

COUNCIL POLICY

# Child Safe Policy

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**DOCUMENT UNCONTROLLED WHEN PRINTED**

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Directorate Customer and Community	Department Community Development	External

**REVISION RECORD**

Date	Version	Revision description
18/12/2017	1.0	First version adopted by Council
01/09/2020	2.0	Reviewed, incorporated requirement for Councillors to hold a Working With Children Check
October 2023	3.0	Substantially revised and updated to reflect legislative changes.

## 1. Purpose

This Child Safe Policy outlines Alpine Shire Council's commitment to the safety and wellbeing of all children by creating and maintaining a Child Safe Organisation where protecting children's safety and wellbeing is embedded in the culture and the everyday thinking and practices of all Councillors, employees, contractors, and volunteers.

This Policy reflects Council's legislative responsibility in meeting the requirement of both the Victorian Government's Child Safe Standards and the Reportable Conduct Scheme and our commitment to the community to create and sustain an environment where children are safe and protected from harm and abuse.

## 2. Scope

This Child Safe Policy applies to all Councillors and Council staff, including any person directly employed by the Alpine Shire Council, employed through an agency or on a contract basis and includes Council's volunteers, members of advisory committees and work experience/work placement students, irrespective of their specific involvement in child-related duties.

## 3. Commitment to Child Safety

The Alpine Shire Council is committed to creating an inclusive, safe, and connected community for all children and young people. Council is committed to child safety and to children's best interests and will meet these commitments by:

- demonstrating through leadership, actions, policies, procedures, and documentation that The Principles of being a Child Safe Organisation are embedded into everyday practice and thinking.
- promoting cultural safety for Aboriginal and Torres Strait Islander children and children from culturally and/or linguistically diverse backgrounds.
- providing a safe, accessible, and welcoming environment for children with a disability and their families.
- having zero tolerance for child abuse and will take all allegations of reportable conduct and safety concerns very seriously.
- upholding the rights of all children who come into contact with Council to ensure they feel safe and protected.
- promote LGBTIQ+ inclusion through various programs and policies.
- ensuring that systems are in place to anticipate risks, document incidents and identify appropriate responses consistently and in line with policy and procedure.

## 4. Policy details

### 4.1 Victorian Child Safe Standards

There are 11 Child Safe Standards. The Child Safe Standards aim to protect children and young people, by requiring organisations to put policies, procedures, and processes in place to prevent and respond to abuse. The Child Safe Standards help organisations to:

- promote the safety of children.
- prevent child abuse.
- ensure effective processes are in place to respond to and report allegations of child abuse.
- encourage children to 'have a say', especially on issues that are important to them or about decisions that affect their lives.

Child Safe Standards
<b>Standard 1:</b> <i>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.</i>
<b>Standard 2 -</b> <i>Child safety and wellbeing is embedded in organisational leadership, governance and culture.</i>
<b>Standard 3 -</b> <i>Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.</i>
<b>Standard 4 -</b> <i>Families and communities are informed and involved in promoting child safety and wellbeing.</i>
<b>Standard 5 -</b> <i>Equity is upheld and diverse needs respected in policy and practice.</i>
<b>Standard 6 -</b> <i>People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practices.</i>
<b>Standard 7 -</b> <i>Processes for complaints and concerns are child focused.</i>
<b>Standard 8 -</b> <i>Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.</i>
<b>Standard 9 -</b> <i>Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.</i>
<b>Standard 10 -</b> <i>Implementation of the Child Safe Standards is regularly reviewed and improved.</i>
<b>Standard 11 -</b> <i>Policies and procedures document how the relevant entity is safe for children and young people.</i>

## 4.2 Reportable Conduct Scheme

The Reportable Conduct Scheme aims to improve oversight of how organisations respond to allegations of child abuse and child-related misconduct. Allegations of reportable conduct must be notified to the Commission for Children and Young People by relevant in-scope organisations.

'Reportable conduct' is defined in the *Child Wellbeing and Safety Act 2005* to include:

- (a) a sexual offence committed against, with or in the presence of a child; or

- (b) sexual misconduct, committed against, with or in the presence of a child; or
- (c) physical violence committed against, with or in the presence of a child; or
- (d) any behaviour that causes significant emotional or psychological harm to a child; or
- (e) significant neglect of a child

The Chief Executive Officer (CEO) will ensure Council notify the Commission for Children and Young People when they become aware that a reportable conduct has occurred.

### **Three business day obligations**

Within three business days of becoming aware of an allegation, the CEO must ensure Council notify the Commission that a reportable allegation has been made.

### **Thirty calendar day obligations**

Within thirty calendar days of becoming aware of the allegation, the CEO must ensure Council provide certain detailed information about the allegations, investigation undertaken and proposed responses to the Commission.

## **4.3 Recruitment**

Council applies best practice standards in the recruitment and screening of staff and volunteers. Council complies with all relevant and legal requirements when recruiting to ensure children are not placed at risk. Refer to Recruitment, Selection and Appointment Policy for further information.

## **4.4 Support, Training and Ongoing Workforce Management**

Council is responsible for ensuring that appropriate behaviour with children is clearly understood by all Councillors, employees, contractors, and volunteers. Expectations of behaviour are detailed in Council's Code of Conduct which all Councillors, staff, contractors, and volunteers are required to agree to adhere to.

All Councillors, employees, contractors, and volunteers will be provided with training on the Child Safe Policy as part of their induction to Council and refresher training provided periodically. Further training on child safety is provided to those who engage directly with children in the course of their regular work and refresher training is provided.

Council will ensure that licences and checks, including Working with Children's Checks, are maintained by relevant employees and volunteers and will conduct regular status checks to ensure validity and compliance with this policy.

## **4.5 Risk Management**

Council recognises the importance of adopting a risk-based approach to minimising the potential for child abuse and harm to occur and uses this to inform our policy and procedures. Risk assessments and risk management plans are developed in recognition of the diverse nature of Council services and settings.

Risks to child safety that are identified through complaints, reports or allegations of abuse will be reviewed and incorporated into Council's risk register when appropriate.

## 4.6 Reporting, Complaints and Feedback

### **If you believe a child is of immediate risk of harm phone 000**

Council is committed to hearing the voices of children and their families including through its feedback and complaints process.

If a complaint includes an allegation or incident of child abuse or harm, then all who this policy applies to, are required to report in accordance with the Child Safety Reporting Procedure.

All reports of concerns for the safety and wellbeing of a child will be treated seriously and responded to promptly.

## 5. Roles and responsibilities

The following positions are responsible for

Responsibility	Role / Position
To be aware of Council's commitment to this Policy.	Councillors
To ensure that: - Council is committed to the safety of children; and - appropriate procedures and reporting mechanisms are developed, implemented, and complied with.	CEO
Responsible for providing an organisational contact for this policy and overseeing the implementation of the developed strategy, procedures, and action plan. Providing support to those who have reported an incident.	Director Customer and Community
Notifying the appropriate child protection service and/or the police	Director Customer and Community
Implementation/ Training/Recruitment of new staff	Directors, Managers, Coordinators, Team Leaders, and Human Resource Coordinator
Compliance	All Employees, Councillors, Volunteers and Agents of Council

Responsibility	Role / Position
Development	Manager Community Development

## 6. Breaches

Failure to comply with this Policy, supporting procedures or guidelines, will be subject to investigation which may lead to disciplinary action.

Any breaches of this Policy must be reported immediately to the Occupational, Health and Safety Officer.

Breaches of the Code of Conduct will be subject to investigation which may lead to disciplinary action and in serious cases may involve the termination of a person's employment with Council.

## 7. Human Rights Charter compatibility

This policy has been assessed as being compatible with the *Charter of Human Rights and Responsibilities Act 2006 [Vic]*.

## 8. Supporting documents

This policy should be read in conjunction with all other relevant, Council policies and procedures, as well as relevant legislative requirements.

### Related Legislation

- Child Wellbeing and Safety Act 2005
- Children, Youth and Families Act 2005
- Worker Screening Act 2020
- United Nations Conventions on the Rights of a Child
- Charter of Human Rights and Responsibilities Act 2006
- Local Government Act 1989
- Local Government Act 2020

### Related Guidelines, Operational Directives or Policies

- Victorian Child Safe Standards
- Victorian Reportable Conduct Scheme
- National Principles for Child Safe Organisations - The Australian Human Rights Commission

### Related Procedures

- Alpine Shire Council - Employee Code of Conduct
- Alpine Shire Council - Councillor Code of Conduct
- Alpine Shire Council - Risk Management Policy
- Alpine Shire Council - Recruitment, Selection and Appointment Policy



## 9. Definitions

Term	Meaning
Aboriginal	The term Aboriginal in this Policy is inclusive of Aboriginal and Torres Strait Islander peoples.
Child/ren	A person who is under the age of 18 years
Child Abuse	<p>Child abuse is defined in the <i>Child and Wellbeing Safety Act 2005 (Vic)</i> as including:</p> <ul style="list-style-type: none"> <li>• A sexual offence committed against a child.</li> <li>• An offence committed against a child under section 49M(1) of the <i>Crimes Act 1958 (Vic)</i>, such as grooming.</li> <li>• Physical violence against a child.</li> <li>• Causing serious emotional or psychological harm to a child</li> <li>• Serious neglect of a child.</li> </ul>
Child Safe Organisations	A child safe organisation is one that creates a culture, adopts strategies and takes action to promote child wellbeing and prevent harm to children and young people. The National Principles for Child Safe Organisations have been developed by the Australian Human Rights Commission and endorsed by members of the Council of Australian Governments.
Child Safe Standards	The Victorian Child Safe Standards are a compulsory framework that support organisations to promote the safety of children by requiring them to implement policies to prevent, respond to and report allegations of child abuse and harm.
Child Safety	In the context of the Child Safe Standards, 'child safety' means measures to protect a child from abuse or harm.
Cultural Safety	Cultural safety is the positive recognition and celebration of cultures. It is more than just the absence of racism or discrimination and more than 'cultural awareness'. It empowers people and allows them to contribute and feel safe.
Culturally and/or linguistically diverse	Is a term used to describe communities with diverse languages, ethnic backgrounds,

Term	Meaning
	nationalities, traditions, societal structures and religions.
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.
Neglect	Is the continued failure to provide a child with the basic necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the child's health, safety and/or development is, or likely to be, jeopardised. Serious neglect can also occur if an adult fails to adequately ensure the safety of a child where the child is exposed to extremely dangerous or life-threatening situations.
Risk	In the context of the Child Safe Standards, risk is exposure to the chance for harm or abuse of a child to occur in connection with an organisation.
Risk Management	Risk management involves identifying, preventing, and minimising risk as much as reasonably possible.
Wellbeing	Wellbeing is a positive state of physical, mental, and emotional health. It generally means feeling safe, happy and healthy more than momentarily.
Working With Children Check	A Working With Children Check is the process whereby an assessment is undertaken by the issuing authority (Department of Justice and Community Safety) to determine whether a person is suitable in child-related work.

## 10. Approval

THE COMMON SEAL OF THE  
ALPINE SHIRE COUNCIL was  
hereunto affixed this 19th day  
December of 2023 in the presence of:



SARAH NICHOLAS  
COUNCILLOR

Version 3 of the the  
Child Safe Policy was  
signed and sealed at the  
Ordinary Council Meeting  
on 19 December 2023.

Simon Kelley  
COUNCILLOR

The original signed copy is  
held in Council's records.

WILL JEREMY  
CHIEF EXECUTIVE OFFICER