

## **POLICY NO 07: CHILD SAFE ENVIRONMENT & CHILD PROTECTION POLICY & PROCEDURE**

**Key Policy Contact Person:** Manager, Our Village Family Childcare

### **POLICY STATEMENT:**

Children have a right to be protected from abuse and neglect. The protection of children, one of the most vulnerable groups in society, is a shared community responsibility and involves ensuring that all children are safe, their needs are met, and the possibility of child abuse is minimised. The interest of the children must always be paramount, including when intervention occurs to protect them.

Our Village Family Childcare (OVFC) is committed to:

- Complying with the Child Safe Standards and Reportable Conduct Scheme to build our capacity as a Service, to prevent and respond to allegations of child abuse.
- Always act in the best interests of each child and have zero tolerance of child abuse.
- Always take all reasonable steps for each child's safety and wellbeing.
- Continuously improve the way our services prevent child abuse and encourage reporting and improved responses to allegations of abuse.
- Ensuring that every precaution is taken to protect children from any harm or hazard likely to cause injury.
- Undertaking daily indoor and outdoor environment safety checks.
- Removing or reducing hazards to children, Educators, Staff, families, and visitors to the service.
- Implementing children's Risk Minimisation and Communication Plans to minimise or remove known allergens or triggers to children's health concerns as per the Dealing with Medical Conditions Policy and Procedure.

### **CRITICAL INFORMATION:**

#### **SUSPECTED CHILD ABUSE:**

Any staff member, volunteer, student, or Educator who has grounds to suspect abusive activity toward a child must notify Victoria police and/or Child Protection DFFH. They should also advise the OVFC Manager or their Coordinator about their concern. In situations where the person having the suspicion does not believe that the matter is being appropriately addressed, the matter should be reported to the Child Safety Officer.

- Notification will take place when an Educator, Coordinator or Coordination Unit Manager forms a belief, on reasonable grounds, that a child has suffered, or may be at risk of suffering harm from abuse or neglect.
- This belief may be formed when.
  - a disclosure is made to the Educator/staff member by the child that she/he has been physically or sexually abused.
  - someone else, such as a relative, friend/acquaintance or sibling or parent of the friend of the child, tells the Educator/staff member that the child has been abused.
  - the Educator/staff member observations of the child's behaviour or knowledge of the children leads him or her to believe the child has been abused.
  - the Educator/staff member observes signs or indicators of the abuse.

- The Educators may either notify DFFH Child Protection and/or Victoria Police directly of their concern and advises the Coordination Unit of this action or immediately contact the Manager.
- In the latter case, the Manager will immediately contact the DFFH Child Protection and/or Victoria Police regarding making a notification, from here DFFH Child Protection will take the details and inform the Manager of the proposed course of action. (This may involve DFFH Child Protection contacting the Manager again later).
- In all cases involving suspected sexual abuse or serious physical abuse, DFFH Child Protection will contact the Victoria Police and they will jointly plan what action. The Manager and/or CEO may also contact the Victoria Police to seek additional advice.
- DFFH Child Protection is responsible for arranging any interviews of the child in the Family Day Care setting.
- It is accepted that DFFH Child Protection and/or Victoria Police will consult with the Manager. The Manager will not inform the child’s parents prior to contacting DFFH Child Protection and/or Victoria Police.
- DFFH Child Protection and/or the Victoria Police are responsible for determining when, and by whom, the parents will be informed of the notification. They are also responsible for informing any other parties as appropriate of their involvement with the child.
- The Manager is responsible for informing the Chief Executive Officer, SCCH and Department of Education following existing SCCH procedures.
- The DFFH Child Protection, Department of Education, Children’s Services protocols should be used wherever required to confirm or clarify arrangements

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**PURPOSE:**

The purpose of this policy and procedure is to e create and maintain a child safe organisation in which children feel safe and are safe. This includes:

- Indoor and outdoor environments are safe for children.
- Service acts to protect children from hazards, harm, injury, and illness.
- Buildings, grounds, and equipment are fit for purpose, safe, clean, and well maintained.

- Provide a safe environment for all children which promotes their health, safety, and wellbeing.
- Intervene when a child may be at risk of abuse or neglect from a parent/guardian or member of the community.
- Ensure all Staff and Educators are aware of the child protection law and their obligations for reporting child abuse and neglect.

**SCOPE/RESPONSIBILITIES:**

This document applies to all Educators, Families, Coordination Unit Staff, Volunteers and Students of OVFC Service.

**STATEMENT OF DIVERSITY**

Sunbury and Cobaw Community Health is committed to improving the health of our community and being accessible to all, including people from culturally and linguistically diverse (CALD) communities, those from Aboriginal and Torres Strait Islander background, people with a disability, Lesbian Gay Bisexual Transgender Intersex and Queer (LGBTIQA+) people and other socially vulnerable groups and supporting their communities across the lifespan from birth to older age.

**DEFINITIONS:**

<b>Orange Door</b>	Orange Door is the access point for women, children and young people who are experiencing family violence, or families who need assistance with the care and wellbeing of children to access the services they need to be safe and supported.
<b>Forming a reasonable belief</b>	A belief is considered to be more than suspicious. It results in a person being more inclined to accept, rather than reject, the particular idea they are contemplating. It is important to understand that proof is not required to support your claim.
<b>DFFH</b>	Department of Families, Fairness and Housing. A state government department that works to ensure the safety and wellbeing of children, families, and young people, including Child Protection services.
<b>Emotional Abuse</b>	When a child is repeatedly rejected, isolated, or frightened by threats or witnessing of family violence. It also includes hostility, derogatory name-calling and put-downs, or persistent coldness from a person to the extent where the behaviour of the child or young person is disturbed, or their emotional development is at serious risk of being impaired.
<b>Family Violence</b>	Violence (either actual or threatened) which occurs within a family including physical, verbal, emotional, psychological, sexual, financial, or social abuse.

<b>Neglect</b>	A failure to provide the child with an adequate standard of nutrition, medical care, clothing, shelter, or supervision to the extent where the health or development of the child is significantly impaired or placed at serious risk.
<b>Physical Abuse</b>	Any non-accidental injury or serious physical harm inflicted on a child by another person.
<b>Sexual Abuse</b>	When any person uses their authority or power over the child to engage the child in sexual activity.
<b>Mandatory Reporting</b>	Mandatory reporting refers to the legal requirement of certain professional groups to report a reasonable belief of child physical or sexual abuse to child protection authorities

**PROCEDURES:**

**If any person is at imminent risk of significant harm, call 000.**

**CHILDPROTECTION**

***Mandatory reporters - Reporting Suspected Abuse and Neglect***

Victoria has expanded mandatory reporter groups as part of the Victorian Government’s commitment to implementing the recommendations made by the Royal Commission into Institutional Responses to Child Sexual Abuse. **From 1 March 2019, early childhood workers and other persons in licensed and approved early childhood services are mandatory reporters.**

Mandated early childhood workers and other persons in licensed and approved early childhood services are:

- All Educators with post-secondary qualifications in the care, education or minding of children and employed or engaged in an **education and care service** or a **children’s service**.
- The person in day-to-day charge of a children’s service, or the approved provider or nominated supervisor of an education and care service.
- Services are mandated to act immediately to protect the safety and wellbeing of children in their care:
- Any person who forms a reasonable belief that a child needs protection may report their concerns to DFFH Child Protection and/or Victoria Police.
  - All Early Years Educators are mandatory reporters under the Children, Youth and Families Act 2005, and must make a report to DFFH Child Protection and/or Victoria Police, as soon as practicable after forming a reasonable belief. The new Criminal Offence -*Failing to disclose a sexual offence committed against a child under the age of 16 years (Victoria Crimes ACT 1958 amendment)*
    - Has suffered or is likely to suffer physical and/or sexual abuse; and
    - Their parents/guardians have not protected or are unlikely to protect the child.
  - OVFC and SCCH Protection Protocol requires Educators, Staff, volunteers, and students to report all concerns of abuse or neglect to the Manager, Coordinator or SCCH Child Safety Officer immediately. All allegations of abuse (including isolated incidents) are reported to DFFH Child Protection and/or Victoria Police, as soon as practicable after forming a reasonable belief.

- Where there are any concerns relating to the actions or behaviours of an Educator or staff member towards a child, both Educators and staff must follow the *Child Safe Standards Reporting Protocol* within *Policy 55 – Child safety and Wellbeing Policy and Procedure*

### ***Criminal Offences***

All mandatory reporters must report to DFFH Child Protection and/or Victoria Police as soon as practicable if, during the course of carrying out their professional roles and responsibilities, they form a belief on reasonable grounds that a child has suffered, or is likely to suffer, significant harm as a result of physical injury and/or sexual abuse and the child's parents have not protected, or are unlikely to protect, the child from harm of that type

It is a criminal offence not to report in these circumstances.

### ***Child Safe Standards***

Eleven Standards replaced the current seven and include requirements to:

- involve families and communities in organisations' efforts to keep children and young people safe.
- provide greater focus on safety for Aboriginal children and young people.
- manage the risk of child abuse in online environments.

The new Standards provide greater clarity and practical steps for each Standard. They outline what action organisations need to take to keep children and young people safe.

If your organisation or group provides services or facilities for children or engages a child as a contractor, employee, or volunteer, you have a legal obligation to comply with the Child Safe Standards

### ***Recruitment and training***

- OVFC and SCCH complete a screening process of all Educators, staff, volunteers, and students prior to commencement as per *Policy 13 Engagement and Registration of FDC Educators and Coordination Unit Staff Policy and Procedure, Policy 51 – Staff – participation of Volunteers and Students Policy and Procedure* and *SCCH Recruitment and Selection Policy and Procedure*.
- Our Village Family Childcare and SCCH undertake a comprehensive induction process for all new Educators and Staff as per the *Policy 13 Engagement and Registration of FDC Educators and Coordination Unit Staff Policy and Procedure, Policy 51 – Staff – participation of Volunteers and Students Policy and Procedure* and *SCCH Recruitment and Selection Policy and Procedure*.
- Educators, Staff, and students are advised of the current child protection legislation, and their legal and duty of care obligations (see below) as part of the induction process.
- Educators complete appropriate training and education on child protection (Annual - Protecting children: Mandatory reporting and other obligations), including recognising the signs and symptoms of child abuse, knowing how to respond, and understanding the processes for reporting and managing concerns/incidents.
- The service keeps up to date with any changes in child protection legislation or standards and reviews policies and procedures accordingly – completing in house training on child protection when appropriate.

### ***Duty of Care Obligations***

As a staff member, Educator, student, and volunteer you have duty to take reasonable steps that protect children from harm that is foreseeable. You may breach your duty of care towards a child if you fail to act in a way that a reasonable or diligent professional would in the same situation.

Exercising your duty of care means:

Acting on concerns quickly and in the child best interest

Protecting the safety, health, and wellbeing of the children in your care

Seeking appropriate advice or consulting when unsure

Reporting concerns to relevant authorities

Supporting a child at an interview

Providing ongoing support to a child and their family

Sharing information, upon request, to assist DFFH Child Protection or Victoria Police to protect and/or promote the wellbeing and development of a child.

Attending DFFH Child Protection case meetings.

*Ref Department of Education – Mandatory reporting and other obligations*

### **Staff, Educators and Preventative Measures**

- Volunteers, students, parents, guardians, and other visitors to the Educators home are not left alone with children.
- Child safety is a regular component of home visit discussion between Coordinators and Educators. Different scenarios are discussed and unpacked e.g., how to report an allegation of abuse, managing a disclosure from a child and supporting vulnerable children and families. This ensures child safety remains at the forefront of our thinking and practice.
- The service develops cooperative relationships with appropriate services and/or professionals (including Orange Door) in the best interests of children and their families.
- The service ensures that families are made aware of the support services available to them (such as Orange Door), and the assistance these services can provide.
- Support the implementation of the Child Safe Standards in the service, with the assistance of SCCH Child Safety Officer.
- Contribute to an organisational culture of child safety.
- Follow prescribed court orders relating to access of children at the service as per the Arrivals and Departures Policy.
- Discuss with children what it means to feel safe and be safe and help children to identify their feelings.

This can be done using suitable picture story books, SCCH Child's rights posters, and using role play. This enhances children's knowledge and ensures children are aware of who they can talk to if they are worried or feeling unsafe.

- Report any concerns, complaints or allegations regarding the health, safety, and welfare of a child to the Manager, Coordinator or SCCH Child Safety Officer immediately. If the Educator and/or the Manager, SCCH Child Safety Officer, Coordinator are uncertain whether to make a report, they must contact Child Protection (DFFH) for further clarification.
- Ensure that no child is subject to corporal punishment, or any form of discipline that is unreasonable in the circumstances as per *the Code of Conduct Policy*
- Always maintain confidentiality as per the *Governance and Management of FDC Service Including Confidentiality and Retention of records*.

### **If a report is required,**

#### **SUSPECTED CHILD ABUSE:**

Any staff member, volunteer, student, or Educator who has grounds to suspect abusive activity toward a child must notify Child Protection DFFH and/or Victoria Police. They should also advise the OVFC



Manager or their Coordinator about their concern. In situations where the person having the suspicion does not believe that the matter is being appropriately addressed, the matter should be reported to the Child Safety Officer.

- Notification will take place when an Educator, Coordinator or Coordination Unit Manager forms a belief, on reasonable grounds, that a child has suffered, or may be at risk of suffering harm from abuse or neglect.
- In all cases of:
  - Physical Abuse this must be immediately reported to DFFH Child Protection
  - Sexual Abuse must be immediately reported to DFFH Child Protection and must also be reported to the Victoria Police.
- This belief may be formed when.
  - a disclosure is made to the Educator/staff member by the child that she/he has been physically or sexually abused.
  - Someone else, such as a relative, friend/acquaintance or sibling or parent of the friend of the child, tells the Educator/staff member that the child has been abused.
  - the Educator/staff member observations of the child's behaviour or knowledge of the children leads him or her to believe the child has been abused.
  - the Educator/staff member observes signs or indicators of the abuse.
- The Educators may either notify DFFH Child Protection and/or Victoria Police directly of their concern and advise the Coordination Unit of this action or immediately contact the Manager.
- In the latter case, the Manager will immediately contact the DFFH Child Protection and/or Victoria Police regarding making a notification, from here DFFH Child Protection will take the details and inform the Manager of the proposed course of action. (This may involve DFFH Child Protection contacting the Manager again later).
- In all cases involving suspected physical abuse, DFFH Child Protection will contact the Victoria Police and they will jointly plan what action. The Manager and/or CEO may also contact the Victoria Police to seek additional advice.
- DFFH Child Protection is responsible for arranging any interviews of the child in the Family Day Care setting.
- It is accepted that DFFH Child Protection and/or Victoria Police will consult with the Manager. The Manager will not inform the child's parents prior to contacting DFFH Child Protection and/or Victoria Police.
- DFFH Child Protection and/or the Victoria Police are responsible for determining when, and by whom, the parents will be informed of the notification. They are also responsible for informing any other parties as appropriate of their involvement with the child.
- The Manager is responsible for informing the Chief Executive Officer, SCCH, and Department of Education following existing SCCH procedures.
- The DFFH Child Protection, Department of Education, Children's Services protocols should be used wherever required to confirm or clarify arrangements.
- The Manager of OVFC must also notify Quality Assessment and Regulation Division of Incidents where the approved provider (or their representative) reasonable believes that physical or sexual abuse of a child/children has occurred or is occurring while the child/children are being educated and cared for by the education and care service. All notifications need to be made via the National Quality Agenda IT System (NQAITS) or call 1300 307 415.

### ***Managing Disclosures***

If a child or young person makes a disclosure to you, it is important the response is in a supportive and

appropriate manner. It is also important to inform the child that there are some things you cannot keep secret or confidential.

Where the abuse involves a family member it may be appropriate to reassure the child that sharing this information is an important part of making their family safer and that you will be talking with other professionals who will help identify the next safe steps and supports available to keep them safe.

When managing disclosure, you must keep clear and comprehensive notes relating to incidents, disclosures, and allegations of child abuse. You must keep such notes whether you decide to make a report. This is done on the [Responding to Suspected Child Abuse Template](#)

Examples of appropriate questions may include:

- When did this happen?
- What did the person do?
- Have you told anyone else?
- Where did this happen?
- How do you feel when this happens?
- Has this happened more than once?
- What do you mean by that?
- Would you like to tell me anything else?

When Managing disclosure, you should:

- Listen to the child and allow them to speak.
- Stay calm and use a neutral tone with no urgency and where possible use the child’s language and vocabulary (you do not want to frighten the child or interrupt the child)
- Be gentle, patient, and nonjudgmental throughout.
- Highlight to the child it was important for them to tell you about what has happened.
- Assure them that they are not to blame for what has occurred.
- Ask open ended questions – “what happened next?” rather than “Why?”
- Be patient and allow the child to talk at their own pace and their own words.
- Reassure the child that you believe them and that disclosing the matter was important for them to do.

The Table below outline when to report to DFFH Child Protection and/or Victoria Police:

Incident	Person allegation against? (person committing act)	DFFH Child Protection	Victoria Police
Problem sexual behaviour between children under 10 years of age	N/A	✓	✗
Problem sexual behaviour between or involving children 10 years of age or older	N/A	✓	✓
Physical or sexual assault / abuse of a child	Parent of the child assaulted / abused	✓	✓
Physical or sexual assault / abuse of a child	Staff member or other adult (including other parents)	✗ (where there are no concerns about the capacity of the child's parent(s) to protect the child)	✓
Physical or sexual assault / abuse of a child	Other persons 10 years of age or over	✓ (if allegation is against a person who is under 18)	✓

### The Four Critical Actions



Once you have formed reasonable belief, you should review your obligations and then follow the Four Critical Actions that outline actions which must be taken when responding to an incident, disclosure or suspicious of child abuse:

[Action 1: Responding to an Emergency](#)

[Action 2: Report to Authorities](#)

[Action 3: Contacting Parents or Carers](#)

[Action 4: Provide ongoing Support](#)

## **CHILD SAFE ENVIRONMENT**

### ***Hazards in the Environment***

Educators maintain a safe environment for children by:

- Completing a daily indoor and outdoor safety checklist
- Immediately removing or reducing hazards in the indoor and outdoor environments as they are identified.
- Securing any unsafe areas to prevent children's access where a hazard cannot be immediately removed or reduced.
- Undertaking regular cleaning of furniture, materials, and equipment
- Storing all toys and equipment safely and appropriately when not in use.

### ***Safety in the environment***

- All staff, Educators, and family members (aged 18yrs and over) must have a current Working with Children Check and Police check.
- *All hazardous materials and products will be kept out of reach of children.*
- Educators undertake a risk assessment for each Specific and routine outing including consideration of the Educator to child ratio.
- When Educators use their own vehicles, approved car restraints must be used for all children.
- Children are always supervised.
- Educators have the sole responsibility for the provision of childcare and children's direct supervision. These responsibilities cannot be passed onto to other family members, visitors, volunteers, or students.
- Educators must maintain a ratio of 1 (one) Educator: 7 (seven) children.
- Educators shall not care for more than seven (7) children at any one time, of which no more than four may be pre-school age (and including their own children under 13 years of age, unless another adult is present and caring for the Educator's own children.
- Educators shall not care for more than four (4) pre-school age children at one time, including their own children, unless another adult is present and caring for the Educator's own children.
- Children are only able to leave the premises when:
  - Released to an authorised person.
  - During specific and routine outings
  - During an emergency drill or real-life evacuation
- Educators have current Emergency and Evacuation floor plans displayed at all exit points to which the children have access.
- Educators have a fully charged operating mobile telephone.
- Educators have a list of emergency and coordination unit telephone numbers displayed and / or entered their mobile phone.

### **Health and Safety – Children**

- **No** form of corporal punishment or discipline unreasonable in the circumstances, including but not limited to isolation, humiliation, intimidation, or negative labelling is permitted at any time by Educators or Staff.
- All staff and Educators follow OVFC and SCCH Protection Reporting Protocols including SCCH *Child Safety and Reportable Conduct Policy and Procedure* and OVFC *Child Safety and Wellbeing Policy and Procedure*, whenever there are concerns for the safety or wellbeing of children.
- Where there is an injury to a child the service will follow the *Policy 48 – Health and Safety - Administration of First Aid Policy and Procedure* and the *Incident, Injury, Trauma, and Illness Policy and Procedure*
- Educators administer and store all medication as per the *Policy 25 Medication Policy and Procedure*
- Medical Management Plans of children with diagnosed medical conditions are implemented as developed in the event of a reaction, attack or seizure detailed in the plan.
- Children with a Medical Management Plan can only attend the service with the medication detailed in their plan.
- Educators undertake infection control measures to minimise the likelihood of cross infection and to prevent the spread of disease.
- The Minimum Exclusion Periods for Infectious Disease for children, Educators, volunteers, students, and Staff.
- all staff and Educators are required to have current First Aid, CPR, Emergency Asthma Management, Anaphylaxis Management and EpiPen training.
- Young children are accompanied to the toilet/bathroom by Educators for toileting and hand washing.
- Educators practice Safe Sleeping recommendations for all children as per the *Sleep Rest and bedding Policy and Procedure*
- OVFC follows the current SunSmart guidelines for sun protection measures as per the *Health and Safety - Sun Protection Policy and Procedure*.

### **APPENDIX:**

- (SCH Legacy) Child Abuse Response and Reporting Work Instruction
- (SCH Legacy) Client Abuse Prevention and Reporting Procedure
- SCCH Child Safety and Reportable Conduct Policy and Procedure
- Mandatory reporting to Child Protection – Early Childhood Fact Sheet
- SCCH Workplace Safety Screening Policy and Procedure
- Responding to Child Abuse template

### **REFERENCES:**

- [UN – Convention on the Rights of the Child](#)
- [PROTECT – Identifying and Responding to all forms of abuse](#)
- [Children Youth and Families ACT 2005](#)
- [ACQCQA – Providing a Child Safe Environment](#)
- [ACECQA – Incident, Injury, Trauma, and Illness](#)
- [Child Protection in early Childhood](#)
- [DFFH – changes to child protection law](#)

- [DFFH – Mandatory Reporting to child protection in Victoria early childhood factsheet](#)
- [Education and Care Services National Regulations, \(updated version July 1, 2023\) – Regulation 168, 84](#)
- [Education and Care Services National Law ACT 2010 \(updated version July 1, 2023\) 162A](#)
- [OHS in Early Childhood Services](#)
- [Commission for Children and Young People \*Being a child safe organisation\*](#)
- [Commission for children and Young People – \*Child Safe Standards\*](#)
- [Occupational Health and Safety Regulations 2017 \(Current Version 16<sup>th</sup> February 2021\)](#)
- [Occupational Health and Safety Act 2004 \(Current Version 26<sup>th</sup> March 2021\)](#)

**RELATED POLICIES & PROCEDURES/ WORK INSTRUCTIONS:**

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- Monitoring, Supporting and Supervision of FDC Educators Work Instruction
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- (SCH Legacy) Client Abuse Prevention and Reporting Procedure
- SCCH Client Empowerment Policy and Procedure
- SCCH – Child Safety and reportable Conduct Policy and Procedure
- Orientation of FDC Educators Work Instruction
- Our Village Family Childcare Playgroups Work Instruction
- Overnight Care Work Instruction
- Recruitment of FDC Educators Work Instruction

**VERSION CONTROL AND LEGISLATION:**

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