as required.

## Roles and Responsibilities

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### Educators, and other people working in the service:

- Be aware of child protection definitions and indicators of abuse and neglect.
- Attend child protection training as required.
- Have a current Working with Children Check. The process of applying and the conditions are outlined on the following website:  
<https://nt.gov.au/emergency/community-safety/apply-for-a-working-with-children-clearance>
- Be aware that in the Northern Territory any person who believes that a child is being, or has been, abused or neglected is required by law to report their concerns to the **24 hour Child Protection Hotline, by using the free-call phone number 1800 700 250, or online at <https://careservices.nt.gov.au/web/portal/pages/home>**
- Understand that abuse or neglect does not need to be proven for concerns to be reported. The Care and Protection of Children Act provides legal protection against civil or criminal liability for people who make reports in good faith.
- Refrain from using abusive, derogatory or offensive language.

### The Nominated Supervisor:

- Ensure that all employees are clear about their roles and responsibilities regarding child protection, are aware of their obligations to immediately report suspected abuse, and know the indicators of risk of harm.
- Organise training and development for employees in the recognition and reporting of abuse and harm.
- Ensure that employees act on their professional obligation to report suspected abuse, neglect, or risk of harm.
- Appropriate management and secure storage of any documented information.

### Families:

- Treat all children at the service equally and respectfully.
- Report any suspicions to the Certified supervisor responsible for the Centre at the time (see information in foyer).
- Support all efforts to provide a safe and supportive Centre environment.

## Reportable Acts

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Children need protection from neglect, physical abuse, sexual abuse, domestic violence and psychological harm.

A report must be made to the relevant governing body, or NT Police, if you believe on reasonable grounds that:

- A child has suffered or is likely to suffer harm or exploitation;
- A child aged less than 14 years has been, or is likely to be a victim of a sexual offence;
- A child has been, or is likely to be, a victim of an offence against section 128 of the Criminal Code Act, where a child is under the offender's special care.

**Harm** is defined as:

- Any significant detrimental effect caused by any act, omission or circumstance on the physical, psychological or emotional development and wellbeing of the child.
- Harm can also be caused by the following:

- Physical, psychological or emotional abuse or neglect of the child;
- Sexual abuse or other exploitation of the child;
- Exposure of the child to physical violence (eg, Domestic violence).

**Exploitation** is defined as:

- The exploitation of a child includes sexual, and any other forms of exploitation
- Sexual abuse of the child
- Involving the child as a participant or spectator in any of the following:
  - An act of a sexual nature;
  - Prostitution;
  - A pornographic performance.

## **Reporting Procedures**

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Mandatory reporting is the legal obligation of professionals and community members to report incidences of child abuse.

A report must be made as soon as possible after forming a belief of abuse on reasonable grounds. It is important that staff or management do not undertake any investigation, or unnecessarily question a child if the child discloses to them.

Reasonable grounds refers to the need to have an objective basis for suspecting that a child may be at risk of harm based on:

- First hand observation of the child, young person or family
- What the child, young person, parent or other person has disclosed
- What can reasonably be inferred based on professional training and/or experience.

## **Documentation**

Before making a report, the staff member will document the relevant information to provide to the NT Child Protection hotline. This includes:

- Name and date of birth of the child
- Home address of the child, and any known previous addresses of the family
- Current whereabouts of the child
- Names of parents and contact details
- Names of known siblings
- Nature of the abuse or neglect
- Known supports to the child, including extended family
- Details about when and how the staff member became aware of the information

## **Disclosure**

If a child discloses abuse or neglect, it is important that the staff member remain calm and in control of their feelings, in order to reassure and support the child. The child should be believed, and responded to in a caring and sensitive manner, and be told that the staff member wants to listen and help. The staff member should not make any promises that cannot be kept.

## **How to Make a Report**

- If there are concerns for the immediate risk and safety of a child, or in an emergency, call the police on 000.
- If there are concerns about children from different family groups, you do not know the name of the child/children, or the concern is about an unborn child, reports must be made to the

24-hour NT Child Abuse/Child Protection Hotline, by using the free-call phone number **1800 700 250**, or NT Police on **131444**.

- All other reports can be made via the NT Government CARE service online portal by using the following link: <https://careservices.nt.gov.au/web/portal/pages/home>
- Staff must document the incident and inform the Nominated Supervisor of their intention to make a report. The details of the report need to be documented, e.g., date and time, who they spoke to, and any other relevant details.
- If the report relates to the alleged conduct of a staff member, the Nominated Supervisor must be informed. The Nominated Supervisor will inform the Management Committee, and the appropriate reporting procedures will be followed (as outlined above). The employee will be suspended without loss of pay, pending an investigation.

## Information Sharing

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Malak Family Centre Incorporated (the Approved Provider) are authorised information sharers under s293C of the *Care and Protection of Child Act 2007 (NT)*. We will abide by Part 5.1A of the *Care and Protection of Child Act 2007 (NT)*, which outlines the Northern Territory's information sharing framework for child safety and wellbeing.

Under the framework, information may be shared:

- Only with other authorised information sharers.
- If the information is about a specific child, or group of children. The child, or group of children, must be specified when sharing the information.
- Even if the child (or children) are not, or have not been, the subject of a child protection notification or court order.
- May include information about other people (e.g. parents, carers, siblings), as long as that information relates directly, or indirectly to the safety and wellbeing of the child.
- If the information is relevant to the safety or wellbeing of the child or children, for example:
  - Any history of dealing with the child, including past support that may have been provided;
  - The child's current care circumstances;
  - The child's family members and relationships;
  - Issues relating to the child's siblings or other family members;
  - The child's health and treatment needs
  - Any psychological, behavioural or emotional difficulties the child may have;
  - The child's educational, developmental, religious or cultural needs;
  - Any additional needs;
  - Allergies, dietary requirements;
  - A parent's mental health, substance misuse, disability or history of domestic violence affecting the child's safety or wellbeing; or
  - A person posing a risk to the child.

Authorised information sharers may share information even when no request has been made, as long as they:

- Specify the child or children to whom the information relates; and
- Have a reasonable belief that the information would help the recipient take specific action in relation to the child or children's safety and wellbeing.

When requesting information about a specific child or children from another authorised information sharer, the request must:

- Say which child or children the information relates to; and
- Specify the information which is requested.

An authorised information sharer may refuse to share information if:

- The person making the request is not an authorised information sharer;
- The information requested is not relevant to the child’s safety or wellbeing;
- The request is not in relation to a specific child or children;
- If they reasonably believe that sharing the information might:
  - Endanger a person’s life or physical safety;
  - Prejudice the investigation of a crime or other illegal activity;
  - Prejudice a coronial inquest or inquiry;
  - Prejudice court or tribunal proceedings;
  - Breach legal professional privilege or client legal privilege;
  - Enable the identification of a confidential source related to the enforcement or administration of the law; or

Prejudice the effectiveness of a method or procedure for detecting, preventing or investigating criminal or illegal activity.

*Sources: Guide to the Education and Care Services Law and Regulations 2011; Education and Care Services Law and Regulations 2011; Guide to the National Quality Standard; Care and Protection of Children Act 2007 Department of Health and Community Services, Northern Territory Reporting Child Abuse FactSheet; UNICEF (n.d.) Factsheet: A summary of the rights under the Convention on the Rights of the Child; Information Sharing Guidelines, Territory Families, 2007.*

Policy Redeveloped January 2023 (see archived policies for previous versions)

Date of review	Modifications made	Approved
January 2023	Policy redeveloped	March 2023
September 2023	Added online reporting	October 2023