

## Rationale

The United Nations Convention on the Rights of the Child is founded on respect for the dignity and worth of each individual, regardless of race, colour, gender, language, religion, opinions, wealth, birth status or ability and forms the basis of any interactions with children.

Developing respectful, intentional, predictable, attuned, and responsive relationships with children enhances their wellbeing, learning and development as valued, competent, and capable contributors.

SDN is committed to:

- maintaining the dignity and rights of each child and respecting the diversity of children.
- enabling children to express themselves and their views.
- encouraging children to develop self-reliance and self-esteem.
- providing and promoting environments that support children’s developing abilities.
- respecting the diversity of individual children at the service.
- enabling and promoting positive, respectful, and safe relationships with children.
- tell children about their rights and responsibilities.

Actively engaging children in decision-making during play, daily routines and ongoing activities can stimulate children’s thinking, enrich their learning, and encourage them to explore and manage their feelings and behaviour.

SDN expects all staff to advocate for the rights and dignity of all children. All interactions between staff members and children will be genuine, positive, and responsive; and based on respect, fairness, acceptance, co-operation, and empathy. This will influence healthy brain development, promote empathy and ethical thinking and development of secure attachments.

## Scope

This policy, and its associated documents, applies to the entirety of SDN Children’s Services and the entirety of its wholly owned subsidiaries including: SDN Board members, staff members, contractors, trainees, students on placement, volunteers, whether engaged in child related employment or not (hereafter referred to as ‘staff’).

This policy should be read in conjunction with SDN’s Code of Conduct and Disclosure of Interests Policy.

## Policy

### SDN's RIPAR practices

SDN staff will:

- be guided by SDN's RIPAR practices and SDN's Play and Interaction Practice Standard in interactions with children and when coaching others to interact with children.
- be positive role models at all times for children.
- nurture a sense of belonging, being and becoming.
- respect each child's culture, disposition, abilities, feelings, identity, and rights in all interactions.
- promote a safe, secure, and nurturing environment that supports and encourages children to be active participants.
- promote reciprocal and responsive relationships.
- develop rules and limits in consultation with children where appropriate, and support children to negotiate their rights in relation to the rights of others.
- provide children with positive experiences, interactions and relationships that support a sense of trust, belonging, inclusion, safety, and autonomy.

### Appropriate communication

SDN staff will:

- act in the best interests of children and use listening, observation and interpretation of children's intentions as a foundation for interactions.
- provide opportunities for children to be involved in decision-making about the things that might impact on them.
- acknowledge and respond to children's communication in a fair and consistent manner and respond sensitively to children's attempts to initiate interactions that support children's efforts, assisting and encouraging as appropriate.
- support children's expression of their thoughts and feelings and encourage children to make choices and decisions. They acknowledge children's complex relationships and sensitively intervene in ways that promote consideration and alternative perspectives.
- acknowledge each child's uniqueness in positive ways.
- use voice tone and volume that is moderate and appropriate.

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SDN will not accept or tolerate:

- swearing, offensive language, shouting or yelling when children are in the vicinity.
- physical interactions with children that involve the application of unauthorised restraint, excessive force or force that is hostile, reckless, or significant is defined by the NSW Ombudsman as reportable conduct. This includes, but is not limited to, hitting, smacking, kicking, shaking, throwing, punching, biting and force feeding.
- any behaviour that compromises children’s safety, including but not limited to neglect or psychological harm.

### Physical contact with children

Physical contact with children is necessary for caregiving. SDN staff will respect the individual needs of children by:

- giving each child personal space.
- responding sensitively to non-verbal communication, as well as verbal cues relating to the child's needs.
- Indicating verbally an intention to tend to a child’s physical needs.

### Restraint of children

When a child's immediate safety is at risk, staff may need to restrain a child to prevent a child from potential and imminent harm. Restraining a child in these circumstances is acceptable as a one-off occasion , but staff will take care to use appropriate force, ensure the least restrictive option is used and to reassure the child, communicating as clearly as possible the purpose of the restraint. If this occurs, staff will follow the incident management procedure.

If the restraint as described above, or any other form of restraint, involves a child who has a disability staff will call the SDN Reporting Line to notify that an unauthorised restrictive practice may have been used .

SDN will report all unauthorised restrictive practices to the NDIS Quality and Safeguard Commission as per the *NDIS Incident Management and Reportable Incident Rules*.

Where a pattern of dangerous or potentially dangerous behaviour is shown by a child, and the need for a structured and clear behaviour management plan arises, it is the responsibility of all staff to be familiar with such a plan and abide by the guidelines within it.

Where a pattern of harmful or potentially harmful behaviour is shown by a child, staff will notify the SDN Practice Leader: Access and Inclusion and will follow their instructions

SDN will develop and implement a behaviour management plan in consultation with the child’s family and relevant professionals.

Where the child has a disability, behaviour management plans will be approved by the Practice Leader: Access and Inclusion.

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A plan will not include restraint as an ongoing management strategy without approval from relevant authorities.

See Guiding Children’s Behaviour and Developing Social Competency Policy.

### Grooming behaviour

Staff will ensure that their interactions with children do not constitute grooming behaviour and could not be perceived as constituting grooming behaviour.

SDN will not tolerate any form of grooming ,sexual offence, or misconduct against children.

SDN will investigate all allegations of inappropriate interactions with children, or breaches of this policy. The consequences of a proven breach will depend on the severity of the incident, but may include disciplinary proceedings, or immediate dismissal.

The grooming process is a pattern of behaviour that can include but is not limited to persuading the child that a special relationship exists, spending inappropriate special time with the child, or giving a gift to only that child. None of these behaviours taken in isolation necessarily signifies inappropriate behaviour, but staff members will be aware of the potential danger of such behaviour and how such behaviour might be perceived.

## Related SDN Documents

### Policies

- GI-HLP-1.04: Equity, Social Justice and Social Inclusion
- GI-HLP-1.09: Privacy and Protection of Information
- GI-HLP-1.29: Code of Conduct and Disclosure of Interests Policy
- GI-HLP-1.33: Child Protection Policy
- SD-OP-2.04: Guiding Children’s Behaviour and Developing Social Competency
- SD-OP-2.05: Supervision of Children
- SD-OP-2.14: Children with Medical Conditions and Illness
- SD-OP-2.22: Babysitting
- HR-HLP-3.02: Equal Employment Opportunity and Good Working Relationships
- HR-OP-3.20: Separation
- WHS-OP-4.02: Drug, Alcohol and Smoke Free Workplace

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## Procedures

- GI-PRO-2.02-01: Reporting an Allegation of Possible Reportable Conduct or Reportable Incident
- GI-PRO-2.02-02: Responding to Concerns about Risk of Harm
- HR-PRO-2.02-03: Working with Children and Vulnerable People and Police Checks
- SD-PRO-2.14-02: Administration of Medication

## Other documents

- Play and Interaction Practice Framework
- RIPAR

## Relevant Legislation/Regulations

- NSW Children and Young Persons (Care and Protection) Act 1998
- ACT Children and Young People Act 2008
- Crimes Act 1900 (NSW)
- Ombudsman Act 1974
- Commission for Children and Young People Act 1998
- Child Protection (Offenders Registration) Act 2000
- Children's Services Amendment Regulation 2010 under the Children and Young Persons (Care and Protection) Act 1998
- ACT Childcare Services Standards 2009
- Disability Discrimination Act 1992
- Education and Care Services National Law Act 2010, section 166
- Education and Care Services National Regulations 2011, regulations 73, 74, 82, 155, 156, 157, 168 (2)(i)(i), 168(2)(j) Schedule 1: National Quality Standard, quality areas 4 and 5, standards 4.2, 5.1 and 5.2, elements 4.2.1, 5.1.1 to 5.1.3 and 5.2.1 to 5.2.3
- NDIS Practice Standards and Quality Indicators
- National Disability Insurance Scheme Act 2013
- National Standards for Disability Services
- National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018

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## Other References/Related Documents

- DEEWR (2009) Belonging, Being and Becoming: The Early Years Learning Framework for Australia
- United National Convention on the Rights of the Child
- NSW Ombudsman Child Protection in the Workplace: Responding to allegations against employees.

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