



Child Safe Policy

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1. PURPOSE

- 1.1 This policy aligns with Council's Vision and Values to effectively deliver services to the community through our behaviours, conduct and performance:
- 1.2 This policy provides Golden Plains Shire Council's (Council) commitment to being a child safe organisation and has a zero tolerance for child abuse. Council recognises it's legal and moral responsibilities in keeping children and young people safe from harm, in both physical and online environments.
- 1.3 Council is committed to creating a child safe organisation where protecting children and young people from harm is embedded in everyday thinking and practice.
- 1.4 This policy reflects Council's legislative responsibility in meeting the requirements of the Victorian Child Safe Standards. Council has specific policies, practices, reporting processes and training in place to support our people to achieve these commitments.

2. SCOPE

- 2.1 This policy applies to all individuals who conduct work for, or are connected to Council, in a paid or unpaid capacity. This includes Councillors, all staff, volunteers, trainees, direct contractors, and consultants.

3. POLICY STATEMENT

- 3.1 Council is committed to creating a culture of child safety and recognises that protecting children and young people and preventing and responding to allegations of child abuse, is an organisation-wide responsibility.

3.2 Empowerment of children and young people

Council will actively encourage and promote the participation and empowerment of children and young people by:

- Providing children and young people with opportunities to voice their opinions around decisions that impact them;
- Creating environments where children have a voice and are listened to, their views are respected and they contribute to how we plan for, design, and develop our services and activities; and
- Ensuring that children and young people can initiate their own complaints in an accessible and culturally safe manner.

3.3 Diversity and cultural safety

Council will promote the cultural safety of Aboriginal and culturally and/or linguistically diverse children, same sex attracted and/or gender diverse children, and the safety of children with a disability. Council will provide an environment that is safe for children of all backgrounds and abilities.

Council will achieve this by:

- Supporting the cultural safety, participation and empowerment of Aboriginal children and their families;
- Supporting the cultural safety, participation, and empowerment of children from culturally and/or linguistically diverse backgrounds and their families;
- Supporting children with a disability and their families and act to promote their participation;
- Supporting gender diverse children and families and act to promote their participation;
- Ensuring that measures are in place to ensure that racism is identified, confronted, and not tolerated;
- Endeavoring to recruit appropriate employees and other representatives, and contractors from culturally and/or linguistically diverse backgrounds;
- Providing physical and online environments that actively celebrate diverse cultures;
- Committing to ensuring our facilities promote inclusion of children of all abilities; and
- Providing children with access to information, support and complaints processes in ways that are culturally safe, accessible, and easy to understand.

3.4 Involvement of families and communities

Council is committed to involving families and communities in our efforts to keep children and young people safeguarded. Council will achieve this by:

- Actively seeking feedback and input from families and communities in relation to decisions that impact children and young people;
- Communicating with families and communities about how to raise child safety concerns; and
- Consulting with families and communities in the development of and review of child safe policies and practices.

4. PROCEDURES

4.1 Recruitment and Selection

Council will ensure that our recruitment and selection processes are robust and follow best practice in relation to child safety and ensure that all reasonable steps are followed to minimise the risk of inappropriate individuals infiltrating our organisation.

Council will ensure position descriptions and advertisements demonstrate Council's commitment to child safety, and that appropriate probity checks are conducted to ensure that Council recruits suitably qualified, skilled, experienced, and appropriate people.

4.2 Training and Supervision

Council recognises that training and supervision are important to ensuring that everyone across the organisation understands that children and young people's safety is everyone's responsibility.

Council is committed to ensuring that employees and volunteers have the knowledge and ability to recognise, respond and report incidents, allegations, and disclosures of child abuse and/or neglect.

Council will ensure that our employees and volunteers' behaviour towards children and young people is safe, appropriate and aligned with Council's Code of Conduct.

5. SUPPORTING INFORMATION

Following the Victorian Betrayal of Trust Inquiry in 2012-13, the Victorian Government introduced compulsory Child Safe Standards to improve the way organisations that provide services and facilities to children and young people, prevent, and respond to child harm and abuse.

On 1 January 2016 the Child Safe Standards were introduced in Victoria. These are minimum standards to protect the safety of children in organisations, and apply to all organisations providing services for children, including Council. Under this legislation and the criminal law, Council is required to actively manage child safety issues. Council and its Councillors, employees and other representatives have significant obligations to protect children from harm. On 1 July 2022 the Child Safe Standards were expanded from 7 to 11 Standards to provide more clarity for organisations and ensure greater consistency with Standards nationally.

Key changes included:

- The involvement of families and communities in organisations' efforts to keep children and young people safe
- A greater focus on the safety of Aboriginal children and young people
- Managing the risks of child abuse in online environments
- Greater clarity on governance, systems, and processes to keep children and young people safe

The eleven Victorian Child Safe Standards are:

1. A culturally safe environment is established in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
2. Child safety and wellbeing is embedded in organisational leadership, governance, and culture.
3. Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
4. Families and communities are informed and involved in promoting child safety and wellbeing.
5. Equity is upheld, and diverse needs respected in policy and practice.
6. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
7. Processes for complaints and concerns are child focused.

8. Staff and volunteers are equipped with the knowledge, skills, and awareness to keep children and young people safe through ongoing education and training.
9. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
10. Implementation of the Child Safe Standards is regularly reviewed and improved.
11. Policies and procedures document how the organisation is safe for children and young people.

Council is also required to comply with the Reportable Conduct Scheme (RCS). This is a notification scheme, which requires reporting of any child abuse allegations against employees, direct contractors, volunteers and office holders to the Commission for Children and Young People (CCYP). The RCS sits alongside the other reporting processes such as Child Protection, the criminal law (Police) and mandatory reporting. It does not replace the need to report allegations, such as criminal conduct and family violence, to the Police or Child Protection. The RCS requires Council to:

- Have in place systems to prevent child abuse;
- Ensure any allegations of child abuse can be brought to the attention of appropriate persons for investigation and response as soon as possible; and
- Ensure the CCYP is notified and given updates on Council's response to an allegation.

6. RESPONSIBILITIES

The following responsibilities are assigned under this policy:

Council's Chief Executive Officer (CEO) is accountable for ensuring that Council is compliant with the Child Safe Standards and Reportable Conduct Scheme.

As the head of Council, the CEO is required to:

- Respond to a reportable allegation made against a worker or volunteer of Council, by ensuring that allegations are appropriately investigated.
- Report allegations which may involve criminal conduct to the police.
- Notify the Commission for Children and Young People (CCYP) of allegations within three business days after becoming aware of the allegation.
- Provide the CCYP with certain detailed information about the allegation within 30 days after becoming aware of the allegation.
- After the investigation has concluded, provide the CCYP with certain information including a copy of the findings of the investigation; and
- Ensure that Council has systems in place to:
 - Prevent reportable conduct from being committed by a worker or volunteer within the course of their employment;
 - Enable any person to notify the head of a reportable allegation;
 - Enable any person to notify the CCYP of a reportable allegation involving the head; and

- Investigate and respond to a reportable allegation against a worker of volunteer from Council.

Councillors are responsible for promoting and modelling organisational and community child safe practices in their role, for considering the safety and inclusion of children and young people when making relevant decisions, and for reporting and responding to child safety issues, including reporting any child safety issues to the Chief Executive Officer (CEO).

Manager of People, Performance and Governance has responsibility for ensuring Council is compliant with the Child Safe Standards and the Reportable Conduct Scheme, and for monitoring and evaluating child safe reporting at Council.

Directors are responsible for monitoring compliance with this policy and associated procedures within their Departments.

People & Culture is responsible for reviewing and monitoring implementation of this policy and managing Council policies which support this policy. People & Culture is responsible for ensuring the recruitment and screening practices, induction, and training of staff, and supporting staff to cope with child safe incidents through Council's Employee Assistance Program (EAP) services. Manager of Organisational Capability and Performance is responsible for reporting any reportable conduct allegations to CCYP.

Supervisors and Managers are responsible for monitoring employees and other representatives' compliance with this policy in their work, educating and training them appropriately in child safe practices related to their role, and assisting them with reporting of child safe matters.

Council's Leadership Group has a responsibility to help everyone involved with Council to acknowledge and appreciate the strengths of Aboriginal culture and understand its importance to the wellbeing and safety of Aboriginal children.

Employees and other representatives are responsible for complying with their responsibilities under this policy and associated child safe procedures, assisting management with the implementation of this policy and for reporting and responding to child safety issues.

Contract Managers are responsible for monitoring contractor compliance with their responsibilities under this policy and Council procurement requirements.

Contractors are responsible for ensuring they have appropriate and compatible child safety policies and processes in place that meet all legislative requirements and Council procurement requirements, and for ensuring that any child safety issues that arise during their service provision to or on behalf of Council are reported to the Council officer responsible for the contract.

Reporting

If there is a concern that a child is in immediate danger, police must be contacted on 000 immediately.

Council understands its reporting obligations required under the Child Safe Standards and the Reportable Conduct Scheme.

Council has established processes and reporting templates and procedures to support employees, volunteers, contractors, and management in making a report.

If the reported concern involves an allegation against an employee, contractor or volunteer of Council, our processes for reporting concerns also includes the need to report the incident to the CCYP, under the RCS.

Records Management

Records will be retained in accordance with the recommendations from the Public Records Office Victoria.

All personal information recorded during the reporting, responding and investigation process will be managed in accordance with Council's Information Privacy Policy and Procedures.

The *Limitation of Actions Act 1958* (Vic) was amended in 2015, removing all limitation periods that apply to civil actions for damages founded on child sexual abuse. This means that Victorian public sector offices cannot destroy any records which are reasonably likely to be needed for civil action legal proceedings, for at least the life of the child and possibly longer.

Where necessary authorised Council staff may share information with other government authorities and organisations under the Family Violence Multi-Agency Risk Assessment and Management Framework and the Child Information Sharing Scheme, to promote children's wellbeing and safety.

7. DEFINITIONS OF TERMS OR ABBREVIATIONS USED

Terms and definitions

8. Definitions

Term	Definition
Child Abuse	<p>Child abuse is an act or acts that endanger a child's health, wellbeing and/or development. It can be a single event or a series of traumatic events. Given the complexity of issues and how interwoven they are, children will usually experience multiple, interrelated forms of abuse and neglect. Abuse can include:</p> <ul style="list-style-type: none"> • Physical abuse • Sexual abuse • Emotional abuse • Neglect • Family violence • Grooming
Child in the care of Golden Plains Shire Council	<p>Any child under the age of 18 accessing services provided directly by Golden Plains Shire Council, including activities that may be supervised by volunteers or contractors.</p>

Child Protection	Department of Families, Fairness and Housing's Child Protection services protect children and young people from significant harm resulting from abuse or neglect ensuring that they receive services that deal with the impact of abuse and neglect on their well-being and development.
Child Safe Organisation	A child safe organisation (in the context of the Child Safe Standards) is required to take deliberate steps to protect children and young people from abuse. This commitment must be embedded in in organisations' culture and policies.
Child / Young person	In Victoria, under the <i>Child Safety and Wellbeing Act 2005</i> a child or young person is a person under eighteen years of age.
Commission for Children and Young People (CCYP)	CCYP are an independent statutory body that promotes improvement in policies and practices affecting the safety and wellbeing of Victorian children and young people and is responsible for administering the Child Safe Standards and the Reportable Conduct Scheme.
Failure to Disclose	Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child under the age of 16 has an obligation to report that information to Police. Failure to disclose the information is a criminal offence.
Failure to Protect	Applies to individuals who hold a position of authority within organisations who are aware of a risk of child sexual abuse by someone within the organisation. They have the authority to reduce or remove the risk, but negligently fail to do so.
Mandatory Reporting	Mandatory reporting is the legislative requirement to report suspected cases of child abuse and neglect to government authorities. In Victoria, people registered as Principals, Teachers, Nurses, Medical Practitioners and Police are specifically named in this legislation. Reporting can be made to Child First or Child Protection. In addition, any adult that forms a reasonable belief that a sexual offence has been committed in Victoria against a child under the age of 16 years by another person of or over the age of 18 years must disclose that information to a Police Officer as soon as it is practicable to do so, unless the person has a reasonable excuse for not doing so.
Misconduct that may involve Reportable Conduct	A behaviour that breached a professional code of conduct or workplace expectation (such as a departure from accepted standards that was deliberate or seriously negligent and where the individual was indifferent to the welfare of those affected) and involves one or more of the five types of reportable conduct.

Reasonable Belief	<p>A reasonable belief that a child or young person needs protection, or their safety and wellbeing is at risk, is formed:</p> <p><i>If a reasonable person in the same position would have formed the belief on the same grounds. It does not require proof.</i></p> <p>A 'reasonable belief' may be formed through disclosures, observations, or other information of which you have become aware.</p>
Reportable Allegation	<p>A reportable allegation is made where a person makes an allegation, based on a reasonable belief, that an employee or volunteer has committed reportable conduct or misconduct that may involve reportable conduct. This includes where a reportable allegation is made against the head of the organisation.</p>
Volunteer	<p>A Volunteer is an individual whose time is willingly given for the common good and without financial gain (<i>Volunteering Australia 2016</i>).</p>

9. RELATED LEGISLATION AND DOCUMENTS

Golden Plains Shire policies comply with the *Victorian Charter of Human Rights and Responsibilities*.

This policy is also linked with the following documents and legislation:

Golden Plains Shire Council

- *Code of Conduct*
- *Staff Induction and Departure Policy*
- *Staff Recruitment and Selection Policy*
- *Performance Management and Discipline Policy and Procedure*
- *Performance and Development Planning Policy and Procedure*
- *Managing Staff Grievances Policy and Procedure*
- *Child Safe Reporting Form (to be created)*
- *Child Safe Reporting Process (to be created)*
- *Family Violence Policy and Guide*
- *Child Safe Environment and Wellbeing Policy*
- *Complaints Handling Policy*
- *Volunteers Policy (to be created)*
- *Information Privacy Policy and Procedure*
- *Procurement Policy*

International

- *United Nations Convention on the Rights of the Child, 1989*

Victorian

- *Child Wellbeing and Safety Act 2005*
- *Children Youth and Families Act 2005*
- *Public Records Act 1973*
- *Family Violence Protection Act 2008*
- *The Child Safe Standards*
- *The Reportable Conduct Scheme*

10. HUMAN RIGHTS STATEMENT OF COMPATABILITY

- 10.1 It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act 2006 (Vic). Golden Plains Shire Council is committed to consultation and cooperation between management and staff. Council will formally involve elected staff representatives in any workplace change that may affect is staff.

11. POLICY OWNER

- 11.1 The Coordinator People and Safety is the policy owner.
- 11.2 The policy owner is the individual who is given the responsibility to review, edit and maintain this policy and associated procedure. The policy owner is also the point of contact for any questions regarding this policy.

12. FEEDBACK

- 12.1 The People and Safety Team welcome feedback about this policy. You may provide feedback about this document in person to the Coordinator People and Safety or by emailing hr@gplains.vic.gov.au

13. DOCUMENT INFORMATION

DOCUMENT TYPE:	Organisational Policy
DOCUMENT STATUS:	Approved
DOCUMENT OWNER POSITION:	Coordinator People and Safety
APPROVED BY:	Senior Management Team
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DATE RESCINDED:	Not applicable.

CHILD SAFE POLICY

EVIDENCE OF APPROVAL:	 <hr/>
FILE LOCATION:	Signed by Chief Executive Officer INT23/64E3AFC0
NOTES:	Policy documents are amended from time to time; therefore you should not rely on a printed copy being the current version. Please consult Council's Policy page on the Golden Plains Shire Council website to ensure that the version you are using is up to date. Available at: https://intranet.goldenplains.vic.gov.au/the-hub