



Child Safeguarding and Professional Conduct

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Policy Statement

SHARE OOSH is committed to providing a child safe environment where the safety, rights and best interests of every child are the paramount consideration in all decisions and actions.

The Service has zero tolerance for child abuse, harm, neglect or inappropriate conduct. All adults engaged by the service, including the Approved Provider, Nominated Supervisor, Responsible Persons, educators, staff, volunteers and students, share responsibility for safeguarding children and upholding professional boundaries at all times.

The Service recognises that creating and maintaining a child safe culture requires proactive prevention, clear behavioural expectations, strong governance oversight and a workforce that is confident to identify and escalate concerns. The service will implement robust safeguarding controls, comply with all legislative obligations under the National Law and Regulations and relevant NSW child protection legislation, and take immediate action where concerns arise.

This policy establishes the preventative child safe framework of SHARE OOSH. Reporting pathways and procedural response requirements are outlined separately in the Child Safe Reporting Policy.

Definitions

Child Abuse	Any act or omission that results in harm to a child, including physical abuse, sexual abuse, emotional or psychological abuse, neglect, grooming or exploitation.
Child Safeguarding	The proactive systems, practices and behaviours implemented to prevent harm, protect children from abuse and ensure their emotional, psychological and physical safety.
Child Safe Standards (NSW)	The standards established in NSW to promote child safe cultures, systems and governance in organisations that work with children.
Children's Rights	The rights of children to safety, dignity, participation and protection, as recognised under the United Nations Convention on the Rights of the Child and reflected in Australian law and policy.
Grooming	Behaviour that builds trust or emotional connection with a child, their family or colleagues in order to facilitate abuse or boundary violations. Grooming may occur in person or online and may develop over time.
Harm	Any detrimental effect on a child's physical, psychological or emotional wellbeing, whether caused by a single act or a pattern of behaviour.
Inappropriate Conduct	Conduct that a reasonable person would consider inappropriate in an education and care service, as defined under Section 5AA of the Children (Education and Care Services) National Law (NSW). It includes behaviour inconsistent with professional standards, likely to cause harm, or having violent or sexual connotations. A child's consent is not relevant in determining whether conduct is inappropriate.
Mandatory Reporting	The legal obligation under NSW child protection legislation requiring certain professionals to report reasonable grounds to suspect that a child is at risk of significant harm.
Mandatory Reporters	A person who delivers education, health care, welfare, residential or law enforcement services to children and who is legally required under the Children and Young Persons (Care and Protection) Act 1998 (NSW) to report when they have reasonable grounds to suspect a child is at risk of significant harm.
National Principles for Child Safe Organisations	The nationally endorsed principles that guide organisations in creating and maintaining child safe environments and cultures.
Paramount Consideration	The legal principle under Section 3A of the Education and Care Services National Law that the safety, health and wellbeing of children are the primary consideration in all decisions and actions.

Professional Boundaries	Clear behavioural and relational limits that protect children from harm and ensure interactions remain appropriate, transparent and aligned with professional standards.
Reasonable Grounds	A belief formed on the basis of observable behaviour, disclosure or other information that would lead a reasonable person to suspect that a child may be at risk of harm.
Reportable Conduct	Allegations or convictions involving certain conduct towards a child that must be reported to the NSW Office of the Children's Guardian under the Reportable Conduct Scheme.
Serious Incident	An incident defined under the Education and Care Services National Regulations that must be notified to the Regulatory Authority within prescribed timeframes, including incidents involving inappropriate conduct.
Worker	Any person engaged by SHARE OOSH, including educators, staff, volunteers, students, contractors and relief personnel, whether paid or unpaid.

National Quality Standard (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2	Safety	Each child is protected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
2.2.3	Child Safety and Protection	Management, educators and staff are aware of their roles and responsibilities regarding child safety, including the need to identify and respond to every child at risk of abuse or neglect.

Legislative And Regulatory References

This policy operates within the framework of Australian and NSW legislation that governs child safety, protection and education and care services. It must be read in conjunction with the Education and Care Services National Law and Regulations, which set mandatory standards for ensuring children's health, safety and wellbeing.

Together with the [Children and Young Persons \(Care and Protection\) Act 1998 \(NSW\)](#), the [Children's Guardian Act 2019 \(NSW\)](#), the [Child Protection \(Working with Children\) Act 2012 \(NSW\)](#), and the [Crimes Act 1900 \(NSW\)](#), these instruments establish SHARE OOSH's legal obligations for creating a child safe environment and responding to concerns about harm or risk.

EDUCATION AND CARE SERVICES NATIONAL LAW	
3A	Paramount consideration (NSW)
4	How functions to be exercised
5	Meaning of serious incident
162A	Child protection training
162B	Child safety training
165	Offence to inadequately supervise children
166	Offence to use inappropriate discipline
166A	Offence to subject child to inappropriate conduct
167	Offence relating to protection of children from harm and hazards
174	Offence to fail to notify certain information to Regulatory Authority
174AA	Educators and other staff members of education and care service to notify certain information
174AB	Approved Provider must notify Regulatory Authority of event under section 174AA
EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
12	Meaning of serious incident
84	Awareness of child protection law

115	Premises designed to facilitate supervision
145	Staff records
149	Volunteers and students
155	Interactions with children
168(2)(h)	Education and care services must have policies and procedures about providing a child-safe environment
168(2)(ha)	Policies and procedures – safe use of digital technologies and online environments
170	Policies and procedures to be followed
175	Prescribed information to be notified to Regulatory Authority
176	Time to notify certain information to Regulatory Authority
181	Confidentiality of records kept by approved provider

Related Policies

- Behaviour Guidance Policy
- Child Safeguarding and Professional Conduct Policy
- Governance and Management Policy
- Incident, Injury, Trauma and Illness Policy
- Management of Complaints Policy
- Providing a Child Safe Environment Policy
- Safe Use of Digital Technologies and Online Environments Policy
- Staffing Policy
- Supervision Policy

The following documents support the implementation of this policy and outline expectations for staff conduct and child safety practices at SHARE OOSH:

- Child Safe Code of Conduct
- Employee Handbook
- Statement of Commitment to Child Safety

Purpose

The purpose of this policy is to:

- Establish and embed a child safe culture at SHARE OOSH.
- Define clear professional boundaries and expectations for all adults engaged by the service.
- Prevent child abuse, harm and inappropriate conduct through structured safeguarding controls.
- Support early identification of risks, boundary concerns and indicators of harm.
- Clarify shared accountability across governance, leadership and the workforce.
- Ensure alignment with the strengthened National Quality Framework child safety requirements and relevant NSW legislation.

This policy focuses on prevention, culture and behavioural standards. Detailed reporting processes, regulatory notification requirements and external agency pathways are addressed in the Child Safe Reporting Policy.

Scope

This policy applies to the Approved Provider and all staff of the Service including the Nominated Supervisor, Responsible Persons, educators, students, volunteers and visitors of the Service, and all families.

Guiding Principles

SHARE OOSH is guided by the following principles when keeping children safe:

- **Paramount Consideration** – The safety, rights and best interests of children are the paramount consideration in all decisions, actions and service operations. Where competing interests arise, the safety and wellbeing of children will take precedence.
- **Zero Tolerance of Abuse and Inappropriate Conduct** – SHARE OOSH has zero tolerance for child abuse, harm, neglect or inappropriate conduct. All adults engaged by the service are expected to maintain professional boundaries and uphold standards of behaviour that reflect the trust placed in them.
- **Shared Responsibility** – Safeguarding is a shared responsibility across governance, leadership and the workforce. Every adult at SHARE OOSH is accountable for contributing to a child safe culture and for raising concerns without delay.
- **Prevention Through Clear Boundaries** – Clear professional boundaries reduce risk. SHARE OOSH establishes and enforces behavioural expectations, supervision practices and safeguarding controls designed to prevent harm before it occurs.
- **Children's Rights and Participation** – Children have the right to feel safe, to be heard and to express concerns about their safety. SHARE OOSH provides age-appropriate opportunities for children to speak up, express their views on safety matters and contribute to child safe practice, and ensures their views are taken seriously.

- **Equity and Inclusion** – Safeguarding practice must recognise diversity, disability, cultural background, gender diversity, family diversity and individual vulnerability. SHARE OOSH is committed to providing a child safe environment that is culturally safe, inclusive and responsive to the needs of all children, including Aboriginal and Torres Strait Islander children, children with disability, children from diverse cultural or linguistic backgrounds, and children who may be more vulnerable or less able to speak up.
- **Accountability and Transparency** – Concerns about safety, conduct or boundaries are addressed promptly and transparently in accordance with legislative obligations. SHARE OOSH does not tolerate the minimisation or dismissal of safeguarding concerns.
- **Continuous Improvement** – Child safeguarding practices are regularly reviewed through incident analysis, training updates, policy review and governance oversight to ensure ongoing compliance with legislative requirements and strengthened National Quality Framework expectations.

Procedures

1. Commitment to the Child Safe Standards

SHARE OOSH operates in alignment with:

- The NSW Child Safe Standards
- The National Principles for Child Safe Organisations
- The National Quality Framework

Child safeguarding at SHARE OOSH is embedded through leadership commitment, workforce accountability, child participation and continuous improvement.

The service recognises that child safety is not limited to preventing abuse but includes proactive risk reduction, clear behavioural boundaries and governance oversight.

SHARE OOSH will provide children with age-appropriate opportunities to express their views about safety, raise concerns and contribute to child safe practice.

SHARE OOSH will support family participation in child safety by making child safe policies and reporting pathways available to families and inviting feedback during policy review and continuous improvement processes.

2. Professional Conduct and Behavioural Expectations

All adults engaged by SHARE OOSH must maintain professional conduct at all times.

2.1 Professional Boundaries

Adults must:

- Interact with children respectfully and in an age-appropriate manner.
- Use positive, proportionate and appropriate behaviour guidance strategies.

- Maintain observable and transparent interactions with children.
- Avoid favouritism, private communication, secrecy or conduct that could reasonably be misinterpreted.

2.2 Prohibited Conduct and Inappropriate Conduct

Under Sections 5AA and 166A of the Children (Education and Care Services) National Law (NSW), it is an offence to subject a child being educated and cared for by SHARE OOSH to inappropriate conduct.

Inappropriate conduct is defined as conduct that a reasonable person would consider inappropriate in an education and care service.

In determining whether conduct is inappropriate, consideration must be given to:

- Whether the behaviour is consistent with professional standards and expected practice in education and care settings.
- The child's age, stage of development and individual needs.
- Whether the conduct causes or is likely to cause emotional, psychological or physical harm.
- The nature, intent or perception of the behaviour, particularly where it may have violent or sexual connotations.

A child's consent, or an adult's belief that a child has consented, is not relevant when determining whether conduct is inappropriate.

A child may be subjected to inappropriate conduct:

- Directly, or by witnessing it occur to others.
- Through verbal or electronic communication.
- Through electronic capture, including photographs, recordings or live video.
- Through repeated actions or patterns of behaviour over time.

The following conduct is prohibited at SHARE OOSH and may constitute inappropriate conduct:

- Sexualised, intrusive or unnecessary physical contact, including prolonged hugging, wrestling, tickling or lap-sitting that is not age-appropriate or required for care or support.
- Grooming behaviours, including favouritism, gift-giving, fostering emotional dependency, or initiating private or secret communication.
- Ill treatment that is not disciplinary in nature, including yelling, swearing, threats, rough handling or degrading language.
- Unprofessional communication, including personal messaging, social media contact, or sharing images via unauthorised devices or platforms.

- Conduct between adults in the presence of children that creates an intimidating, hostile or psychologically unsafe environment.

These provisions relate to staff professionalism and interactions with children. They do not replace Section 166 of the National Law relating to inappropriate discipline, nor do they prohibit legitimate behaviour guidance that is developmentally appropriate, respectful and consistent with Regulation 155 of the National Regulations.

Any concern regarding inappropriate conduct must be escalated immediately in accordance with the Child Safe Reporting Policy.

3. Preventative Safeguarding Measures

SHARE OOSH implements structured safeguards to reduce the risk of harm.

3.1 Recruitment and Suitability

- All staff, volunteers and students must meet screening and suitability requirements prior to engagement.
- All workers who are required to hold a Working With Children Check (WWCC) must have a valid clearance verified by the service before commencing child-related work. The service will maintain a central record of WWCC verification details and monitor compliance in accordance with the Staffing Policy.
- Ongoing suitability monitoring is conducted in accordance with the Staffing Policy.
- Any change in suitability must be disclosed immediately.

3.2 Supervision and High-Risk Contexts

SHARE OOSH recognises that certain contexts present increased safeguarding risk, including:

- Bathrooms and enclosed spaces
- Transitions between locations
- Transport
- Excursions
- Low-visibility or mixed-age environments

These contexts require deliberate supervision planning in accordance with the Supervision Policy. No adult is to be alone with a child in an unobservable or enclosed space without a clear safeguarding rationale.

3.3 Digital Devices and Images

- Personal devices must not be used while directly supervising children except as authorised under the Safe Use of Digital Technologies and Online Environments Policy.
- Personal devices must never be used to capture, store or transmit images of children.

- Only approved service devices may be used for authorised service purposes.

3.4 Visitors, Contractors and Volunteers

- All non-staff adults are supervised while on site.
- Visitors and contractors do not have unsupervised access to children.
- External providers must comply with safeguarding expectations.

3.5 Child Safeguarding Risk Management

SHARE OOSH will:

- Maintain a documented Child Safeguarding Risk Management Plan.
- Identify and assess risks of abuse, harm and inappropriate conduct.
- Implement mitigation strategies.
- Review risks annually and following significant incidents.
- Integrate findings into supervision planning, training and governance oversight.

4. Recognising and Escalating Concerns

All adults at SHARE OOSH must remain alert to potential indicators of harm, including:

- Significant changes in behaviour or emotional presentation.
- Unexplained or repeated injuries.
- Age-inappropriate sexualised behaviour.
- Disclosure of harm, fear or unsafe situations.
- Concerning interactions between adults and children.

Any concern, regardless of certainty, must be reported. Detailed reporting procedures, regulatory notification requirements and external agency pathways are outlined in the Child Safe Reporting Policy.

5. Workforce Accountability

- Safeguarding is a shared responsibility across governance, leadership and the workforce.
- All adults have a duty to act in the best interests of children.
- Failure to raise a concern may constitute a breach of professional obligations.
- No person will be disadvantaged for raising a safeguarding concern in good faith.
- Breaches of this policy may result in disciplinary action and/or external reporting in accordance with legislative requirements.

Roles and Responsibilities

ROLE	RESPONSIBLE FOR
Approved Provider	• Ensure SHARE OOSH operates in alignment with the NSW Child Safe Standards and National Principles for Child Safe Organisations. • Ensure compliance with the Education and Care Services National Law and Regulations, including provisions relating to inappropriate conduct and safeguarding obligations. • Maintain and annually review the Child Safeguarding Risk Management Plan. • Ensure adequate systems are in place for screening, suitability monitoring and workforce visibility (including any required national registers). • Support a culture where safeguarding concerns are raised and addressed without delay. • Monitor safeguarding trends and implement improvements where required.
Nominated Supervisor	• Embed safeguarding expectations into daily operations and service culture. • Ensure professional boundaries are understood and upheld by all staff. • Ensure all safeguarding concerns are escalated and managed in accordance with the Child Safe Reporting Policy. • Ensure staff complete required child protection and safeguarding training. • Monitor supervision arrangements in higher-risk contexts. • Take immediate action where inappropriate conduct or boundary concerns arise.
Responsible Persons	• Maintain active supervision and safeguarding awareness during their shift. • Ensure concerns raised by staff are documented and escalated promptly. • Ensure no adult is left alone in unobservable or high-risk contexts without appropriate safeguards. • Model professional conduct and reinforce behavioural expectations.
Educators	• Maintain professional boundaries at all times. • Implement positive and appropriate behaviour guidance strategies. • Remain alert to indicators of harm or boundary concerns. • Escalate concerns immediately in accordance with this policy and the Child Safe Reporting Policy. • Comply with device restrictions and supervision expectations.

Families	• Support a culture of child safety by raising concerns respectfully and promptly. • Engage with safeguarding processes where required.
Other Staff	• Uphold safeguarding expectations when interacting with children or accessing child-related information. • Raise any safeguarding concern without delay. • Maintain confidentiality and professional conduct.
Students/Volunteers	• Comply with all safeguarding and professional conduct expectations. • Work under appropriate supervision at all times. • Immediately report concerns to a staff member or Responsible Person.

Induction and Ongoing Training

SHARE OOSH is committed to ensuring all adults engaged by the service understand their safeguarding obligations and professional conduct responsibilities.

1. Induction Requirements

Prior to being rostered as the responsible educator for an area or being counted in educator-to-child ratios, all staff, volunteers and students must:

- Be informed of their obligations under Sections 5AA and 166A of the Children (Education and Care Services) National Law (NSW).
- Review and acknowledge this Child Safeguarding and Professional Conduct Policy.
- Review and acknowledge the Child Safe Reporting Policy.
- Be informed of supervision expectations, safeguarding controls and professional boundary requirements.
- Be made aware of their duty to escalate concerns immediately.

All new personnel will work under direct oversight and guidance until induction requirements are completed and leadership is satisfied they understand safeguarding expectations.

2. Ongoing Training and Capability Development

SHARE OOSH will ensure that all relevant personnel:

- Complete mandatory child protection and safeguarding training as required under legislation.
- Receive training on recognising indicators of harm and inappropriate conduct.
- Understand regulatory notification obligations and reporting pathways as outlined in the Child Safe Reporting Policy.

- Participate in refresher training at intervals determined by legislation, risk assessment or service review.
- Are supported to implement developmentally appropriate behaviour guidance in accordance with Regulation 155 of the National Regulations.

Training compliance will be monitored in accordance with the Staffing Policy.

3. Leadership Responsibilities

The Approved Provider and Nominated Supervisor will:

- Ensure systems are in place to track completion of required safeguarding training.
- Provide additional professional development where risks or knowledge gaps are identified.
- Ensure safeguarding expectations are embedded in recruitment, onboarding and performance management processes.
- Communicate updates to legislative or regulatory changes relating to child safeguarding.

Monitoring, Evaluation, and Review Process

Monitoring

The Approved Provider and Nominated Supervisor will monitor implementation of this policy through:

- Review of incident reports and safeguarding concerns.
- Analysis of trends relating to behaviour, supervision and boundary issues.
- Oversight of compliance with training requirements.
- Review of complaints and feedback from children, families and staff.
- Monitoring of professional conduct expectations in daily practice.

Safeguarding risks identified through monitoring will be documented and addressed through the Child Safeguarding Risk Management Plan.

Evaluation

SHARE OOSH will evaluate the effectiveness of its safeguarding framework by:

- Assessing whether identified risks are reducing over time.
- Reviewing whether training is improving staff understanding and response confidence.
- Examining whether reporting pathways are being used appropriately and without delay.

- Consulting staff and, where appropriate, children and families regarding their perception of safety and professional conduct.
- Reviewing whether supervision and preventative controls remain proportionate to identified risks.

Findings from evaluation will inform updates to supervision planning, professional development, policy amendments and governance oversight.

Review

This policy is reviewed at least annually, or earlier if:

- legislation/regulation changes
- incidents highlight gaps in practice, or
- sector guidance recommends amendments.

Staff will be consulted as part of the review process and families will be invited to provide feedback.

Where changes to this policy may have a significant impact on the service's provision of education and care or families' ability to utilise the service, families will be notified in accordance with Regulation 172.

Updates to this policy will be endorsed by the Approved Provider/Management Committee and communicated to staff. Staff will be required to acknowledge updated versions where applicable.