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## The English School of Mongolia (ESM) Preschool

### Child Protection

#### Introduction

ESM preschool is committed to providing an environment that fosters health, development, spirituality, self-respect and dignity, that is free from violence and exploitation. At ESM we believe children must receive the care and protection necessary to ensure their safety, welfare and wellbeing. All staff members as well as visitors are required to report to the ESM head office if they have reasonable grounds to suspect a child or young person is at risk of significant harm and have current concerns about the safety, welfare or wellbeing of a child where the concerns arise during or from their work. We are committed to ensuring all staff members have a full understanding of their responsibilities as a Mandatory Reporter and are supported in fulfilling these.

#### Aims

Our goal is to ensure that every reasonable precaution is taken to protect children being educated and cared for from harm. ESM preschool have a responsibility to defend children's right to care and protection to ensure their safety, welfare and wellbeing, and a responsibility to report any children at significant risk of harm.

#### Definitions

**'At risk of significant harm'** - in relation to a child means that there are current concerns for their safety, welfare or wellbeing because of the presence to a **significant extent** of any one or more of the following circumstances:

- The child's basic physical or psychological needs are not being met or at risk of not being met;
- The parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive medical care;
- The child has been, or is at risk of being, physically or sexually abused or ill-treated;
- The child is living in a household where there have been incidents of domestic violence and, as a consequence, the child is at risk of serious physical or psychological harm;
- A parent or other caregiver has behaved in such a way towards the child that the child has suffered or is at risk of suffering serious psychological harm;

**'Reasonable grounds'** - means that you suspect a child may be at risk of significant harm based on:

- Your observations of the child, or family;
- What the child, parent or another person has told you. It does not mean that you are required to confirm your suspicions or have clear proof before making a report.

## **Procedures**

### **The Approved Provider/Nominated Supervisor will:**

- Ensure that any adult working directly with children has a currently *confirmed contract with ESM*;
- Ensure every adult working with children is made aware of *The Children Protection and Safety Policy of ESM*;
- Orientate every working adult to this child protection policy,

### **Teachers and other staff will:**

- Develop trusting and secure relationships with all children at preschool;
- Make reports of current concerns for any child at risk of significant harm to the *ESM Head office*;
- Make appropriate responses to all disclosures of abuse and any allegation of abuse against staff members of the preschool.

## **Documentation of current concerns**

### **The Approved Provider/Nominated Supervisor will:**

- Support staff through the process of documenting and reporting current concerns of children at risk of significant harm;
- Provide all staff and teachers with clear guidelines around documentation and a template to support this.

### **Teachers and other staff members will:**

- Make a record of the indicators observed that have led to the belief that there is a current risk of harm to a child.
- Discuss any concerns with the Nominated Supervisor of the preschool.
- Advise the Nominated Supervisor of their intention to make a report to the **ESM Head office**;
- Advise the Nominated Supervisor when a report has been made to the ESM Head office.

## **Mandatory reporting**

### **The Approved Provider/Nominated Supervisor will:**

- Provide all staff and educators working directly with children with a copy of this *Child Protection Policy* and assist them in their reporting;

### **Educators and Staff will:**

1. In an emergency, where there are urgent concerns for a child's health or life, it is important to contact the police;

2. Mandatory reporters should note that the legislation requires that they continue to respond to the needs of the child (within the terms of their work role) even after a report to the **ESM Head office** has been made;

### Disclosures of abuse

#### **Teachers and staff will:**

- React calmly to child making the disclosure;
- Listen attentively and later write down the child's **exact words**;
- Provide comfort and care to the child.
- Follow the steps for reporting.
- Reassure the child that:
  - It is not their fault;
  - It was right to tell;
  - It is not OK for adults to harm children - no matter what;
  - Explain what will happen now - that it is part of your job to tell people who can help the child or young person.

#### **Teachers and staff will not:**

- prompt the child for further details or ask leading questions which would make the child feel uncomfortable or has the potential to jeopardize any future legal proceedings that may arise as a result of any investigation.

### Allegations of abuse against staff, educators, volunteers or students

#### **The Approved Provider/Nominated Supervisor will:**

- Develop and maintain a system of appropriate record keeping for all allegations to ensure detailed documentation is made and stored as required;
- Take all allegations of abuse seriously and clarify what is being alleged with the person who is making the allegation;
- Assess whether or not a child is 'at risk of significant harm' and, if so, make a report to the **ESM Head office**
- Determine whether or not the allegation is a reportable allegation, a reportable conviction, or reportable conduct.
- Report reportable allegations and reportable convictions to the Ombudsman within **30 days of receipt**;
- Consider whether or not the police need to be informed of the allegation and if so, make a report;
- If a report is made to the police, complete all the required forms
- Ensure confidentiality is maintained at all times and that systems are in place to deal with any breaches of confidentiality;
- Undertake a risk management approach following an allegation to ensure the protection and safety of children, staff and visitors to the service. Based on this risk assessment, decisions will be made in order to manage the risks that have been identified;
- Develop an investigation plan of the matter. Obtain relevant information from a range of sources. This may include a statement from the person who made the allegation; statements from witnesses and a statement from the person against whom the allegation has been made and any other relevant documentation;
- If the allegation is being investigated by Family and Community Services or the

Police, the service will be guided by their advice as to whether they should independently investigate the allegation;

If the investigation is carried out by the preschool, the information that has been gathered will be assessed and a finding made as to whether the allegation is false, vexatious, misconceived, not reportable conduct, not sustained or sustained. The reasons for the finding will be clearly recorded to ensure that the decision-making has been transparent;

- The preschool community will be provided with advice about the investigation finding and any follow up action that may be required.

### **Informing the Teachers and other sides involved**

#### **The Approved Provider/Nominated Supervisor will:**

- Treat the staff member/educator/volunteer with fairness at all times and uphold their employee rights at all times;
- Depending on the nature of the allegation, arrange to inform the person immediately;
- Arrange for the person against whom an allegation has been made, to have a support person attend the meeting. This support person must not participate in the discussions throughout the meeting;
- Make accurate documentation of all conversations, and ensure all records are kept confidentially;
- Offer counseling or support to the person subject to the allegation;
- Depending on the nature of the allegation made, the person subject to the allegation may be suspended pending further investigation;
- After all investigations are completed, provide the educator/caregiver/volunteer with verbal and written notification of the outcome of the investigation.

#### **Rights of all parties**

- The decision making process throughout the investigation will be based on the safety and wellbeing of the child/ren and the staff/caregivers/caregiver's household members;
- Consideration will be taken in relation to actual or potential 'conflicts of interest' that may be held by the investigator
- All reportable allegations will be notified to the Ombudsman. The person, against whom the allegation has been made, will be notified of this and will also be notified of the investigation find and follow up action, including the notification to the Commission of Children, if relevant;
- The person, against whom the allegation has been made, will be notified of any appeal mechanisms if they are not satisfied with the investigation process or the outcome of the investigation;
- The Approved Provider, Nominated Supervisor, or other nominated person who conducts the investigation, will ensure that they act without bias, without delay and without conflict of interest; and
- All parties can complain to the Ombudsman if they are not satisfied with the conduct of the investigation;