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Commitment to child safety

Brainy Bears is committed to safety and wellbeing of all children and young people. This will be the primary focus of our care and decision-making. We has zero tolerance for child abuse. Brainy Bears is committed to providing a child safe environment where children and young people are safe and feel safe, and their voices are heard about decisions that affect their lives. Particular attention will be paid to the cultural safety of Aboriginal children and children from culturally and/or linguistically diverse backgrounds, as well as the safety of children with a disability. Every person involved in Brainy Bears has a responsibility to understand the important and specific role he/she plays individually and collectively to ensure that the wellbeing and safety of all children and young people is at the forefront of all they do and every decision they make.

Health and Safety

The service has written processes in place about the health and safety of its staff and students in accordance with relevant workplace health and safety legislation.

Purpose

The purpose of this policy (Child Protection Policy) is to provide a policy as part of brainy Bears (the service) written processes about how the service (including its Directors, employees and contractors) will respond to harm, or allegations of harm, to children under 18 years old. It also outlines and specifies the appropriate conduct of the business' staff and students, and includes responses to allegations or substantiated occurrences of breaches of the policy.

Scope

This policy applies to all children enrolled in the service and their parents, carers and legal guardians, employees (including full-time, part-time, permanent, fixed-term and casual employees) as well as contractors, volunteers and people undertaking work experience or vocational placements at the service and covers information about the reporting of harm and abuse, including the requirements under the Child Protection Act 1999 (the Act). By enrolling your child/ren in the service, or by accepting an offer of employment / executing a contract for services with the service, you agree to adhere to and be bound by the Child Protection Policy.

Definitions

A 'child in need of protection' has the same meaning as defined in section 10 of the Act:

A child who–

1. a) *has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and*
2. b) *does not have a parent able and willing to protect the child from the harm.*

'Employee' includes without limitation full-time, part-time, permanent, fixed-term and casual employees as well as contractors, volunteers and people undertaking work experience or vocational placements with or at the service.

'Harm' has the same meaning as defined in section 9 of the Act:

"Harm", to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing.

The following important concepts relate to harm in this policy:

- It is immaterial how the harm is caused.
- Harm can be caused by-
 - physical, psychological or emotional abuse or neglect; or
 - sexual abuse or exploitation.
- Harm can be caused by-
 - a single act, omission or circumstance;
 - a series or combination of acts, omissions or circumstances.

'Mandatory reporting' means the requirement under section 13E of the Act, where an employee of the service forms a reportable suspicion about a child in the course of the person's engagement, to give a written report to the chief executive.

'Reportable suspicion' has the same meaning as defined in section 13E of the Act, being a suspicion about a child that is a reasonable suspicion that the child:

- has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse; and
- may not have a parent able and willing to protect the child from the harm.

Responding to Report of Harm

When the business receives any information alleging harm to a child (other than harm arising from physical or sexual abuse) it will deal with the situation compassionately and fairly so as to minimise any likely harm to the extent it reasonably can. This is set out in the service's Child Risk Management Strategy. Allegations relating to reportable suspicion is handled under obligations to report set out in this policy.

Conduct of Staff and Children

All employees must ensure that their behaviour towards and relationships with children at the service reflect proper standards of care for children. Employees must not cause harm to students. Employees must abide by the Code of Conduct as set out in the Child Risk Management Strategy.

Reporting Inappropriate Behaviour

If a child considers the behaviour of a staff member to be inappropriate, the child can report the behaviour to the Directors of the service or to their parents, carer or legal guardian. An employee who receives a report of inappropriate behaviour must report it to the Director/s.

Reporting Allegations of Physical and Sexual Abuse

The service is required to undertake mandatory reporting under the Act.

This means that an employee must give a written report to the Chief Executive of the Department of Communities, Child Safety and Disability Services (or other department administering the Act) of any 'reportable suspicion'.

The employee must also give a copy of the report to a Director of the service, and will be supported by Director/s if a report to Victorian Police Service is to be made. A report under this section must include the following particulars:

- state the basis on which the person has formed the reportable suspicion; and
- include the following information, to the extent of the person's knowledge:
 - the child's name and sex;
 - the child's age;
 - details of how to contact the child;
 - details of the harm to which the reportable suspicion relates;
 - particulars of the identity of the person suspected of causing the child to have suffered, suffer, or be at risk of suffering, the harm to which the reportable suspicion relates;
 - particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates.

Awareness

The service will inform employees and parents of its processes relating to the health, safety and conduct of employees and children in communications to them. It will also make the Child Protection Policy and Child Risk Management Strategy available in each enrolment pack and available at the service for inspection at any time.

The communication methods utilised by the service to inform parents, guardians and carers may include newsletters, staff meetings, enrolment packs, and material at the entry to the service.

Training

The service will train its staff in processes relating to the health, safety and conduct of staff and children on their induction and will refresh training annually.