



The Hutchins School: Children's Services

CS-105: Child Protection Policy

Key Legislation	National Quality Standard for Early Childhood Education and Care and School Age Care: Standard 2.3: <i>Each Child is Protected.</i>
Commencement Date	1/9/2010
Last Review Date	30/9/2016

1. Purpose

The Hutchins School: Children's Services operates under the premise that all children have the right to be safe, both physically and emotionally. Both staff and parents share the responsibility for ensuring the safety and wellbeing of the children and young people who use the service, according to the Children, Young Persons and Their Families Act, 1997 (The Act). Under this Act, the centre is required to provide an environment in which children are provided with the "opportunity to grow up in a safe and stable environment".

Through the implementation of the strategies listed in this policy document, The Hutchins School: Children's Services is taking a proactive role in relation to child protection and intervention. Every effort will be made to ensure the safety and wellbeing of both the staff, and the children and families who utilize our service. We aim to promote a safe environment for all children, and to assist all staff in recognising the signs of child abuse and neglect, and to follow the appropriate notification procedures when reporting alleged abuse.

2. Scope

This policy applies to The Hutchins School: Children's Services.

3. Objectives

The objective of this policy is to outline the Service's approach toward child protection, and to inform and establish a series of approaches designed to ensure the health and safety of all children in care at The Hutchins School: Children's Services, at all times, and in all circumstances.

4. Definitions

The Hutchins School: A term used to denote The Hutchins School: Outside School Hours Care & Kindergarden (collectively).

Children's Services

OSHC The Hutchins School: Outside School Hours Care

Kindergarden The Hutchins School: Kindergarden (including Pre-Kinder)

(Physical) Abuse The non-accidental use of physical force against a child that results in harm to the child. A parent does not have to intend to physically harm their child to have physically abused them (e.g., physical punishment that results in bruising would generally be considered physical abuse). Depending on the age and the nature of the behaviour, physical force that is likely to cause physical harm to the child may also be considered abusive (e.g.,



The Hutchins School: Children's Services

CS-105: Child Protection Policy

a situation in which a baby is shaken but not injured would still be considered physically abusive). Physically abusive behaviours include shoving, hitting, slapping, shaking, throwing, punching, kicking biting, burning, strangling and poisoning. The fabrication or induction of an illness by a parent or carer (previously known as Munchausen syndrome by proxy) is also considered physically abusive behaviour.¹

(Emotional) Abuse

Emotional maltreatment refers to a parent or caregiver's inappropriate verbal or symbolic acts toward a child and/or a pattern of failure over time to provide a child with adequate non-physical nurture and emotional availability. Such acts of commission or omission have a high probability of damaging a child's self-esteem or social competence. According to a popular conception by Garbarino et al. (1986), emotional maltreatment takes five main behavioural forms:

- *rejecting*: the adult refuses to acknowledge the child's worth and the legitimacy of the child's needs;
- *isolating*: the adult cuts the child off from normal social experiences, prevents the child from forming friendships, and makes the child believe that he or she is alone in the world;
- *terrorizing*: the adult verbally assaults the child, creates a climate of fear, bullies and frightens the child, and makes the child believe that the world is capricious and hostile;
- *ignoring*: the adult deprives the child of essential stimulation and responsiveness, stifling emotional growth and intellectual development;
- *corrupting*: the adult "mis-socializes" the child, stimulates the child to engage in destructive antisocial behaviour, reinforces that deviance, and makes the child unfit for normal social experience.²

(Sexual) Abuse

Defining sexual abuse is a complicated task. Although some behaviours are considered sexually abusive by almost everyone (e.g., the rape of a 10-year-old child by a parent), other behaviours are much more equivocal (e.g., consensual sex between a 19-year-old and a 15-year-old), and judging whether or not they constitute abuse requires a sensitive understanding of a number of definitional issues specific to child sexual abuse.

A very general definition of child sexual abuse has been proposed by Tomison (1995): "the use of a child for sexual gratification by an adult or significantly older child/adolescent" (p. 2). Similarly, Broadbent & Bentley (1997) defined child sexual abuse as: "any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards" (p. 14). Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism and exposing the child to or involving the child in pornography.³

However, unlike the other maltreatment types, the definition of child sexual abuse varies depending on the

¹ Bromfield, 2005; *World Health Organisation [WHO]*, 2006.

² Bromfield, 2005; Garbarino, Guttman, & Seeley, 1986; WHO, 2006.

³ Bromfield, 2005; US National Research Council, 1993.



The Hutchins School: Children's Services

CS-105: Child Protection Policy

relationship between the victim and the perpetrator. For example, any sexual behaviour between a child and a member of their family (e.g., parent, uncle) would always be considered abusive, while sexual behaviour between two adolescents may or may not be considered abusive, depending on whether the behaviour was consensual, whether any coercion was present, or whether the relationship between the two young people was equal (Ryan, 1997). Thus, in this paper, different definitions are presented for each class of perpetrator: adults with no familial relationship to the child, adult family members of the child, adults in a position of power or authority over the child (e.g., teacher, doctor), adolescent or child perpetrators, and adolescent or child family members.

Neglect

Neglect refers to the failure by a parent or caregiver to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and wellbeing. Neglectful behaviours can be divided into different sub-categories, which include:

- *physical neglect*: characterised by the caregiver's failure to provide basic physical necessities, such as safe, clean and adequate clothing, housing, food and health care;
- *emotional (or psychological) neglect*: characterised by a lack of caregiver warmth, nurturance, encouragement and support (note that emotional neglect is sometimes considered a form of emotional maltreatment);
- *educational neglect*: characterised by a caregiver's failure to provide appropriate educational opportunities for the child; and,
- *environmental neglect*: characterised by the caregiver's failure to ensure environmental safety, opportunities and resources.⁴

5. Policy Information

This policy details the rights and responsibilities of each of the key parties involved in Child Protection at The Hutchins School. These rights and responsibilities are as follows:

The Hutchins School: Children's Services: Rights and Responsibilities

All staff employed by The Hutchins School: Children's Services are expected to present a full police check prior to the commencement of their employment at the school. Educators employed by Hutchins OSHC are required to present a departmentally approved Working with Children check prior to commencement in the centre.

No candidate for employment shall commence work without having supplied this documentation. Educators shall have ready access to all school policies, including this Child Protection policy, and will be made aware both of the need for such processes, and of the legal implications and safeguards associated with any action that may be taken. This will ensure that

⁴ Broadbent & Bentley, 1997; Bromfield, 2005; WHO, 2006, and Dubowitz, Pitts, & Black, 2004



The Hutchins School: Children's Services

CS-105: Child Protection Policy

only appropriate persons are permitted to work within the school environment, and that the safety of the children in our care is upheld. The police check and Working With Children processes will ensure that any person with a history of child abuse or neglect will be excluded from employment in the school. It is also the responsibility of the School to ensure that all staff act in a manner that is in keeping with the responsibilities outlined in this document.

The Hutchins School provides Child Protection Training (via InSafeHands) to all permanent employees within the Children's Services.

The Hutchins School retains the right to:

- Cease activities with a child or young person who is consistently non-compliant or obstructive, in which case the parent or guardian will be contacted immediately;
- Raise any concerns that staff may have regarding a child and/or parent, with either the Head of the Junior School / ELC or the Headmaster;
- Expect that children and parents make their concerns known as soon as they arise, so that they may be acted upon, and a resolution found, as quickly as possible;
- Allow only a parent, guardian or other nominated person to pick up a child from school premises; and
- Report disclosures and suspicions of harm, abuse or neglect, according to and through the School's policies and procedures.

Staff: Rights and Responsibilities

It is the responsibility of all staff to comply with police check and Working With Children procedures, and with the practice and procedures outlined in The Hutchins School policy documents. The care and safety of children (both physical and emotional) is the primary responsibility of staff. This includes a number of important responsibilities:

- The provision of a safe and secure environment;
- Ensuring that staff are, at all times, unaffected by the use of substances which may compromise the appropriate supervision of children;
- Consent from parents must be obtained prior to photographing or videoing any child;
- Consent from parents must be obtained prior to phone or email communication with any child;
- Ensuring that no visitors or outsiders have contact with the children, except where such provision has been made by The Hutchins School or its associated services;
- The establishment of a culture of both self-respect, and respect for one another;
- The creation of an environment free from bullying, either physical or emotional;
- The provision of safe and valuable experiences, appropriate to early and middle childhood;
- Meeting the needs of each child, and encouraging their growth, socially, emotionally and physically;
- Upholding the confidentiality of both children and their families in the service; and



The Hutchins School: Children's Services

CS-105: Child Protection Policy

- Notifying the school, and parents, should staff be unable to teach for any reason.

Children have the right to be free from the danger of abuse or neglect not only while at home, but also while at school. Thus it becomes the responsibility of all staff to report any suspected child abuse or neglect. In this case, any issues should be discussed promptly with either the Head of the Junior School / ELC, or the Headmaster. They will then contact the appropriate persons in the school, in order to most adequately address the issues that have arisen. If a report is made, the notifying staff member will be protected by the school, and their identity withheld from all parties outside the school administration and legal authorities.

If a report is lodged against a staff member of the school, the school itself will mediate between all parties involved, in order to fully determine the events leading to the notification. All efforts will be made to resolve the issue to the satisfaction of the parents of the child in question, while maintaining the staff member's right to privacy and confidentiality. The school will be responsible for informing the staff member as to the details of the allegation, and the process that will take place once an allegation has been made. The school will be responsible for recording all incidents and happenings, and will keep them in a secure location. Should the allegations made be found to be false, the school will provide support and counselling to the staff member, should they request it.

Parents & Guardians: Rights and Responsibilities

It is the right of every parent to expect that the school will take the utmost care in providing a safe environment for their children. Parents making use of the school and its facilities may legitimately expect that all staff will uphold the responsibilities listed in this document, while also expecting that the school itself will provide:

- Confidentiality and respect to all children and parents;
- Protection of the rights of parents;
- Effective policies and procedures to govern the practices of the school; and
- A professional level of quality care for their children.

It is the policy of this school that parents and caregivers should also:

- Feel welcome to stay and observe their children in the school environment;
- Raise any issues or concerns with the relevant staff, as soon as possible;
- Drop off and pick up children in a timely fashion, to ensure that children are safe and cared for at all times;
- Accept feedback regarding their child's progress;
- Have the right to provide feedback on the school's policies and procedures; and
- Have the right to have their personal information respected, and treated with confidentiality.



The Hutchins School: Children's Services

CS-105: Child Protection Policy

Any report made by a parent concerning a staff member will be met with understanding, listened to sincerely, and acted upon with both confidentiality upheld. At the same time, parents may expect their matter to be dealt with appropriately and swiftly, with the knowledge that their child's best interests and safety are the primary concern.

Children: Rights and Responsibilities

The burden of responsibility in terms of child safety and protection is placed squarely upon the adults in a position of care. Children thus have the right to expect to be cared for in a manner reflective of the responsibilities of the school staff.

Children in the care of The Hutchins School have the right to:

- Be safe, and feel safe;
- Be involved in the decisions that affect them;
- Have their cultural and religious values respected;
- Have their best interests considered;
- Be respected, understood, and listened to with sincerity and compassion;
- Be free from harassment, bullying and abuse of any kind; and
- Ask questions if they don't understand something.

Children in the school environment also have a specific set of responsibilities toward the school, staff, and toward one another. Children attending The Hutchins School are expected to demonstrate:

- A willingness to listen, learn, and receive instructions;
- Respect for other children, young people, and adults, at all times;
- Safe and appropriate behaviour, both in the classroom and in the playground; and
- Responsibility for exhibiting appropriate behaviour, and for reporting any inappropriate behaviour, unsafe situations, harm, abuse or neglect (see Policy: [CS-103: Behaviour Guidance](#)).

In the event of a child confiding personal details to a staff member regarding any form of abuse or neglect, that child has the right to expect their privacy to be upheld. However, the need to protect the child themselves may be greater than the demands of privacy and confidentiality. Thus any staff member informed of such events or occurrences is required to inform the school of the information they have gained. Details must then be recorded in an incident report form, signed and dated by both the witnessing staff member, and the director. Reporting procedures should then follow.



The Hutchins School: Children's Services

CS-105: Child Protection Policy

The greatest efforts will be made to treat the child's claim with the respect and gravity it deserves, while limiting the informed persons only to those in direct need of any details. This satisfies both the need for confidentiality, and the obligation to report any alleged abuse.

In the event of any suspicions being proven, the staff and school hold the responsibility of providing the child involved with support. This may mean arranging counselling, or assisting wherever help may be given in the healing process.

6. Supporting Procedures / Guidelines

Supporting Procedures included in policy text. For further information regarding Child Protection or Mandatory Reporting, please contact your supervisor, or the Workplace Health and Safety Officer.

7. Legislative Documentation and Standards

National Quality Standard for Early Childhood Education and Care and School Aged Care, Canberra, ACT, 2009.

Quality Area 2: Children's Health and Safety

- **Standard 2.3: Each Child is Protected**

- Element 2.3.2: *Every reasonable precaution is taken to protect children from harm and any hazard likely to cause injury.*
- Element 2.3.4: *Educators, co-ordinators and staff members are aware of their roles and responsibilities to respond to every child at risk of abuse or neglect.*

Belonging, Being and Becoming: The Early Years Learning Framework, Canberra, ACT, 2009.

My Time, Our Place: The Framework for School Age Care in Australia.

Education and Care Services National Law Act 2010.

Education and Care Services National Regulations 2011: Regulations 168, 168(2)(h).

8. Referenced External Documentation

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The Hutchins School: Children's Services

CS-105: Child Protection Policy

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The Hutchins School: Children's Services

CS-105: Child Protection Policy

9. Record Keeping

This policy is to be kept for three (3) years until review, unless there is a significant legislative or organisational change requiring earlier review.

The master copy is kept on Sharepoint (Policies) and is read-only in PDF form. All printed copies are uncontrolled.

10. Policy Owner

The Hutchins School Headmaster

11. Policy Review Details

<i>Date</i>	<i>Changes made under review</i>
1/9/2013	Reviewed for compliance with the Early Years Learning Framework, National Quality Standards, and the accompanying Education and Care Services National Law and Regulations. Added note regarding training opportunities in Child Protection, which commenced in 2013 via InSafeHands.
13/2/2014	Added and clarified 'definitions', including the addition of "abuse" and "neglect" and their various types; added references (from which those definitions were derived).
27/11/2015	'Safeguarding Children and Young People' policy created. This policy exists alongside and supports the Child Protection Policy (in a whole school sense).