Creating A Child Safe Sector – One NGO’s Journey.

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Background

Introducing OSHC

The OSHC Educator.

Royal Commission

New Laws
The Education and Care Services National Regulations brought OSHC services under the NSW Ombudsman Act 1974. (effective from January 1st 2012)

Combined with the introduction of the National Quality Framework this brought new responsibilities for OSHC services in relation to reporting responsibilities and policy development.
Identifying the gaps

- Employment Practices
- Understanding Grooming behaviours
- Understanding of policy
- Training Content
- Community awareness
The great aim of education is not knowledge but action.

– Herbert Spencer
Our intent..

Provide Clarity - what is acceptable/non acceptable behaviour?

Protect and safeguard children

Pro-action not reaction

Encourage organisations to support educators

Increase knowledge about Child Protection

Accessible resources and support

Embed practices
Protecting Children from Sexual Harm

A FACT SHEET ON SEXUAL GROOMING

A lot of information exists about how to respond to sexual abuse once it has been discovered. But the best way of protecting children from harm is to be aware of the behaviours that can lead to sexual abuse before it occurs. These behaviours are called 'grooming'. Organisations with unclear boundaries around contact with children can be magnets to people who wish to 'groom' children for sexual abuse. By learning about the strategies used to 'groom' children and their families and recognising them as inappropriate behaviours in your service you can create an environment that will deter infiltration by sexual abusers.

Sexual abuse thrives in secrecy and ignorance. By being alert to potential danger signs, we are better able to understand the steps we can take to keep children as safe as possible.

What is “Grooming”?

Sexual abusers are often people we know: more than 8 out of 10 children who are sexually abused know their abuser. They may hold responsible positions in their local community, and can be personable or charismatic. Abusers come from all classes, ethnic and religious backgrounds and may be heterosexual or homosexual. Whilst a high percentage of abusers are men, some are also women. You cannot pick an abuser out in a crowd, however you can identify behavior that precipitates abuse. This behaviour is known as ‘grooming’ and research shows us that it can occur for up to 12 months before the actual sexual abuse takes place.

Grooming is defined as communication with a child where this is an intention to meet and commit a sexual offence! More generally it can be seen as the process by which an individual manipulates those around them – particularly, but not exclusively, the child – to provide opportunities to abuse and reduce the likelihood of being reported or discovered.

Research suggests that this process can be very deliberate, and while it can occur over a long period of time, sometimes this period of time is much shorter. There may not be any conscious motivation to sexually abuse a child until just before the abuse occurs. In both cases, there are often opportunities to intervene, even before the would-be abuser is fully aware of what may become sexual intentions.

Unfortunately, identifying sexual grooming of children isn’t always straightforward. Sometimes sexual abuse occurs as part of a pre-existing relationship in which there is genuine affection, which makes it a complex issue. But there are often clear signs that can be detected before the abuse occurs.

1. Understanding the Grooming or Entrapment Process, CPSU briefings
2. Worley and Smallbone 2006
3. (ABTS. 1996, 2004c)
4. Pitchard, 2004
5. Worley and Smallbone 2000
6. Understanding the Grooming or Entrapment Process, CPSU briefings
Importance of a Code of Conduct (Child Protection)
Suite of Policies & Resources

- Code of Conduct (Child Protection)
- Online quiz.
- Reportable Conduct Guide.
- Child Protection App
- Factsheets
- Pre-employment guide
- Child protection Policy templates
- Guide to report writing.

Providing a Child Safe Environment Policy
“Child Safe” section on website
– free, downloadable, accessible..
www.networkofcommunityactivities.org.au/childsafe
What is the role of the NSW Ombudsman in OOSH services?

Outside School Hours Care and Vacation Care services play an important role in protecting children so they can learn and develop in safe and supportive environments.

When the National Quality Framework for early childhood education and care services commenced, Outside School Hours Care and Vacation Care services in NSW came under the Ombudsman’s employment related child protection jurisdiction for the first time.

This means that OOSH providers must notify the Ombudsman of any allegation of a child protection nature that is made against an employee of an OOSH or vacation care service, and heads of these services are responsible for ensuring that these types of allegations are investigated and clear findings are made. It is the Ombudsman’s role to ensure that any investigation is proper and fair.

Since the commencement of the notification scheme, OOSH and vacation care services have notified more than 20 matters to the Ombudsman. This is lower than expected, given that more than 1,200 OOSH and vacation care services operate in NSW and the large number of employees and children using these services.

**What is a reportable allegation?**
- Any sexual offence or sexual misconduct committed against, with or in the presence of a child including a child pornography offence or an offence involving child abuse material;
- Any assault, bruising, neglect, abandonment, or neglect of a child;
- Any behaviour that causes psychological harm to a child.

**Reportable conduct** includes conduct that arises as part of a person’s work at an OOSH service or outside their work, for example, in relation to their own children or in another workplace. It also includes charges and convictions.

Employees, including paid workers and any individuals engaged to provide services to children, including volunteers.

**Types of incidents need to be notified to the Ombudsman?**

- **Neglect**: Includes either an action or inaction by a person who has care responsibilities for a child; neglects a third of notifications from OOSH services to relate to allegations of neglect. Most of these matters involve children aged 3-6 years who were left unsupervised – for example, leaving the service by themselves, getting lost on excursion or being left behind when the rest of the children left on excursion.

- **Assault**: Includes any act by which a person intentionally inflicts unjustified physical force against a child, for example, hitting, pushing, throwing, hitting, throwing objects or making threats to physically harm a child. Neglects a third of the notifications received from OOSH services relate to alleged physical assault.

The term ‘sexual offence’ encompasses all criminal offences involving a sexual element that are committed against, with or in the presence of a child.

The term ‘sexual misconduct’ includes crossing professional boundaries, making explicit comments and other overtly sexual behaviour, and grooming behaviour – when the conduct does not necessarily equate to a criminal offence. Neglects a third of notifications from OOSH services relate to allegations of sexual assault or sexual misconduct.

**Till-treatment** captures those circumstances where a person treats a child or young person in an unreasonable and seriously inappropriate, imposes undue or cruel manner. A small number of notifications from OOSH relate to alleged till-treatment.

**Behaviour that causes psychological harm** is conduct that is obviously or very clearly unreasonable and results in significant emotional harm or trauma to a child.
**OOSH Development Factsheet**

**Information to consider obtaining when making a Risk of Significant Harm Report**

The detail and quality of the information provided to the HelpLine by the reporter is critical to the quality of the decision making that follows. The following is a set of the kind of information that may be useful when making a report.

**IMPORTANT:** If you are unable to locate or obtain this information, or the matter is urgent, do not postpone making your report.

Please remember to complete the Mandatory Reporter Guide prior to contacting the HelpLine.

**CHILD’S INFORMATION**
- Name of child or young person (or alias) or other means of identifying them
- Age and date of birth (or approximation)
- If child is Indigenous - Aboriginal, Torres Strait Islander or both
- Cultural background of child; language(s) spoken, religion and other cultural factors
- Name, age of other household children or young people
- Address of child and family
- Medical or child care details
- If child has a disability - nature/type, severity, impact on functioning
- Is the child a young person subject of an Apprehended Violence Order?
- Is the child or young person under the care of the Minister or residing in out-of-home care?

**FAMILY INFORMATION**
- Name, age of parents/carer and household adults
- Home and/or mobile phone number
- Cultural background of parents/carer, language(s) spoken, religion and other cultural factors
- Information about parenting risk factors and how they link to child’s risk of harm
- Primary care arrangements
- Alcohol or other drug misuse
- Unmanaged mental illness
- Intellectual or other disability
- Protective factors and family strengths
- Non-offending carer’s capacity to protect child
- Any previous suspicious death of a child or young person in the household
- Is the parent/carer pregnant?
- Is the parent/carer the subject of an Apprehended Violence Order?
- Description of family structure (for example, biological parents, single parent, blended family)
- Name, age, gender of siblings. Do siblings live with the child or young person?

**REPORTER DETAILS**
- Name, organisation address, phone and email details
- Position
- Reason for reporting today
- Nature of contact with child or family
- Nature of ongoing role with child or family (include frequency, duration and type)
- If report is being made by someone else in the organisation, name of the organisation worker who sourced the report

**OTHER INFORMATION**
- Services trusted with child/family if known
- Medical or psychological history and treatment
- Whether or not interpreter for a spoken or signed language is required
- If parent/carer knows of this report and their response
- If child or young person knows about the report and their wish
- Information related to worker safety issues
- Outcome of Mandatory Reporter Guide

**Remember:** Once a report is made to the Community Service child protection HelpLine no further report needs to be made unless new information comes to hand.

Reports should be made in one form only, i.e., either by phone or fax or email. Duplicating or confirming a report in writing is unnecessary.

Note: That the summary page on the decision report from the online Mandatory Reporter Guide can be printed and placed on your records.

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**OOSH Development Factsheet**

**Appropriate Physical Contact in OOSH**

There will be times when appropriate physical contact with children is necessary. In your OOSH Centre, however, it is important to remember that there can be issues surrounding physical contact with children that can be seen as inappropriate, although the risk is usually low. It is important that all physical contact issues are discussed with the parents and documented.

**Physical contact is appropriate if Educators:**
- Non-intrusive touch such as holding hands or a pat on the back or upper arm is given when congratulating a child. Positive reinforcement with encouragement should precede the touch.
- Are required to give practical assistance if children are hurt or in need of help.

**Physical contact is inappropriate if:**
- Educator is not supporting the child who is distressed, such as a hand on the upper arm or upper back.
- Need to assist a child with a disability with toileting and personal care needs. (An individual plan needs to be discussed with the parents and documented).
- Children’s trust is destroyed.
- Physical contact includes touching the child’s back, buttocks, breasts or any part of the body that may cause distress or embarrassment.

**Educators need to be aware of the following good practice with school age children:**
- Ask the child permission to touch. Remember that a very young child may not be able to answer this.
- Avoid being in a one-on-one situation where possible with a child.
- Never assume that physical contact is acceptable.
- Respect the child’s confidentiality.
- Use verbal directions rather than touch. (If the child is to move to a certain area rather than physically direct the child to that area.)
- Use the above approach with activities such as dance, sport, music or drama.
- Educators may need to discourage younger children from inappropriate expectations of hugs or cuddles. Do this sensitively and encourage the child to sit beside you rather than on your knee and talk quietly or use more acceptable ways (e.g., read books or help them make a craft)
- Some cultures and religions discourage physical contact between adults and children especially if the educator is a male and the child is female.
- Make sure the physical contact is appropriate to the activity.
- Children must be taught in a restrained state for long periods. Parents need to be contacted.

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**USE OF PHYSICAL CONTACT FOR THE PURPOSES OF HEALTH AND SAFETY AT THE CENTRE**

Educators may make legitimate use of physical restraint if non-physical interventions have been unsuccessful and are as a last resort in the following situations where:
- A child or adult’s safety is threatened.
- A child isashing another child or adult.
- A child is picking on another child or themselves.
- Educators are duty of care to protect children from risks of injury.

Educators need to keep talking to the child throughout the incident. If it is necessary to use physically restrain a child for safety reasons, it still fittingly other than the body wherever possible.

Document the incident as soon as possible and contact the parents immediately.

**EDUCATORS ARE NOT TO USE PHYSICAL RESTRAINT UNLESS A CHILD’S SAFETY IS THREATENED IN RESPONSE TO:**
- Property destruction
- Deception to the Centre
- Verbal threats or abuse
- Leaving the Centre
- Refusal to follow instructions.
Face to Face

Information sessions

Training

Regional Meetings

Project Officer individual service support

Staff meeting standing agenda items
Embedding Practice..

- Employment practices
- Code of Conduct (Child Protection)
- Staff meetings
- Social media presence

- Appropriate physical contact
- Safe work practices
- Grooming
All can be downloaded for FREE on the Network website:
www.networkofcommunityactivities.org.au/childsafe
More knowledge …so more actions to follow..

• Child Protection App finalisation
• Improved awareness about peer abuse.
• Children’s sexuality fact sheet.
• “Train the trainer” for all Nominated supervisors.
• Reportable Conduct Investigations support
• Referral service for potential offenders.
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