



Child Safe Policy

2018 - 2020

1. Purpose

This Policy outlines Southern Grampians Shire Council's commitment to child safety by creating and maintaining a child safe organisation that supports the health and wellbeing of all children in our community.

Council is committed to creating a culture of child safety and recognises that protecting children and preventing and responding to child abuse is an organisation wide responsibility. Council is committed to embedding the prevention of child abuse in everyday thinking and practice of all Councillors, employees, contractors and volunteers.

This Policy reflects Council's legislative responsibility in meeting the requirements of the Child Safe Standards, and our commitment to the community to create and sustain an environment where children are safe and protected from abuse.

2. Scope

This Policy applies to all councillors, employees including any person directly employed by Council or employed through an agency or on a contract basis, volunteers and work experience/work placement students, irrespective of their involvement in child related services, work or duties.

This policy, in conjunction with other related documents, will be incorporated into key decision making processes and operating procedures of Council.

3. Definitions

Council	Means Southern Grampians Shire Council, being a body corporate constituted as a municipal Council under the Local Government Act 1989
Councillors	Means the individuals holding the office of a member of Southern Grampians Shire Council
Aboriginal child	A person under the age of 18 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
The Act	Means the Child Safety and Wellbeing Act 2005
Child	A person under 18 years of age
Child abuse	Any act committed against a child involving: physical violence, sexual offences, serious emotional or psychological abuse and serious neglect
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
Child related work	Work within one or more of the occupational fields defined in the Act where the contact with children is direct, unsupervised, and as part of a person's duties, not incidental to their work
Child safe organisation	In the context of child safe standards, a child safe organisation is one that meets the child safe standards by proactively taking measures to protect children from abuse
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. Some disabilities may be obvious while others are hidden
Cultural safety for children from culturally and/or diverse backgrounds	An environment which is spiritually, socially and emotionally safe, as well as physically safe for children; where there is no assault, challenge or denial of their cultural or linguistic identity, of who they are and what they need
Cultural safety of Aboriginal children	Cultural safety encompasses the child being provide with a safe, nurturing and positive environment where they are comfortable with being themselves, expressing their culture, their spiritual and belief systems, and they are supported by the carer and family

4. Context

On 17 April 2012, the Victorian Government initiated the *Family and Community Development Committee's Inquiry into the Handling of Child Abuse by Religious and Other Organisations (Betrayal of Trust Inquiry)*.

The *Betrayal of Trust* report was tabled in Parliament on 13 November 2013 and made 15 recommendations including compulsory minimum standards for creating child-safe environments.

On 26 November 2015, the Victorian Parliament passed the *Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015* (The Act) to introduce Child Safe Standards.

The seven Child Safe Standards support organisations that provide services to children to prevent child abuse, encourage reporting of abuse and increase the effectiveness of responses to allegations of child abuse.

5. Statement of commitment

Southern Grampians Shire Council acknowledges that children's safety is a whole of organisation responsibility and is everyone's business. The welfare of children in our care is Council's first priority and we have zero tolerance to child abuse.

We are committed to creating and maintaining a child safe organisation where protecting children, preventing and responding to child abuse is embedded in the everyday thinking and practice of all Councillors, Council staff, contractors and volunteers.

We are committed to creating and maintaining a child safe and child friendly community where all children are valued and protected from abuse.

We are committed to the cultural safety of Aboriginal children and providing safe environments for children from culturally and/or linguistically diverse backgrounds, and children with a disability.

Council will listen to children respectfully and advocate for their right to feel safe, valued and protected. We seek to engage and involve children when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

6. Policy

Southern Grampians Shire Council is responsible for ensuring that appropriate behaviour with children is clearly defined and expectations are accessible and understood by all persons associated with Council.

This policy guides our Councillors, staff, contractors and volunteers on how to behave with children in our organisation. All must agree to abide by Council's *Codes of Conduct*, which includes standards of conduct required when working with children.

This Policy meets Council's obligations under Standard 2 of the Child Safe Standards – '*A child safe policy or statement of commitment to child safety*' and provides the opportunity for Council to improve their existing processes and practices and enhance the culture of child safety for the Shire of Southern Grampians.

6.1 Legislative requirements

Council has processes in place that will enable all Councillors, employees, contractors and volunteers to be aware of the organisation's responsibilities as well as their own, regarding legal obligations relating to child abuse and reporting to appropriate authorities. This includes:

- Failure to disclose: Reporting child sexual abuse is a community-wide responsibility. 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.
- Any personnel who are mandatory reporters (doctors, nurses, midwives, teachers, early childhood teachers, principals and police) 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

- **Grooming:** Grooming offence targets communication, including online communication, with a child under the age of 16 or their parents with the intent of committing child sexual abuse. This offence targets predatory conduct undertaken to prepare a child for sexual abuse at a later time with the groomer (aged 18 years old or over) or another adult.
- **Failure to protect:** People of authority within the Council will commit an offence if they have the power or responsibility to reduce or remove a substantial risk, where a child under the age of 16 years may become the victim of sexual abuse committed by an adult associated with the organisation; but negligently fail to do so.

6.2 Risk Management

Council is responsible for effectively identifying and managing risk and for promoting a safe and healthy environment for employees, volunteers and the community. In Victoria, organisations are required to protect children when a risk is identified.

Council will manage risks of abuse to children by ensuring the SGSC Risk Management Framework, including policies and procedures, comply with the Child Safe Standards.

6.3 Education and Training

Education and training is important to ensure that all people connected with Council understand that child safety is everyone's responsibility, and is vital to maintaining a child safe environment.

Our organisational culture aims for everyone to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.

Council's staff and volunteers will be provided with ongoing training and education to ensure they understand our commitment to child safety. We will train our staff and volunteers to identify, assess, and minimise risks of child abuse and to detect potential signs of child abuse.

6.4 Recruitment

Council employs a range of screening measures and applies these standards in the screening and recruitment of employees, contractors and volunteers.

Council will comply with all relevant regulatory and legal requirements when recruiting staff to ensure its employees and clients are not placed at unreasonable risk. We understand that when recruiting staff, contractors and volunteers we have ethical as well as legislative obligations.

Council will ensure the principles of the child safe standards are embedded in the organisation's human resource policies and procedures including recruitment and pre-employment screening processes. Reference checks and pre-employment screening are carried out to ensure that recruiting is done with child safety in mind.

6.5 Privacy

Council is committed to protecting an individual's right to privacy and all personal information considered during the process of a report, or investigation, will respect the

privacy of all individuals involved and be managed in accordance with legislative requirements.

6.6 Reporting and responding to a child safety concern

Council takes all allegations of abuse seriously and will investigate all allegations fairly and appropriately. We all have a responsibility to report if we have formed a reasonable belief that abuse of a child has occurred.

Council will work to ensure all children, families, staff, contractors and volunteers know what to do and who to tell if they suspect abuse or are a victim, or if they notice inappropriate behaviour.

Any suspicion of alleged abuse will be reported through appropriate channels, including the Department of Health and Human Services and Victoria Police, depending on the severity and urgency of the matter. All reports of allegations and child safety concerns will be recorded and stored securely.

Council's Chief Executive Officer has specific obligations under the Reportable Conduct Scheme, which details requirements for responding to and investigating reports of alleged child abuse made against staff and volunteers.

7. Roles and responsibilities

Council: Councillors are responsible for providing leadership for the good governance of Council by acting as a responsible partner in fostering and developing an organisational culture that has zero tolerance for child abuse. Councillors will advocate in the best interests of children to create and sustain a community in which children are safe and protected from abuse.

Chief Executive Officer: is ultimately responsible for driving the required organisational cultural change of zero tolerance for child abuse and ensuring that the organisation has effective controls in place to prevent child abuse occurring. This will be achieved by ensuring:

- The organisation has in place and implements robust child safety procedures that protect children from child abuse
- Suspected or alleged instances of child abuse are reported and fully investigated
- Support is provided to councillors, managers, staff, contractors and volunteers in undertaking their child protection responsibilities.

Executive Management: will support the CEO to achieve the requirements of Council's Child Safe Policy and to ensure the organisation is compliant with legislation.

Council's Child Safety officers will:

- Act as the first point of contact for anyone who wishes to raise child safety concerns, make a report of an occurrence of abuse, or act on a disclosure of abuse by a child, alleged to have occurred within Council
- Support the notification of child safety concerns or allegations to relevant authorities (Police or Child Protection)
- Assist alleged victims and their families to access counselling and support services
- Provide support to affected staff through Council's Employee Assistance Program

Managers and Supervisors: will ensure that:

- Staff, contractors and volunteers have access to and are aware of this Child Safe Policy and related procedures
- Staff are supported to report child safety concerns or allegations of abuse within Council to the Child Safety Officers
- Internal processes are initiated to ensure the safety of the child, clarify the nature of the complaint and commence the disciplinary process (if required)
- Any potential for child abuse to be perpetrated in their Unit is identified, and assess the related risks of child abuse within their Unit
- Any risks, to the extent possible, are identified and removed
- Staff, contractors and volunteers receive ongoing education about the prevention and detection of child abuse and attend any relevant training when it is provided
- Support is offered to the child, the parents, the person who reports and the accused staff member, contractor or volunteer
- Confidentiality and privacy of personal information is protected in line with relevant legislation, Council policies and procedures

All Staff: must familiarise themselves with the relevant laws, the Staff Code of Conduct, and Council's policy and procedures in relation to child safety, and comply with all requirements, including:

- Participation in staff induction and refresher training
- Report any suspicion or reasonable belief that a child's safety may be at risk
- Provide an environment that is supportive of all children's emotional and physical safety.

Volunteers: share the responsibility for the prevention and detection of child abuse, and must report any suspected cases to their direct supervisor

Labour Hire/Agency workers and contractors: also share the responsibility for the prevention and detection of child abuse and any suspected case or allegation of child abuse. Council will embed a process that provides a contractual obligation to ensure that the same standards that apply to Council, will apply to labour hire agency employees and contractors.

Council Owned/Controlled Facilities/Funded Services:

Council acknowledges that sporting associations and not-for-profit entities are themselves also required to comply with the Child Safe Standards. Council recognises there may be a role to play with the aim to raise awareness of the legislation and compliance requirements.

8. Breaches

Breaches of this policy are also a breach of the Staff Code of Conduct and may lead to action in accordance with Council's Performance and Discipline Policy, which in turn may result in termination of employment and/or referral to Victoria Police.

9. Review

This policy will be reviewed every two years.

10. Relevant documents and references

Commission for Children and Young People www.cryp.vic.gov.au

Victorian Department of Justice and Regulation www.justice.vic.gov.au

Child Wellbeing & Safety Act 2005

Child Wellbeing and Safety Amendment (Child Safe Standards) Bill 2015

Privacy and Data Protection Act (Vic) 2014

Privacy Act 1988

Health Records Act (Vic) 2001

Public Records Act (Vic) 1973

SGSC Staff Code of Conduct

SGSC Councillor Code of Conduct

SGSC Child Safety Reporting Procedure

SGSC Child Safety Investigation Procedure

Version	Amendment	Date
1.0 Draft	New Council Policy	September 2018
1.0 Adopted		October 2018