

Providing a Child Safe Environment

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY

Policy Statement

The National Principles for Child Safe Organisations has been endorsed by all governments in Australia, which give effect to law and regulations relating to the Child Safe Standards, and provide guidance on key actions and performance measures in implementing the standards. PHELC has a moral and legal responsibility to ensure that the rights and best interests of the child are paramount and that we will provide training, resources, information and guidance to support this in order to:

- ensure that the health, safety and wellbeing of children at the service is protected at all times;
- ensure that people educating and caring for children at the service act in the best interests of the child;
- protect and advocate the rights of all children to feel safe, and be safe, at all times;
- maintaining a culture in which children's rights are respected;
- encouraging active participation from families at the service, supporting a partnership approach and shared responsibility for children's health, safety, wellbeing and development;
- ensure the National Principles for Child Safe Organisations are implemented and regularly reviewed.

We believe that children's safety, rights, and best interests are the paramount consideration for all Service operations, decisions and functions. Our Service ensures that child safety, wellbeing and best interests take priority over all other considerations, including financial interests or other obligations of management, and are embedded in our daily practices, policies and procedures.

Our Service adheres to and aligns with legislative requirements related to taking images or videos of children. (See *Safe Use of Digital Technologies and Online Environments Policy*.) We provide children, staff, educators and visitors with an environment free from the use of tobacco (including vaping), alcohol and illicit drugs.

Goals

All children have the right to experience quality education and care in an environment that promotes opportunities to thrive with adults who safeguard and advocate for their health, safety, security and wellbeing including the right to:

- be asked to express their views and wishes about matters affecting their lives and to have those views appropriately considered by adults;
- feel and be safe in their interactions with adults and other children and young people; and
- understand, as early as possible, what is meant by 'feeling and being safe'.

Strategies

The Physical Environment

In order to promote a safe physical environment we will:

- Ensure all equipment and materials used at the service meet relevant Australian safety standards.

Ensure students and visitors are never alone with children whilst at the Service. The physical environment including toilets and nappy change facilities is designed and maintained to facilitate clear supervision of children whilst maintaining their rights and dignity.
- Conduct daily checks of the environment and equipment.
- Remove, repair or replace worn and damaged buildings, structures, equipment and resources which may provide a safety risk for children in a timely manner.
- Maintain an equipment maintenance schedule.
- Ensure learning environments are established that provide appropriate child groupings, sufficient space, and include carefully chosen and well-maintained resources and equipment.
- Organise indoor and outdoor spaces to ensure risks to the health and safety are minimised.
- Conduct a risk assessment of the service environment on a regular basis to determine any risks to children's health and safety.
- Analyse and evaluate the risks associated with identified hazards.
- Determine appropriate ways to eliminate or control identified hazards.
- Review risk assessments after any serious incident report is made to the Regulatory Authority.
- Ensure smoking and vaping is banned within the grounds of, and within the legislated distance for our state/territory of any entrance of an enclosed public space.
- Ensure secure storage of hazardous products including chemicals and medications.
- Educators and staff implement child safe procedures outlined in the *Safe Use of Digital Technologies and Online Environments Policy* to ensure children are always supervised and never left unattended whilst using any electronic devices. The physical environment, layout and design ensure it supports child-safe practices when children are engaged in using technology and regular audits are conducted to identify any potential risks to children's safety. All electronic devices are password protected with access for staff only.
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Digital Technologies and the Online Environment

- All stakeholders have a responsibility to ensure online safety, as their children grow up in digital contexts. Children will be provided information about online safety.

- All staff and educators have knowledge of and adhere to legislative requirements and not use, or have access to, any personal electronic devices, including mobile phones or smart watches used to take images or videos when educating and caring for children at the Service. Only Service supplied or issued and registered electronic devices are used and strict controls are in place to ensure the appropriate storage and retention of images and video of children.
- Services are encouraged to use the National Model Code and Guidelines developed by ACECQA, to increase awareness on the effective and safe use of digital and personal devices in daily practice.
- Services are advised to commence using the National Model Code and the Guidelines to increase awareness of staff, students, volunteers and families regarding child safety risks and considerations when using personal and service devices in the centre.
- Services can adhere to the four parts of the National Model Code as follows:
 - Part 1: Only service-issued electronic devices should be used when taking images or videos of children while providing education and care. The appropriate use of service-issued electronic devices for taking, sending and storing images or videos of children should be clearly outlined in policies and procedures.
 - Part 2: Personal electronic devices that can take images or videos (such as tablets, phones, digital cameras, smart watches) and personal storage and file transfer media (such as SD cards, USB drives, hard drives and cloud storage) should not be in the possession of any person while providing education and care and working directly with children. Any exceptions to this should be for limited, essential purposes that are authorised in writing (or through another means if written authorisation is not reasonably practicable) by the approved provider at the service, and where that access does not impede the active supervision of children.
 - Part 3: Essential purposes for which use and / or possession of a personal electronic device may be authorised for purposes other than taking images or recording videos of children.
 - Part 4: Approved providers and their services should have strict controls in place for the appropriate storage and retention of images and videos of children.

(Source: Guidelines for the National Model Code - ACECQA and Australian Government eSafety Commissioner. (n.d.). Online safety for under 5s).

- Services are recommended to be following the four fundamental principles and recommended practices
 1. Young children’s relationships with adults and peers matter in digital contexts
 2. Young children’s health and wellbeing is actively supported in digital contexts
 3. Young children’s citizenship is upheld and fostered in digital contexts
 4. Play and pedagogy promotes young children’s exploration, social interaction, collaboration and learning in digital contexts.

(Source: Early Childhood Australia: Statement on young children and digital technologies).

Supervision

- Ensure that sufficient numbers of educators are employed to ensure adequate supervision of children at all times.
- Manage rosters to not only ensure that adequate numbers of educators are on duty to meet ratio and qualification requirements but that duty of care implications are considered to ensure adequate supervision at all times.

Staff

All prospective applicants must declare that they do not hold any prohibition notices, including suspension, supervision or prohibition notices or enforceable undertaking, preventing them from working with children. The approved provider will verify prohibition notices using the [NQA ITS](#) 'register search' tool. Candidates applying for roles such as nominated supervisor or responsible person must also complete a Compliance History notice. Existing employees are required to disclose any enforcement actions, including suspension, supervision or prohibition notices or enforceable undertaking, taken against them to the approved provider, in writing, within 24 hours

All staff and educators are provided with a comprehensive induction process which outlines our Code of Conduct and key policies including *Child Protection*, *Safe Use of Digital Technologies and Online Environments Policy*, *Dealing with Complaints*, *Work Health and Safety Policy*, and other related policies, to ensure a child safe environment. New employees (including the nominated supervisor and staff members), students and volunteers are to familiarise themselves with the *Child Protection Policy* to understand child protection laws and their obligations and mandatory reporting duties to ensure the safety and well-being of children at the Service.

- Ensure screening and suitability of staff, volunteers as per the legislation and policy at the time of employment and as part of an ongoing process.
- Working with vulnerable people/children check details must be included on volunteer staff records.
- Ensure rigorous induction processes for staff, volunteers and students that embed Child Safe Standards and practices of a child safe culture.
- Complete pre-employment child protection training, and annual refresher training.
- Respond proactively to emerging staff performance concerns.

Child Protection

Children and young people always have a right to be safe and protected. To comply with legislation and ensure a child safe environment, all educators, staff, volunteers and students will be required to complete mandatory [National Child Safety Training for the Early Childhood Education and Care Sector](#) (effective February 2026). This applies to any person working in the Service whether or not they work directly with children. Staff, educators, students and volunteers must demonstrate an understanding of the role of mandatory reporter, including when a report must be made and how to make a report.

Approved providers, nominated supervisors, educators and staff are mandatory reporters and have a legal obligation to make reports if they suspect on reasonable grounds, a child is at risk of significant harm. Neglecting these obligations could potentially be deemed a criminal offence.

- Ensure that all staff including educators, students and volunteers have current working with children checks or equivalent as required by state or territory specific legislation.
- Ensure that all staff are given information and/or training about child protection law and any obligations they have under that law.
- Ensure risk management strategies are in place to support and protect the safety and well-being of all children.
- Refer to the Child Protection Policy.
- All educators and volunteers of our service are required to familiarise themselves with child protection legislation in their state/territory and take appropriate measures according to state/territory specific protocols if they have reasonable grounds to suspect a child or young person is at risk of significant harm and have current concern about the safety, welfare or wellbeing of a child or young person.
- Complaint handling policies include policies and procedures for managing complaints about children exhibiting harmful sexual behaviours.
- Complaint handling policies and procedures are child focussed, in accordance with the National Principles for Child Safe Organisations
- Staff will undertake training in order to effectively:
 - make appropriate responses to all disclosures of abuse and any allegation of abuse against staff members of the service;
 - understand the responsibilities and processes as a mandatory reporter (or equivalent);
 - be able to recognise the factors that increase a child’s vulnerability to maltreatment;
 - be aware of the vulnerabilities which may indicate a need to assess, monitor or curtail the behaviour of individuals in relation to children and young people within organisations;
 - staff will implement procedures for releasing children only into the care of authorised persons.

Preventing other harms and hazards

The service will ensure that:

- At a governance level, Approved Providers/Nominated Supervisors identify and manage risk that align with the Child Safe Standards. (see risk management tips from the Office of the Children’s Guardian) Resources | Office of the Children’s Guardian (nsw.gov.au)
- Risk assessments are conducted regularly for excursions and transportation provided or arranged by the service in conjunction with the service’s Excursions and/or Transportation of Children policies.

- Risk minimisation practices are in place for the management of medical conditions in conjunction with the service's Medical Conditions policy.
- Emergency evacuation plans specific to the service are implemented in conjunction with the service's Emergency and Evacuation policy.
- If staff consume hot drinks, they are made and consumed away from children.
- To ensure children's safety, staff and educators have a clear understanding of their legal obligation to
- check identification when a person is collecting a child. To maintain compliance, parents will provide written authorisation if they authorise a person who is not on their emergency contact form to pick up their child from the ECEC Service. Educators and staff will ensure court orders are strictly adhered to and protect children from any potential harm.

Roles and Responsibilities

Approved Provider will

- Understand their responsibility under the Reportable Conduct Scheme (NSW specific).
- Ensure the service operates in line with the Education and Care Services National Law and National Regulations with regard to the delivery and collection of children at all times.
- Ensure all staff have access to relevant professional development.
- Ensure that the Nominated Supervisor and staff members at the service who work with children are advised of current child protection legislation, its application, and any obligations that they may have under that law (Regulation 84).
- All allegations, concerns or suspicions of inappropriate conduct will be reported in accordance with the *Child Protection Policy* and *Management of Inappropriate Conduct Procedure*. Our Service will develop and maintain a *Child Protection Register* for recording child protection concerns. Our Service will ensure all educators and staff have access to the online [Mandatory Reporter Guide](#) (MRG) and reporting decision tree via Service-supplied electronic devices. A *Child Protection Risk Assessment* will be completed and reviewed annually. Our Service will use a range of strategies to provide effective supervision, including using attendance records to ensure all children are accounted for (head counts).
- Protection against a person who has made or may make a protected disclosure is outlined within Our *Protected Disclosures (Whistleblower) Policy*, outlines the supports and protections for individuals who report concerns in good faith about child safety, breaches of the National Law, or Service operations.

Nominated Supervisor will

- Understand their responsibility under the Reportable Conduct Scheme (NSW specific).
- Ensuring screening and suitability processes are maintained to meet policy and legislated requirements.
- Identifying and providing appropriate resources and training to assist staff, contractors, visitors, volunteers and students to implement this policy (refer to Sources).
- Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy.
- Cooperate with other services and/or professionals in the best interests of children and their families.
- Ensure that families are made aware of support services available to them and of the assistance these services can provide.
- Ensure that all staff who work with children are supported to implement this policy in the service.
- Protect the rights of children and families, and encourage their participation in decision-making at the service.

Educators will:

- Act in accordance with the obligations outlined in this policy.
- Raise concerns when barriers or threats to the protection of children and young people's safety and wellbeing are identified, including through the conduct of other adults at the site/service.
- Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy.
- Follow all record keeping requirements.
- Undertaking appropriate training and education on child protection.
- Identifying any potential for risk and harm to a child at the service and developing and implementing effective prevention strategies in consultation with the approved provider and the nominated supervisor.
- Co-operating with other services and/or professionals in the best interests of children and their families.
- Informing families of support services available to them, and of the assistance these services can provide.
- Ensuring that no child is left alone (or is out of sight) with a contractor, visitor, volunteer, student or parent/guardian at the service.
- Implementing the procedures for reporting suspected child abuse.
- Notifying the nominated supervisor or the approved provider immediately on becoming aware of any concerns, complaints or allegations regarding the health, safety and welfare of a child at the service.
- Offering support to the child and their family, and to other and staff in response to concerns or reports relating to the health, safety and wellbeing of a child at the service.
- Maintaining confidentiality at all times.

- Adhering to all service policies that adhere to the Child Safe Standards.
- Understand and adhere to risk management strategies for the relevant children in their care.
- Ensuring risk management strategies are understood and adhered to

Families will

- Reading and complying with this policy.
- Reporting any concerns, including in relation to potential for child abuse, to the Nominated Supervisor.

Related Guidelines, Standards, Frameworks

- National Quality Standard, Quality Area 2: Children’s Health and Safety – Standard 2.2
- National Quality Standard, Quality Area 3: Physical Environment – Standard 3.1, 3.2
- National Quality Standards, Quality Area 5: Relationships with Children – Standard 5.1
- National Quality Standard, Quality Area 7: Governance and Leadership – Standard 7.1, 7.2
- National Principles of Child Safe Organisations

Related Legislation

- Education and Care Services National Law: Sections 18, 162A, 165, 166, 167, 20
- Education and Care Services National Regulations: Regulations 82, 83, 84, 99, 103, 115, 122, 123, 158-159, 165, 168(2)(h), 175, 176
- Australian Child Protection Legislation
aifs.gov.au/cfca/publications/australian-child-protection-legislation
- Australian Privacy Principles – www.oaic.gov.au
- Privacy Act 1988 (Privacy Act) – www.oaic.gov.au/privacy/privacy-legislation/the-privacy-act

Relevant references

- Office of the Australian Information Commissioner – www.oaic.gov.au
- NSW Office of the Children’s Guardian <https://ocg.nsw.gov.au/>
- (NSW Only) [Reporting Obligations Poster Resources | Office of the Children’s Guardian \(nsw.gov.au\)](#)
- NSW Dept of Education: [Guide on the Child Safe Standards for early childhood education and outside school hours care services \(nsw.gov.au\)](#)

- (NSW only) [Child Safe Standards Fact Sheet](#)
- Australian Children’s Education and Care Quality Authority (ACECQA) – www.acecqa.gov.au
- ACECQA’s Guide to the National Quality Framework
- Australian Institute of Family Studies: Pre-employment screening: Working With Children Checks and Police Checks - aifs.gov.au/cfca/publications/pre-employment-screening-working-children-checks-and-police-checks
- Childsafety Australia – www.childsafetyaustralia.com.au
- United Nations Convention on the Rights of the Child – www.unicef.org.au
- The Supporting young children’s rights: Statement of intent (2015-2018) – www.earlychildhoodaustralia.org.au
- Australian Human Rights Commission – www.humanrights.gov.au
- Australian Childhood Foundation – www.childhood.org.au
- UNICEF The Convention on the Rights of the Child: The children’s version - www.unicef.org/child-rights-convention/convention-text-childrens-version
- National Model Code - www.acecqa.gov.au/national-model-code-taking-images-early-childhood-education-and-care

Policy Review

POLICY REVIEWED: February 2026

POLICY REVIEWED BY: Suzi Scott

NEXT REVIEW DATE: February 2027

MODIFICATIONS:

- Major review of policy to ensure its accuracy and relevance. Content has been refined to clarify responsibilities and ensure alignment with legislative changes and current best practices in child safety and professional conduct
- Edits to policy to comply with amendments to National Law (NSW) and Regulations
- updated policy to include amendments to Education and Care Services National Law
- revised wording around electronic devices following National Law amendments