

# Child Safe

## COUNCIL POLICY NO. 132

### 1. PURPOSE

The intent of this policy is to support Council's commitment to promoting and protecting the interests and safety of children and young people and in accordance with the Victoria Child Safe Standards.

Council supports and respects the rights of all children and young people, and for children and young people to feel and be safe, happy and empowered. Council has a zero tolerance toward child abuse.

This Policy applies to all Councillors, staff, contractors, and volunteers engaged by Council.

### 2. DEFINITIONS

**Child:** a person who is under the age of 18

**Child Abuse:** For the purposes of the Child Safe Standards, abuse constitutes any act committed against a child involving:

- Sexual abuse or sexual misconduct
- Grooming
- Physical abuse or violence
- Significant emotional and psychological abuse
- Significant neglect

**Child related work:** Work within one or more occupational fields defined under the Children's Services Act where contact with children is direct, unsupervised, and part of a person's duties, not incidental to their work.

**Child Safe Officer:** Child Safe officers will provide guidance, support and advice to the person who witnessed the offence. They will ensure that all proper reporting processes are adhered to in relation to any child safety concerns or allegations of abuse within.

**Child safety:** In the context of the Child Safe Standards, child safety means measures to protect a child from abuse.

**Child Safe Organisation:** In the context of the Child Safe Standards, a child safe organisation is one that meets the Child Safe Standards by proactively taking measures to protect children from abuse.

**Council:** Gannawarra Shire Council

**Councillor:** Councillor is an elected Council member of the Gannawarra Shire Council, including the Mayor and Councillors.

**Cultural safety for Aboriginal Children:** The positive recognition and celebration of cultures. It is more than just the absence of racism or discrimination, and more than cultural awareness and cultural sensitivity.

**Cultural safety for children from culturally and/or linguistically diverse backgrounds:** A child who identifies as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of their parents' identification on a similar basis.

**Children with a disability:** A disability can be any physical, sensory, neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child's ability to undertake everyday activities. A disability can occur at any time in life. Children can be born with a disability or acquire a disability suddenly through an injury or illness. Some disabilities may be obvious while others are hidden.

**Designated Child Safe Officer:** Council's Manager Children's Services.

**Duty of Care:** The obligation of Council employees, contractors, and volunteers to take reasonable steps to protect children in their care from the risks of injury that are reasonably foreseeable.

**Staff:** Staff in this instance include any person representing Council in its delivery of services including employees, contractors, and volunteers.

**Young Person:** a person 18 years and under.

### 3. SUMMARY

All staff are responsible for supporting the safety, participation, wellbeing, and empowerment of children as part of Council's obligations under the Victorian Child Safe Standards. Staff, whether working directly with children or not, are required to observe child safety principles and expectations of appropriate behaviour towards and in the company of children whilst at work, along with their responsibilities in reporting incidents.

The Child Safe Standards are:

- **Standard 1** – Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
- **Standard 2** – Child safety and wellbeing is embedded in organizational leadership, governance, and culture.
- **Standard 3** – Children and young people are empowered about their rights, participate in decisions affecting them and taken seriously.
- **Standard 4** – Families and communities are informed and involved in promoting child safety and wellbeing.
- **Standard 5** – Equity is upheld, and diverse needs respected in policy and practice.
- **Standard 6** – People working with children and young people are supported to reflect child safety and wellbeing values in practice.
- **Standard 7** – Processes for complaints and concerns are child focused.
- **Standard 8** – Staff and Volunteers are equipped with knowledge, skills, and awareness to keep children and young people safe through ongoing education and training.
- **Standard 9** – Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
- **Standard 10** – Implementation of the Child Safe Standards is regularly reviewed and improved.
- **Standard 11** – Policies and procedures document how the organisation is safe for children and young people.

For further information, please contact Council's Designated Child Safe Officer.

### 4. POLICY

#### Statement of commitment

Gannawarra Shire Council is committed to ensuring the safety and wellbeing of children and young people. We have a Zero Tolerance approach to child abuse. We are committed to creating and maintaining a child-safe and child-friendly,

organisation where all children and young people are valued and protected from abuse.

Particular attention will be paid to the cultural safety of Aboriginal children, children from culturally and/or linguistically diverse backgrounds, LGBTI young people as well as the safety of children with a disability. Every person involved with Gannawarra Shire Council has a responsibility to understand the important specific role they play,

individually and collectively, to ensure that the wellbeing and safety of children and young people is at the forefront of

every decision they make.

We are committed to creating and maintaining a child-safe organisation where protecting children from abuse, harm and neglect is embedded in the everyday thinking and practice of council, its employees, contractors, and volunteers.

As a child safe organisation, we are committed to providing a child safe environment where children feel safe, are empowered, valued and protected. Council will actively listen to children, ensuring their voices are heard and considered in decisions that affect their lives.

We believe children and young people have an inherent right to grow up happy, healthy, and safe.

### **Responsibilities**

Every person employed with or acting on behalf of Gannawarra Shire Council has a responsibility to understand their important and specific role, individually and collectively, to ensure that the wellbeing and safety of all children is at the forefront of all they do and every decision they make. Key roles and responsibilities have been outlined for the purpose of clarity and understanding as follows:

<p><b>All Staff – Employees/Contractors/Volunteers</b></p>	<ul style="list-style-type: none"> <li>• Complete the mandatory Child Safe Standards training on commencement with Gannawarra Shire Council and undertake recertification every two years</li> <li>• Conduct work according to the requirements of the Gannawarra Shire Council Child Safe Policy, procedures, and Staff Code of Conduct.</li> <li>• Report all concerns regarding child safety or harm to a Child Safety Officer.</li> <li>• Where a child is in immediate danger call 000.</li> <li>• Employees can also call Child Protection Crisis Line available 24/7 on 13 12 78 or Child Protection Northern Division 1300 664 977 for additional support.</li> </ul>
<p><b>All Councillors</b></p>	<ul style="list-style-type: none"> <li>• Complete the mandatory Child Safe Standards training on commencement of their election with Gannawarra Shire Council and undertake recertification every two years.</li> <li>• Conduct work according to the requirements of the Gannawarra Shire Council Child Safe Policy, procedures, and Councillor Code of Conduct.</li> </ul>
<p><b>Child Safety Officer/s</b></p>	<p>Act as the first point of contact for child safety concerns or allegations of:</p> <ul style="list-style-type: none"> <li>• abuse within Council and provide support to other personnel.</li> <li>• Oversee the implementation of Child Safe policies and procedures.</li> <li>• Engage the assistance of expert advice as required when the nature of the child safety issue is beyond experience, knowledge, or qualifications.</li> <li>• Ensure child safety concerns are reported in accordance with Council's Child Safe Reporting Process.</li> </ul>

<p><b>Executive Team</b></p>	<ul style="list-style-type: none"> <li>• Receive reports of child safety concerns or allegations of abuse within council.</li> <li>• Where required, offer support to the child, the parents, the person who reports and the accused staff member or volunteer.</li> <li>• Initiate internal processes to ensure the safety of the child, clarify the nature of the complaint and commence disciplinary process (if required).</li> <li>• Where applicable, decide, in accordance with legal requirements and duty of care, whether the matter should/must be reported to the police or Child Protection and make a report as soon as possible if required.</li> <li>• Ensure child safety concerns are reported in accordance with Council's Child Safe Reporting Process.</li> </ul>
<p><b>Managers &amp; Team Leaders</b></p>	<ul style="list-style-type: none"> <li>• Conduct recruitment practices in line with Council's recruitment and selection guideline requirements for child related work.</li> <li>• Ensure appropriate child safety checks and screening is undertaken prior to offering positions.</li> <li>• Ensure staff have access to and are aware of the Child Safe Policy and procedures.</li> <li>• Ensure that new workers complete compulsory Induction on commencement with Council.</li> </ul>
<p><b>Leadership Team</b></p>	<ul style="list-style-type: none"> <li>• Act as the first point of contact for child safety concerns or allegations of abuse within Council and provide support to other personnel.</li> <li>• Oversee the implementation of Child Safe policies and procedures.</li> <li>• Engage the assistance of expert advice as required when the nature of the child safety issue is beyond experience, knowledge, or qualifications.</li> <li>• Ensure child safety concerns are reported in accordance with Council's Child Safe Reporting Process.</li> </ul>
<p><b>Human Resources</b></p>	<ul style="list-style-type: none"> <li>• Provide information (including Staff Code of Conduct) relating to the Child Safe Standards and Policy via training / induction material and make available to all leaders for dissemination.</li> <li>• Manage Council's disciplinary procedures as they apply to the Child Safe Standards and policy.</li> <li>• Support the application of relevant recruitment and pre-employment screening processes to select appropriate staff to work with children.</li> <li>• Support staff to build resilience and cope with child abuse incidences, for example through resilience training, and Council's Employee Assistance Program (EAP) counselling service.</li> <li>• Reflect a culture of child safety in Organisational Development activities.</li> </ul>

**Legislative Requirements**

All Council Representatives are responsible for the care and protection of children and young people, and reporting information about child abuse. Everyone in the organisation must have a shared understanding of child safety and their responsibilities in keeping children safe from abuse and harm.

Council takes its legal and reporting responsibilities seriously, including the following obligations:

#### **Responsibility to protect**

When a Council Representative forms a reasonable belief that a child or young person has been harmed or is at risk, they have a duty of care to take action to protect the safety and wellbeing of that child. It is a moral obligation, and everyone has a responsibility to protect children.

Council will ensure that all Council Representatives have the ability to identify potential risks and understand their responsibility to act to prevent the abuse or harm of a child or young person. If they fail to do so, it is a criminal offence under Section 49C Crimes Act 1958 (Vic).

Council will take all reasonable care to prevent the abuse of a child or young person by a person associated with Council while the child is under the care, supervision, or authority of Council in its services or programs.

#### **Responsibility to disclose**

This section specifically refers to sexual offences against children under the age of 16 years.

All adults in the state of Victoria, hence all Council Representatives who have any reasonable belief that a sexual offence has been committed by another adult over 18 years against a child under the age of 16 years **must** report that belief to police. It is a criminal offence to fail to report.

This must be reported as soon as possible unless there is a reasonable excuse or an exemption applies.

A reasonable excuse may include a fear for the immediate safety of the victim or another person as a result of the disclosure, or the information has already been disclosed to the police. It does not include a perceived interest such as reputation, legal liability, or financial status.

#### **Responsibility for mandatory reporting**

Everyone has a moral responsibility to report concerns about child abuse. Under Section 182(1) of the Children, Youth and Families Act 2005 (as amended in 2011) certain professionals including nurses, midwives, teachers including early childhood teachers, principals, a person in a religious ministry, a person employed by a children's service within the meaning of the Children's Services Act, registered psychologist, youth and child welfare worker, youth justice officer and a youth parole officer and police are mandatory reporters and are legally bound to make a report to Child Protection Services when they have concerns of child abuse and the child is in need of protection.

#### **Risk Management**

A risk management approach will be adopted to minimise or eliminate the potential for child abuse or harm to occur. Risk analysis and data is utilised to inform policy, procedures, and activity planning, helping to facilitate ongoing continuous improvement.

Risk management strategies are outlined in our Children's Services Risk Management Documentation and are used to identify, assess, and take steps to minimise child abuse risks. In addition to general occupational health and safety, risk assessments will include potential risks to child safety such as the physical environment.

#### **Recruitment**

Our commitment to child safety will be further demonstrated in careful selection of people that we work with both through employment and in the provision of services to council. The engagement of staff will be subject to robust reference checking, interviews and where appropriate working with children and police checks.

#### **Training**

Training and education are important to ensure that everyone understands that child safety is everyone's responsibility within the organisation. All Council Representatives will be made aware of their obligations and expectations of working in a Child Safe Organisation via Council's Code of Conduct, new employee induction and awareness and training sessions.

All employees are assigned compulsory online Child Safe Standards training to complete as part of their induction to Council and every two years thereafter. Child Protection and Mandatory Reporting Training will be completed by relevant employees as prescribed by the Department of Education

Council ensures all employees are aware of the established Gannawarra Shire Council Child Safe Reporting Process to ensure the implementation of child safe practices are implemented with children and young people across the organisation.

### **Reportable Conduct Scheme**

The Victorian Reportable Conduct Scheme (RCS) seeks to improve organisations' response to allegations of child abuse and neglect by their workers and volunteers. The scheme is established by the Child Wellbeing and Safety Act 2005.

The RCS has been designed to ensure that the Commission of Children and Young People (the Commission) will be aware of every allegation of certain types of misconduct involving children in relevant organisations that exercise care, supervision, and authority over children.

For more detailed information about the RCS and organisations' responsibilities please refer to:

<https://ccyp.vic.gov.au/reportable-conduct-scheme/>

Council will comply with all requirements under the RCS and will ensure all staff report all allegations of misconduct or reportable conduct to the appropriate person- even if the conduct happens outside the workplace.

### **Children's Participation and empowerment**

Council will aim to ensure:

- reporting procedures are accessible for all children and young people.
- children and young people understand their rights and understand what abuse is and how they can seek support or advice (in an age-appropriate manner).
- children and young people feel safe, empowered and taken seriously if they raise concerns.
- children and young people's reports of concern are responded to appropriately.
- staff and volunteers understand how to empower children and young people and encourage their participation.

## **5. ALLEGATIONS, CONCERNS AND COMPLAINTS**

### **Reporting**

Council takes all allegations seriously and has practices in place to investigate thoroughly and quickly.

We work to ensure all children, families, Councillors, staff, and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour. We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place. If an adult has a reasonable belief that an incident has occurred, then they must report the incident. Factors contributing to reasonable belief may include:

- a child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves),
- behaviour consistent with that of an abuse victim is observed,
- someone else has raised a suspicion of abuse but is unwilling to report it,
- observing suspicious behaviour.

Concerns, requests for advice, or complaints may be raised with Council's Designated Child Safe Officer – Manager Children's Services.

### Privacy and Record Keeping

Council is committed to protecting an individual's right to privacy. All personal information considered or recorded during the process of a report or investigation will be handled in accordance with Council Policy No. 074 – Information Privacy and Health Records. Council is committed to best practice when keeping and maintaining confidential records of child abuse allegations or reports. Records will be retained in keeping with the recommendations from the Public Records Office Victoria.

Risks to child safety that are identified in complaints, reports or allegations of abuse will be reviewed and incorporated into the relevant risk register.

### Support

Where appropriate, following a reported child safety concern, Council will:

- assist alleged victims and their families to access counselling and support services.
- provide support to affected staff through Council's Employee Assistance Program.

## 6. POLICY REVIEW

Council will review this policy as required but always within 2 years after a general election of the Council.

At the time of review, this policy was compliant with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

## 7. FURTHER INFORMATION

Members of the public may inspect all Council Policies at Gannawarra Shire Council's Kerang and Cohuna offices or online at [www.gannawarra.vic.gov.au](http://www.gannawarra.vic.gov.au).

Any enquiries in relation to this Policy should be directed to the Chief Executive Officer on (03) 5450 9333.

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