

Strathbogie Shire Council Child Safe Policy

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September 2023



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Child Safe Policy

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Responsible Officer:	Director People and Governance

1. PURPOSE

This policy outlines how Council prioritises the safety and wellbeing of children and the steps we will take to guarantee the safety and wellbeing of children.

It sets out Council’s expectation about child safe practices for everyone this policy applies to.

2. POLICY STATEMENT

We aim to create a child safe environment where all children Council interacts with, feel and can be safe. We have a zero-tolerance approach to child abuse and harm.

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We are committed to preventing child abuse and identifying risks early and removing and reducing these risks. Safety concerns will be treated seriously and in line with policies, procedures and the law.

Council will champion a child safe culture which is complying with the **11 Victorian Child Standards**:

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

3. APPLICATION OF THIS POLICY

This policy applies to all councillors, employees, volunteers, contractors and other individuals involved in our organisation.

4. ACCOUNTABILITY AND RESPONSIBILITIES

Role	Responsibilities
Chief Executive Officer	<ul style="list-style-type: none"> • Investigate, with support of relevant staff or external investigators, all incidents of reportable conduct • Report allegations of child abuse which may involve criminal conduct to the police • Notify the Commission for Children and Young People of allegations of reportable conduct within three business days of becoming aware of the allegation • Ensure all councillors, employees, contractors and volunteers are adequately trained to understand their responsibilities in relation to child safety and to detect signs of child abuse and how to prevent it • Ensure all employees, contractors and volunteers are aware of and act in accordance with relevant laws, organisational policies and procedures and the Council's Code of Conduct • Ensure all councillors, employees, contractors are aware of their obligation to report suspected sexual abuse of a child or any other form of child abuse • Provide support to all employees, contractors and volunteers in undertaking their child protection responsibilities
Managers/ supervisors	<ul style="list-style-type: none"> • Promote a child safe culture at all times • Facilitate the reporting of any reportable conduct
Councillors/ employees/ volunteers/ contractors	<ul style="list-style-type: none"> • Attend training and familiarise themselves with relevant laws, organisational policies and procedures and the Council's Code of Conduct relating to child safety and comply with all requirements • If they have formed the reasonable belief that a child has suffered or is likely to suffer significant harm as a result of abuse or neglect report to the relevant authorities (e.g., the Departments of Families, Fairness and Housing Child Protection Intake Service – East Division (1300 360 391) or the police) • Report any suspicion that a child's safety may be at risk to their Manager/ Supervisor/ Coordinator

5. POLICY PRINCIPLES

Cultural Safety, Valuing Diversity, Children's Empowerment and Participation

Council is committed to creating environments where Aboriginal culture is celebrated and Aboriginal children, families and community members are welcomed and included. Council will consult with Aboriginal families and community members to identify opportunities to promote Aboriginal culture. Council provides opportunities for children to share their cultural identity.

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Council values diversity and welcome and support the participation of all children, including children with disability, children from culturally and linguistically diverse backgrounds, LGBTIQ children and Aboriginal children and their families. We have zero tolerance of racism and other forms of discrimination and take action when discrimination or exclusion is identified.

Council is committed to empowering children by seeking to include children's views and ideas when making decisions, especially about matters that directly affect them.

Recruitment, Screening and Training

- Council undertakes a comprehensive recruitment and screening process for all employees/ volunteers/ contractors.
- Appointment of successful applicants for employment and volunteer roles are subject to a satisfactory pre-employment security check. Security checks are conducted for all positions where the requirements of the position would warrant and justify such a check in accordance with the Security Checks CEO Directive.
- Council will undertake thorough reference checks as per the Recruitment, Selection and Appointment CEO Directive.
- Once engaged, employees/volunteers/contractors read and acknowledge their understanding of this Policy.

These measures aim to:

- Promote and protect the safety of all children under the care of the organisation and
- Identify the safest and most suitable people who share the organisations values and commitment to protect children
- Council requires all employees/ volunteers/ contractors engaged in child-related work, or who are occasionally interact with children during the course of performing their job duties, to hold a valid Working with Children Check. Council holds a copy of the check on record.
- Council will provide regular training to employees and volunteers to ensure they understand their responsibilities in relation to child safety.

Complaints and Reporting

Council treats all reports of child abuse and child safety concerns seriously. Council will respond to all complaints and child safe concerns following the process set out in the Council's Complaints, Grievances and Dispute Resolution CEO Directive.

Any councillor, employee, volunteer or contractor who has formed the reasonable belief that a child has suffered or is likely to suffer significant harm as a result of abuse or neglect must immediately notify the relevant authorities (e.g., the Departments of Families, Fairness and Housing Child Protection Intake Service – East Division (1300 360 391) or the police).

In addition, managers/ supervisors must report complaints of suspected child abuse or harm to the CEO, Directors and relevant Managers.

In situations where a manager/ supervisor is suspected of involvement in any abusive activity, or if the person having the suspicion does not believe that the matter is being appropriately addressed or dealt with, the matter should be reported to the next highest level of supervision.

Mandatory Reporting

The Crimes Act 1958 (Vic) states that mandatory reporter is any person 18 years or older. A mandatory reporter must make a report if they form a reasonable belief that a sexual offence

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has been committed in Victoria against a child by another person of or over the age of 18 years.

A child is considered a person under 16 years of age.

Children, Youth and Families Act 2005 (Vic) states that mandatory reporters include:

- registered medical practitioners, midwives and registered nurses, teachers registered or granted permission to teach under the Education, Training and Reform Act 2006, Principals and Police.

A mandated reporter must make a report if:

- They form a belief on reasonable grounds that a child is in need of protection from physical injury or sexual abuse
- The parents cannot or will not protect the child; and
- The belief is formed in the course of practising his/her position of employment.

A child is considered a person under 17 years old.

Voluntary Reporting

Children, Youth and Families Act 2005 (Vic) identifies that any person can be a voluntary reporter. A voluntary reporter may make a report in good faith on any aspect of the wellbeing of a child.

A child is considered a person under 18 years old.

Key Contacts

- **Department of Families, Fairness and Housing during business hours**
Child Protection Intake Service – East Division 1300 360 391
- **After hours and to report concerns about the immediate safety of a child**
Child Protection Crisis Line (24hrs) 13 12 78
- **Victoria Police – Sexual Offences and Child Abuse Investigation Team (SOCIT)**
Eastern Victoria (03) 5820 5878

Privacy and Technology

Council ensures that any personal information is protected in accordance with its Privacy and Data Protection Policy. All personal information of individuals involved, including councillors, employees, volunteers and contractors, will be kept confidential unless disclosure of the information is permitted or required by law.

All councillors, employees, volunteers and contractors are required to protect the privacy of information about children and their families.

All employees and volunteers must ensure that children's rights are protected when using technology and social media in relation to children. They are required to obtain informed consent from parents, guardians, carers or, where appropriate, the child, for taking photos, filming or using images of the child and ensure that the use of technology or social media is not detrimental or harmful to the child. Any content of children on the Council's social media must be appropriate and in line with children's rights.

6. DEFINITIONS

Term	Meaning
Child/ children	means a person who is under the age of 18 years.
Child abuse	means: <ul style="list-style-type: none"> • a sexual offence committed against a child • an offence committed against a child under section 49M (1) of the <i>Crimes Act 1958</i> (Vic), such as grooming • physical violence against a child • causing serious emotional or psychological harm to a child and • serious neglect of a child.
Child safety	means, in the context of the child safe standards, child safety means measures to protect children from abuse.
Council	means the Strathbogie Shire Council
LGBTIQ children	means children who have identified themselves as lesbian, gay, bisexual, transgender, intersex, or questioning
Reasonable belief	means belief based on facts that would lead a reasonable person to think that reportable conduct may have occurred
Reportable conduct	means: <ul style="list-style-type: none"> • a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded or • sexual misconduct, committed against, with or in the presence of, a child or • physical violence committed against, with or in the presence of, a child or • any behaviour that causes significant emotional or psychological harm to a child or • significant neglect of a child.

7. RELATED POLICIES AND LEGISLATION

The following Council, State, regional and national plans and policies are relevant to this policy under each subtitle.

Legislation

- *The Local Government Act 2020* (Vic)
- *Privacy Act 2000* (Vic)
- *Equal Opportunity Act 2010* (Vic)
- *Charter of Human Rights and Responsibilities Act 2006* (Vic)

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- *Human Rights and Equal Opportunity Commission Act 1986* (Cth)
- *The Child Wellbeing Act 2005* (Vic)
- *Child Wellbeing and Safety Amendment Act 2015* (Vic)
- *The Children, Youth and Families Act 2005* (Vic)
- *Crimes Act 1958* (Vic)

Council Related Document

- Councillor Code of Conduct
- Staff Code of Conduct CEO Directive
- Volunteers CEO Directive
- Security Checks CEO Directive
- Recruitment, Selection and Appointment CEO Directive
- Complaints, Grievances and Dispute Resolution CEO Directive
- Privacy and Data Protection Policy

8. POLICY REVIEW

Every two years, and following every reportable incident, a review shall be conducted to assess whether the organisation's child safe policy requires modification to better protect the children under the organisation's care.

9. CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 AND THE EQUAL OPPORTUNITY ACT 2010

Council acknowledges the legal responsibility to comply with the *Charter of Human Rights and Responsibilities Act 2006* and the *Equal Opportunity Act 2010*. The *Charter of Human Rights and Responsibilities Act 2006* is designed to protect the fundamental rights and freedoms of citizens. The Charter gives legal protection to twenty fundamental human rights under four key values that include freedom, respect, equality and dignity.