

the Y Ballarat Policy – Child Safe Environment Policy

Policy Number	Date Approved	Date Last Amended	Status
CS228-O(OP)	23/01/2019	5/02/2020	Approved

1. PURPOSE

This policy should be read in conjunction with the *Safeguarding Children and Young People Policy*. It provides a clear set of guidelines and procedures to ensure:

- all children attending Ballarat YMCA Children’s Services (YMCA) are provided with a safe environment;
- all reasonable steps are taken by the Approved Provider, educators and staff to ensure the health, safety and wellbeing of children attending the service.

Ballarat YMCA Children’s Services (YMCA) is committed to ensuring the safety and wellbeing of all children attending the service and meeting its duty of care obligations under the law.

2. SCOPE

The scope of this policy applies to all:

- Board members, sub-committee members, staff, students and volunteers;
- Approved Children’s Services that operate under the Education and Care Services National Regulations, 2011. This includes Before and After School Care Services, Vacation Care, Early Learning Centres and Kindergartens.
- YMCA crèche and limited hours’ services who operate under the Victorian Children’s Services Regulations 2009

It is recognised that every member of the service impacts on the children’s health and can contribute to creating an environment that promotes positive mental health. All members of our service, including educators, staff, children, families and volunteers will be supported to meet this policy.

3. POLICY

Ballarat YMCA is committed to:

- ensuring that the health, safety and wellbeing of children at the service is protected at all times while also promoting their learning and development;
- fulfilling its duty of care (refer to *Definitions*) obligations under the law by protecting children from any reasonable, foreseeable risk of injury or harm;
- ensuring that people caring for children at the service act in the best interests of the child, and take all reasonable steps to ensure the child’s safety and wellbeing at all times;
- supporting the rights of all children to feel safe, and be safe, at all times;
- developing and maintaining a culture in which children feel valued, respected and cared for;

- encouraging active participation from parents/guardians and families at the service, and ensuring that best practice is based on a partnership approach and shared responsibility for children’s health, safety, wellbeing and development;
- promoting children’s development and wellbeing.

4. LEGISLATIVE AND INDUSTRY REQUIREMENTS

Relevant legislation and standards include but are not limited to:

- Children, Youth and Families Act 2005 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic)
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Education and Care Services National Law Act 2010 (Vic): Sections 165, 166, 167
- *Education and Care Services National Regulations 2011* (Vic): Regulations 84, 85, 86, 99, 100, 101, 102, 168(2)(h)
- Education Training and Reform Act 2006 (Vic) (As amended in 2014)
- National Quality Standard, Quality Area 2: Children’s Health and Safety
 - Standard 2.2: Each child is protected
 - Element 2.2.1: At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
- National Quality Standard, Quality Area 3: Physical Environment
 - Element 3.1: The design of the facilities is appropriate for the operation of a service
 - Element 3.1.1: Outdoor and indoor spaces, buildings, fixtures and fittings are suitable for their purpose, including supporting the access of every child.
 - Element 3.1.2: Premises, furniture and equipment are safe, clean and well maintained
- Occupational Health and Safety Act 2004 (Vic)
- Working with Children Act 2005 (Vic)
- Working with Children Regulations 2006 (Vic)
- Victorian Child Safe Standards

5. DEFINITIONS

Child Abuse	The physical or psychological/emotional mistreatment of children. There are four main categories of child abuse neglect, physical abuse, psychological/emotional abuse, and sexual abuse
Commission for Children and Young People	The Commission for Children and Young People is an independent statutory body that promotes improvement in policies and practices affecting the safety and wellbeing of Victorian children and young people. They have a particular focus on vulnerable children and young people.

Duty of care: A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury. In the context of this policy, duty of care refers to the responsibility of education and care services to provide children with an adequate level of care and protection against foreseeable harm and injury.

6. ROLES AND RESPONSIBILITIES

Department/Role	Responsibility
Children's Services Management	<p>Is responsible for the development, monitoring and review of the policy and related systems, ensuring content meets all legislated requirements.</p> <p>Facilitate annual policy training to all educators on the appropriate implementation and use of policy.</p>
Children's Services Team	<p>YMCA nominated supervisor and/or service management will oversee the implementation and service adherence to this policy (ie policy compliance).</p> <p>Nominated supervisor and/or person with management and control will seek individual community feedback and facilitate an active consultation process with service users as appropriate.</p> <p>All educators will be provided with this Policy annually and are responsible for the daily implementation of the Policy when directly supervising children.</p>
Managers and Supervisors	<p>Responsible for addressing any instance of non-compliance with this Policy, and implementing strategies to help prevent non-compliance with this Policy.</p> <p>Responsible for implementing the processes outlined in this Policy, in accordance with this Policy, as required.</p> <p>Is responsible for ensuring suitable resources and support systems to enable compliance with this policy.</p> <p>Drive the consultation process and provide leadership and advice on the continuous improvement of the Policy.</p>
All employees, volunteers & students.	<p>Responsible for meeting the requirements outlined in this Policy.</p> <p>Responsible for raising concerns or complaints in accordance with this Policy.</p>

7. MONITORING AND/OR EVALUATION

This Policy will be reviewed every 3 years.

The ongoing monitoring and compliance to this policy will be overseen by Centre/Service Managers and Children's Services. Each program will complete an annual self-assessment against this policy and the legislated standards from which it was drawn. The National Quality Framework Ratings and Assessment process, and Service Approval conditions, will also assist in the external audit and monitoring of the policy, by delegates of the Department of Education and Early Childhood Development.

The evaluation of the policy will be facilitated by Children’s Services using local stakeholder feedback to drive continuous improvement and reflect service users’ comments where practical.

Children’s Services will drive the active engagement of all key stakeholders at the formal reviews to ensure the policy is reviewed in accordance with the YMCA Ballarat Policy Framework and National Quality Framework.

8. SUPPORTING DOCUMENTS (LINKS TO PROCEDURES AND/OR WORK PRACTICES)

This Policy is supported by the Child Safe Environment Procedure and supporting resources which are designed to assist managers in complying with this Policy.

Please find a list of related documents below:

- *Charter of Human Rights and Responsibilities Act 2006* (Vic) available at: <http://www.legislation.vic.gov.au/>
- Owens, Angela (2012) *Health Safety and Wellbeing*. Early Childhood Australia, National Quality Standard Professional Learning Program, e-Newsletter no. 29, 2012.
- The United Nations Convention on the Rights of the Child: www.unicef.org/crc

9. APPROVAL AND REVIEW

Approved By

Name: Brooke LeSeuer
Position: CEO
Meeting Name: Executive Team
Meeting Date: 23/01/2019
Effective Date: 23/01/2019
Review Date: 23/01/2022
Policy Owner: Nancy Drever, Children’s Services Manager
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Amendments

Version	Date	Author	Change Description
V1	23/01/2019	Nancy Drever	Policy Developed
V2	5/2/2020	Alicia Pratt	Updated Legislative requirements list
V3			