

# Child Safe Policy

<b>Document Type:</b>	Organisational Policy	TRIM reference:	DOC/22/35278
<b>Document Status:</b>	Approved by CEO / Executive Team		
<b>Policy Owner (position):</b>	Chief Executive Officer		
<b>Internal endorsement required:</b>			
<b>Final Approval by:</b>	Executive Team		
<b>Date approved:</b>	15/12/2022		
<b>Evidence of approval:</b>	Executive		
<b>Version Number:</b>	Choose an item. 1	Frequency of Review:	2 years
<b>Review Date:</b>	15/12/2024		
<b>Date rescinded:</b>	Click here to enter a date. OR <input checked="" type="checkbox"/> Not applicable		
<b>Related legislation:</b>	<p>Child Wellbeing and Safety Act 2005 (Vic)  National Principles for Child Safe Organisations  Victorian Child Safe Standards  Children Legislation Amendment (Reportable Conduct) Act 2017  Crimes Amendment (Protection of Children) Act 2014  Children, Youth and Families Act (CYFA) 2005 (Vic)  Adoption Act 1984 (Vic.)  Amendment (Youth Justice Reform) Act 2017 (Vic.)  Charter of Human Rights and Responsibilities Act (2006)  Child Employment Act 2003 (Vic.)  Family Violence Protection Act 2008 (Vic.)  Privacy and Data Protection Act (2014)  Public Records Act (1973)  Sex Offenders Registration Act 2004 (Vic.)  Commonwealth Privacy Act (1988)  Crimes Act 1958 (Vic)  Wrongs Act 1958 (Vic)  Crimes Amendment (Protection of Children Act) 2014  Public Interest Disclosure Act 2012  Worker Screening Act 2020</p>		
<b>Related strategic documents, policies, or procedures:</b>	<p>Appropriate Workplace Conduct  Child Safe Code of Conduct  Child Safe Reporting Procedure  Community Engagement Policy  Council Plan 2021 - 2025  Disability Action Plan  Disciplinary Procedure  Mount Alexander Early Years Plan 2018 - 2021  Mount Alexander Middle Years Plan 2020 - 2023  Municipal Public Health and Wellbeing Plan 2021 - 2025</p>		

# Child Safe Policy



	Public Interest Disclosure Procedure Risk Management Policy Staff Code of Conduct
--	---

Date	Version Number	Details of Version	Modified by
15/12/2022	1		People and Culture

Trigger warning - this policy contains information about child abuse, harm and neglect including explicit descriptions of abuse and it may be distressing to read. If you need help, support is available from:

- Your Manager
- The People and Culture Team
- Employee Assistance Program (1800 808 374)
- Lifeline (13 11 14 or [www.lifeline.org.au](http://www.lifeline.org.au))
- Beyond Blue (1300 22 46 36 or [www.beyondblue.org.au](http://www.beyondblue.org.au))
- 1800 Respect (1800 737 732 or [www.1800Respect.org.au](http://www.1800Respect.org.au))
- Bravehearts (1800 062 496 or [www.bravehearts.org.au](http://www.bravehearts.org.au))
- Kids Helpline (1800 551 800 or [www.kidshelpline.com.au](http://www.kidshelpline.com.au))

## 1. Purpose

The purpose of this policy is to outline our organisation's commitment to child safety. This policy will demonstrate our organisation's commitment to the safety and wellbeing of children and young people in our community and our approach to the implementation and maintenance of the Victorian Child Safe Standards.

## 2. Scope

This policy applies to everyone who works for or represents Mount Alexander Shire Council in a paid or unpaid capacity irrespective of whether or not they are engaged in a child-related role, and includes:

- Councillors
- Employees
- Volunteers
- Contractors
- Agency staff
- Consultants
- Students over the age of 18 on placement

For this policy, the above will be referred to as "worker or workers" unless otherwise stipulated.

This policy is the standard for workers on how to behave when interacting with children and young people in our organisation. All workers have a responsibility to understand and activate their role in preventing, detecting, responding and reporting any suspicions of child abuse to the relevant authorities and maintaining a child safe culture.

Our organisation is committed to creating a culture of child safety and recognises that protecting children and young people and preventing and responding to child abuse is a whole of organisation responsibility.

## 3. Policy

Every child and young person accessing our organisation has the right to feel and be safe.

Our organisation has zero tolerance for child abuse. We are a committed child safe organisation ensuring that a culture of child safety is embedded into our practices and processes.

We will maintain child safe work standards that promote the health and wellbeing of children and young people in Mount Alexander Shire.

All of our workers must abide by our Child Safe Code of Conduct which specifies the standards of conduct required when working with children and young people. All workers,

as well as children and young people and their families, will be provided with the opportunity to contribute to the development of the Child Safe Code of Conduct.

We embrace diversity and inclusion. All children and young people have equal rights to protection from abuse and neglect regardless of their gender, race, religious beliefs, age, disability, sexual orientation, family background or social background.

We firmly commit to the cultural safety of Aboriginal and Torres Strait Islander children and young peoples and children and young people from culturally and/or linguistically diverse backgrounds, and to the provision of a safe environment for children and young people with a disability, as well as other vulnerable groups of children and young people.

### **3.1. Child Safe Principles and Standards**

The Child Safe Standards are compulsory and apply to organisations that work with children and young people or have regular or direct contact with children and young people. The Child Safe Standards seek to prevent child abuse, encourage reporting of any abuse that does occur and improve responses to any allegations of child abuse.

The Child Safe Standards work by driving change in organisational culture, providing a minimum standard of child safety across all organisations and highlighting that we all have a role to keep children safe from abuse.

There are ten National Principles for Child Safe Organisations and eleven Victorian Child Safe Standards).

Further information about the National Principles and the Child Safe Standards can be found at:

<https://chilsafe.humanrights.gov.au/national-principles/about-national-principles>

<https://ccyp.vic.gov.au/child-safe-standards/the-11-child-safe-standards/>

### **3.2. Participation and Empowerment of Children**

This organisation recognises children and young people as active citizens and is committed to advocating for the rights of children and young people as valued members of the community. In doing so, our organisation aims to ensure:

- Relevant programs educate and engage with children and young people about their rights.
- The input of children and young people is sought on programs that involve them including child safety issues.
- Child friendly documents and materials are provided that communicate child safety messaging as required or where relevant.
- Relevant organisational guidelines and codes of conduct are in place informing staff on the protection of children and young people.
- Relevant workers have working with children checks.

### 3.3. Families and the Community

Our organisation is committed to providing families and members of the community with child safety information and promoting participation and engagement with our programs and processes.

Our organisation upholds this commitment through the provision of accessible child safety materials, information and resources and ongoing engagement in the development of our organisation's child safe approach.

### 3.4. Diversity and Inclusion

Our organisation values and celebrates diversity within the community and workforce, and actively encourages the safety, participation and empowerment of all children and young people.

Our organisation upholds these commitments through:

- Promoting the cultural safety of Aboriginal and Torres Strait Islander children and young people and children and young people from culturally and/or linguistically diverse backgrounds.
- Promoting the participation and empowerment of Aboriginal and Torres Strait Islander children and young people and children and young people from culturally and/or linguistically diverse backgrounds.
- Providing a safe environment for children and young people with a disability and we act to encourage their participation.
- Promoting the participation and empowerment of lesbian, gay, bisexual, transgender, intersex, queer, asexual and other sexually or gender diverse (LGBTIQA+) children and young people.

### 3.5. Training and Supervision

Training and education are important to ensure that everyone in our organisation understands that child safety is everyone's responsibility.

Our organisational culture aims for all workers (in addition to parents/carers and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.

We will train our workers to identify, assess and minimise risks of child abuse and to detect potential signs of child abuse.

We support our workers through ongoing supervision to develop their skills to protect children and young people from abuse and promote the cultural safety of Aboriginal and Torres Strait Islander children and young people, children and young people from linguistically and/or diverse backgrounds, the safety of children and young people with a disability and lesbian, gay, bisexual, transgender, intersex queer, asexual and other sexually or gender diverse (LGBTIQA+) children and young people.

As part of the probationary period each new worker will be supervised regularly to ensure they understand our organisation's commitment to child safety and that everyone has a role to play in protecting children and young people from abuse, as well as checking that their behaviour towards children and young people is safe and appropriate (refer to the Child Safe Code of Conduct to understand appropriate behaviour further). Any inappropriate behaviour will be reported through appropriate channels, including Victoria Police and the Department of Families, Fairness and Housing and in accordance with any service agreements, depending on the severity and urgency of the matter.

### **3.6. Human Resources Practices**

Our organisation is committed to ensuring appropriate child safe recruitment and screening processes are in place at all stages of engagement, including but not limited to:

- Our organisation's commitment to child safety is included in all position descriptions, advertisements and contracts.
- Child safety will be addressed in interviews and reference checks.
- All current and new staff provide a commitment by signing the Child Safe Code of Conduct.
- Undertaking and monitoring Working with Children Checks and Police Checks. All employees and volunteers engaged in child-related work are required to hold a Working with Children Check and are required to provide evidence of the Check.

Our organisation has processes in place to ensure workers are aware of their responsibility to provide a child safe environment, and that they practise appropriate behaviour. This occurs through child safe training, supervision and performance review.

Our organisation is responsible for ensuring that appropriate behaviour with children and young people is clearly defined and expectations are understood by all workers.

The Child Safe Code of Conduct is accessible and forms a significant part of child safe training, supervision and performance reviews with employees and, where relevant volunteers and contractors.

Our organisation actively encourages applications from Aboriginal and Torres Strait Islander peoples, people from culturally and/or linguistically diverse backgrounds and people with a disability.

### **3.7. Procedural Fairness**

The safety and wellbeing of children and young people is our primary concern. We are also fair and just to workers. The decision we make when recruiting, assessing incidents and undertaking disciplinary action will always be thorough, transparent and based on evidence.

We record all allegations of abuse and safety concerns using our Child Safe Standards Incident Report Form including investigation updates. All records are stored securely.

If an allegation of abuse or a safety concern is raised, we provide updates, as appropriate, to children and families on progress and the actions our organisation has taken.

### 3.8. Privacy

Our organisation is committed to protecting an individual's right to privacy. In accordance with our organisation's Privacy Policy, personal information considered or recorded during the process of a report or investigation will respect the privacy of all individuals involved unless there is a risk to someone's safety.

We will maintain confidentiality and privacy for children and young people and families in accordance with legislation.

We have safeguards and practices in place to ensure any personal information is protected. In accordance with the Australian Privacy Principles, everyone is entitled to know how their information is recorded, what will be done with it and who will have access to it.

### 3.9. Legislative Responsibilities

Our organisation takes our responsibilities seriously:

- All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the Police.
- People of authority within our organisation with the power or responsibility to reduce or remove a substantial risk, where a child under the age of 16 years will become the victim of sexual abuse must exercise this power.
- Under the Reportable Conduct Scheme, our organisation must report allegations of child abuse and child-related misconduct by workers to the Commission for Children and Young People.
- Under the *Children Youth and Families Act 2005* certain professionals are mandated to report when a child is in need of protection. Any workers who are **mandatory reporters** must report to Child Protection if they believe, on reasonable grounds, that a child is in need of protection from physical injury or sexual abuse.

### 3.10. Risk Management

We seek to provide a safe environment for children and young people at all times. In addition to general occupational health and safety risks, we will take a risk management approach in line with the **Risk Management Policy** to minimise or eliminate the potential for child abuse or harm to occur.

Risk assessments will identify, assess, and take steps to minimise child abuse risks, which include risks posed by different situations, physical environments, and online environments.

## 3.11. Review of this Policy

This policy will be reviewed every two years and following any significant legislative change.

This policy will also be reviewed following any adverse incident to ensure the policy is robust and remains relevant.

Any policy update will be communicated to workers through, but not limited to, training, email, newsletters, all staff meetings, team meetings and the intranet.

## 3.12. Reporting and Responding to a Child Safety Concern

Our organisation takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our workers will be trained to deal with allegations appropriately.

We work to ensure all children and young people, families and workers know what to do and where to go if they observe abuse or are a victim, and if they notice inappropriate behaviour. We take measures to ensure the safety of the child or young person.

We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place.

A **reasonable belief** is a belief based on facts that an incident occurred. Factors contributing to reasonable belief may be:

- A child or young person states they or someone they know has been abused (noting that sometimes the child or young person 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.

Allegations, disclosures or incidents of child abuse are to be reported and actioned as follows:

- If the child or young person is in immediate danger, ring triple zero **000** and report the matter to Victoria Police
- Take measures to ensure the safety of the child or young person.
- If the incident involves a worker, advise the Child Safe Officer.
- If the report is not in relation to an immediate risk, you may contact the Child Safe Officer or local Police Station.
- If there are general concerns about the safety and wellbeing of a child or young person contact Child Protection (North Division Intake - 1300 664 977 or after-hours Child Protection Emergency - 13 12 78)

Where appropriate, following a child safety concern, we will assist alleged victims and their families to access counselling and support services and provide support to affected individuals through our organisations Employee Assistance Program.



## 4. Roles and Responsibilities

Child safety and protection is everyone's responsibility. This section of the procedure identifies the particular responsibilities that each level of our organisation has.

### **The Chief Executive Officer is responsible for:**

- Delegating a Child Safe Officer.
- Ensuring that child safety is prioritised at a strategic and operational level.
- Ensuring that child safe practices are included in relevant organisational planning processes and documents.
- Ensuring all workers are aware of their roles and responsibilities, internal child safe policies and procedures, relevant laws and our organisation's code of conducts.
- Ensuring that adequate human and financial resources are allocated to child safety.
- Demonstrating effective leadership by championing and engaging, participating and valuing child safe practices.
- Monitoring, managing and improving our organisation's child safe strategies.
- Ensuring that children and young people who engage with our organisation are consulted about things that impact on them.
- Following appropriate reporting processes when a concern, allegation or disclosure of child abuse or neglect arises.

The Chief Executive Officer, as the head of a relevant entity as prescribed in the *Child Wellbeing and Safety Act 2005*, is responsible for appointing, directing and managing workers.

### **The Leadership Group is responsible for:**

- Promoting child safe practices across our organisation.
- Communicating information and promoting organisational initiatives and practice.
- Demonstrating effective leadership by championing and engaging, participating and valuing child safe practices.
- Providing opportunities for training, supervision and ongoing support around child safe practices.
- Supporting employees responsible for the safety and wellbeing of children within our organisation.
- Monitoring, managing and continually improving our organisation's child safe practices.
- Ensuring our organisation is safe for children and young people.
- Following appropriate reporting processes when a concern, allegation or disclosure of child abuse or neglect arises.

## The Child Safe Officer is responsible for:

- Ensuring all incidents are reported to the relevant authority.
- Championing child safe practices across our organisation.
- Supporting staff who are responsible for child safety.
- Demonstrating effective leadership by engaging, participating and valuing child safe practices.
- Presenting new ideas, best practice options, or up-to-date information on sector-wide research and initiatives.
- Ensuring our organisation is safe for children and young people.
- Following appropriate reporting processes when a concern, allegation or disclosure of child abuse or neglect arises.
- Overseeing that all workers have undertaken the appropriate child safe training.
- Monitoring and reporting on progress against the Self-Assessment Tool.

## All workers are responsible for:

- Understanding the signs of child abuse and how to respond to these.
- Fulfilling their obligations in relation to all child safety policies, procedures and standards.
- Contributing to a positive child safe culture by engaging, participating and valuing child safe practices.
- Following the Child Safe Code of Conduct when engaging with children and young people.
- Following appropriate reporting processes when a concern, allegation or disclosure of child abuse or neglect arises.
- Providing an environment that is supportive of all children's and young people's emotional and physical safety.
- Participating in child safety training.

## 5. Breaches

Breaches of this policy may lead to action in accordance with the Mount Alexander Shire Council's Disciplinary Policy, which may include termination of employment and/or referral to Victoria Police.

## 6. Definitions and Abbreviations

A table of terms and their definitions as they relate to the policy:

Term	Definition
Aboriginal and Torres Strait Islander Child or Young Person	A child or young person up to the age of 18 years who is of Aboriginal or Torres Strait Islander descent, identifies as Aboriginal or Torres Strait Islander and is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.
Abuse	Abuse is an act or acts which endangers a child's health, wellbeing and/or development. It can be a single event or a series of traumatic events. It includes without limitation, physical abuse, sexual abuse, emotional and psychological abuse, cumulative harm, exposure to family violence, neglect, grooming, multi-dimensional harm and cultural abuse.
Child	A person below the age of 18 years.
Child Safe Officer	The person in the organisation responsible for looking after child safety systems and being the contact point if there is an allegation of child abuse or inappropriate behaviour with children.
Child Safe Organisation	In the context of the Child Safe Standards, a child safe organisation is one that takes deliberate steps to protect children and young people from abuse. This commitment to protecting children and young people must be embedded in an organisation's culture and policies.
Children from culturally and/or linguistically diverse backgrounds	A child or young person 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	Use of the term 'disability' is consistent with that in the <i>Disability Act 2006</i> . In relation to a child, the use of word 'disability' incorporates 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.
Child-related work	Child-related work is work in any of the occupational fields (referred to in the <i>Worker Screening Act 2020</i> as bodies, places or activities) which usually involves direct contact with a child. It excludes any infrequent direct contact with children that is incidental to the work.  <b>Direct contact</b> in relation to child-related work means any contact between a person and a child that involves; <ul style="list-style-type: none"> <li>a) Physical contact, or</li> <li>b) Face to face contact, or</li> <li>c) Contact by post or other written communication, or</li> </ul>

Term	Definition
	<ul style="list-style-type: none"> <li>d) Contact by telephone or other oral communication, or</li> <li>e) Contact by email or other electronic communication.</li> </ul>
Council	Mount Alexander Shire Council, being a body corporate constituted as a municipal Council under the <i>Local Government Act 2020</i> .
Councillors	Elected representatives.
Cultural safety of Aboriginal and Torres Strait Islander children	The creation of an environment that is safe for Aboriginal and Torres Strait Islander children where they are secure in their identity, culture and community.
Cultural safety of children from culturally and/or linguistically diverse backgrounds	An environment that is safe, where there is no assault, challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience of learning, living and working together with dignity and truly listening.
Duty of Care	The obligation of workers to take reasonable steps to protect children in their care from risks of injury that are reasonably foreseeable.
Head of a Relevant Entity	<p>As defined in the <i>Child Wellbeing and Safety Act 2005 (Vic)</i>, a head of a relevant entity means:</p> <ul style="list-style-type: none"> <li>a) An individual who is primarily responsible for: <ul style="list-style-type: none"> <li>i. Engaging and terminating the engagement of the relevant entity's employees, and</li> <li>ii. Managing the relevant entity's employees, or</li> </ul> </li> <li>b) A person nominated by the relevant entity, or</li> <li>c) A person or class of person prescribed to be a head of a relevant entity</li> </ul>
Leadership Group	All members of the Executive, those with Manager in their title and the Executive Assistants.
Mandatory Reporting	The legal obligation under the <i>Children, Youth and Families Act 2005</i> , of certain professionals to report when a child is in need of protection. Mandatory reporters include medical practitioners, nurses, midwives, school principals, school counsellors, police officers, teachers (including early childhood teachers) and youth and childcare workers.
Neglect	Neglect includes a failure to provide a child or young person with an adequate standard of nutrition, medical care, clothing, shelter or supervision, to the extent that the child's health and development are, or are likely to be, placed at risk.
Physical Abuse	Physical abuse occurs when a child suffers or is likely to suffer significant harm from an injury inflicted by a child's parent or caregiver or any other adult. The injury may be inflicted intentionally or may be the inadvertent consequence of physical punishment or physically

# Child Safe Policy

Term	Definition
	aggressive treatment of a child. This may take the form of punching, beating, shaking or otherwise harming a child.
Reasonable Grounds for Belief	A belief based on reasonable grounds that child abuse has occurred when all known considerations or facts relevant to the formation of a belief are taken into account and these are objectively assessed. Circumstances or considerations may include the source of the allegation and how it was communicated, the nature of and details of the allegation, and whether there are any other related matters known regarding the alleged perpetrator.
Reportable Conduct Scheme	The Victorian Reportable Conduct Scheme seeks to improve organisations' responses to allegations of child abuse and neglect by their workers and volunteers. The Scheme is established by the Child Wellbeing and Safety Act 2005.
Sexual Abuse	Sexual abuse is when a person uses power, force or authority to involve a child in any form of sexual activity. It can include a wide range of sexual activity.
Worker/Workers	Councillors, employees, volunteers, contractors, agency staff, consultants and students over the age of 18 years on placement.
Young Person	A person below the age of 18 years