



SCOPE

This assessment tool is to be used when preparing any new Council Policy or amending/updating an existing policy. It also applies to any new or updated CEO Directive.

WHY DO WE NEED AN ASSESSMENT TOOL?

The Charter of Human Rights and Responsibilities Act 2006 and the Gender Equity Act 2020 both require Council to consider the impacts on rights and responsibilities when making decisions, preparing or updating a new local law, when making changes to council services and when preparing/updating new policies and procedures. Council is also required to consider climate change mitigation and planning in its decisions under section 9 of the Local Government Act 2020. This same act also outlines strategic principles that must be considered when developing or updating policies and directives.

This tool is to guide you through how to complete such an assessment to ensure that Council is meeting its legislative obligations, as well as ensuring there is no unconscious bias or inadvertent adverse implications for peoples' rights when preparing policies and CEO Directives.

HOW DO I USE THIS TOOL?

You must use this tool whenever updating or preparing a new Council Policy or CEO Directive. This assessment will form part of the documentation provide to ELT and Council to inform their consideration of the proposed policy or directive.

All sections of the tool need to be completed – if there are no apparent implications, then please write something along the lines of '*It is considered there are no implications at the time of preparing this document.*' For the Local Government Act 2020 principles, you may include the text '*Not applicable*' if it is irrelevant to the policy or directive.

CONSIDERATION OF PRINCIPLES OUTLINED BY THE LOCAL GOVERNMENT ACT 2020

Principle	Comment
Governance and Strategic Principles (section 9)	
Council decisions are to be made and actions taken in accordance with the relevant law	The Child Safe Policy ensures compliance with relevant laws and in particular meets the legal requirements under the <i>Child Wellbeing Act 2005 (Vic)</i> , the <i>Child Wellbeing and Safety Amendment Act 2015 (Vic)</i> and the <i>Children, Youth and Families Act 2005 (Vic)</i> .
Priority is to be given to achieving the best outcomes for the municipal community, including future generations	Within the framework of the eleven (11) child safe standards as addressed in the policy Council will engage with Aboriginal families and community members to ensure opportunities to celebrate Aboriginal culture and give children the opportunity to share their cultural identity. Through its inclusive culture, Council embraces the municipal community in its diversity and supports the participation of all children, including children with disability, children from culturally and linguistically diverse backgrounds, LGBTIQ children and Aboriginal children and their families. This approach enables Council to achieve the best outcomes for its community.
The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted	There are no direct sustainability considerations arising out of the adoption of the policy.
The municipal community is to be engaged in strategic planning and strategic decision making	There are no significant impacts on this principle.
Innovation and continuous improvement is to be pursued	Through biennial reviews of the policy Council ensures and monitors that all legislative requirements are met, and potential possible human rights and gender equity impacts of the policy's application are taken into consideration.
Collaboration with other Councils and Governments and statutory bodies is to be sought	Where possible we work with other Council to share information.
The ongoing financial viability of the Council is to be ensured	There are no significant impacts on this principle.
Regional, state and national plans and policies are to be taken into account in strategic planning and decision making	The Victorian Child Safe Standards, the Victorian Regulatory Framework for the Child Safe Standards and the Victorian Reportable Conduct Scheme as the relevant plans and policies have been taken into consideration and their requirements are met with the Child Safe Policy.

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The transparency of Council decisions, actions and information is to be ensured	This policy is transparent in regard to the obligations on Councillors, Council Officers and Volunteers when engaging with and/ or providing services to children and young people and also the necessary pre-employment checks as part of the recruitment process employing new Officers.
Community Engagement Principles (section 56)	
A community engagement process must have a clearly defined objective and scope	In the policy the scope of the engagement and interaction with children and young people is clearly set out by the 11 child safe standards and the obligations on Councillors, Council Officers and Volunteers resulting from it.
Participants in community engagement must have access to objective, relevant and timely information to inform their participation	The policy states in clear terms that the principle of engaging with children and young people are set by the 11 child safe standards implemented by the Victorian Government are setting the terms of participation.
Participants in community engagement must be representative of the persons and groups affected by the matter that is the subject of the community engagement	The Policy enables members of our community to raise concerns about Officer, Councillor and Volunteer conduct in terms of the provision of child safety when engaging with or providing services to children and young people.
Participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement;	The Policy outlines the mechanisms available regarding reporting and complaint processes in place to deal with any concerns of child abuse or child safe concerns.
Principle	Comment
Participants in community engagement are informed of the ways in which the community engagement process will influence Council decision making	There are no substantial impacts arising from this policy.
Public Transparency Principles (section 58)	
Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act	There are no substantial impacts arising from this policy.
Council information must be publicly available unless— (i) the information is confidential by virtue of this Act or any other Act; or (ii) public availability of the information would be contrary to the public interest	There are no substantial impacts arising from this policy.
Council information must be understandable and accessible to members of the municipal community	The policy is written in clear and concise language enabling the community to understand the provided information.
Public awareness of the availability of Council information must be facilitated	The Policy is available on Council's website.

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Strategic Planning Principles (section 89)	
A Council must undertake the preparation of its Council Plan and other strategic plans in accordance with the strategic planning principles	There are no significant impacts on this principle.
An integrated approach to planning, monitoring and performance reporting is to be adopted	There are no significant impacts on this principle.
Strategic planning must address the Community Vision	There are no significant impacts on this principle.
Strategic planning must take into account the resources needed for effective implementation	There are no significant impacts on this principle.
Strategic planning must identify and address the risks to effective implementation	There are no significant impacts on this principle.
Strategic planning must provide for ongoing monitoring of progress and regular reviews to identify and address changing circumstances.	There are no significant impacts on this principle.

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Principle	Comment
Financial Management Principles (section 101)	
revenue, expenses, assets, liabilities, investments and financial transactions must be managed in accordance with a Council's financial policies and strategic plans	It is considered there are no significant implications at the time of preparing this document.
Financial risks must be monitored and managed prudently having regard to economic circumstances For the purposes of the financial management principles, financial risk includes any risk relating to the following— (a) the financial viability of the Council (b) the management of current and future liabilities of the Council (c) the beneficial enterprises of the Council	It is considered there are no significant implications at the time of preparing this document.
Financial policies and strategic plans, including the Revenue and Rating Plan, must seek to provide stability and predictability in the financial impact on the municipal community	It is considered there are no significant implications at the time of preparing this document.
Accounts and records that explain the financial operations and financial position of the Council must be kept	It is considered there are no significant implications at the time of preparing this document.
Service Performance Principles (section 106)	
Services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community	This policy provides for the safety of all children and young people, Council engages with or provides services to, regardless of their cultural, ethnic background, gender or any other diversity attribute. As part of the 11 child safe standards diverse needs are addresses in particular.
Services should be accessible to the members of the municipal community for whom the services are intended	It is considered there are no significant implications at the time of preparing this document.
Quality and costs standards for services set by the Council should provide good value to the municipal community	It is considered there are no significant implications at the time of preparing this document.
A Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring	Through regular review of the policy, in light of meeting the child safe standards and creating a child safe environment for all children and young children Council engages with or provides services to, Council will pay attention to and adopt new and innovative approaches to service delivery and ensuring a child safe environment.

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Service delivery must include a fair and effective process for considering and responding to complaints about service provision

It is considered there are no significant implications at the time of preparing this document.

CONSIDERATION OF CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 IMPACTS

Council can limit human rights when those limitations can be justified. This means that Council can continue to make decisions on behalf of the community about how best to balance rights, ensure community safety, and use limited funding for competing public interest challenges.

Are there any human rights implications arising from this policy or directive in relation to the 20 substantive rights? Note: some rights have been excluded that do not apply to local government (eg deprivation of liberty)	Analysis
Recognition and equality before the law (section 8)	The policy recognises and provides equal rights to all children and young people.
Right to life (section 9)	There are no impacts on this right.
Protection from torture and cruel, inhuman or degrading treatment (section 10)	There are no impacts on this right.
Freedom from forced work (section 11)	There are no impacts on this right.
Freedom of movement (section 12)	There are no impacts on this right.
Privacy and reputation (section 13)	There are no impacts on this right.
Freedom of thought, conscience, religion and belief (section 14)	There are no impacts on this right.
Freedom of expression (section 15)	The policy by addressing the 11 child safe standards, in particular empowering children and young people in line with child safe standard 3, ensures that children's and young people's freedom of expression is not impaired.
Peaceful assembly and freedom of association (section 16)	There are no impacts on this right.
Protection of families and children (section 17)	By protecting the rights of children and ensuring the child safe standards are met Council, the policy also provides protection to families to that extent. Otherwise, the policy does not have impact on this right.
Right to take part in public life (section 18)	There are no impacts on this right.
Cultural rights (section 19)	To the extent that the policy ensures child safe standard 1 is met and Council in line with the policy provides a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued, this right is protected by the policy and otherwise not impacted by the policy.

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Property rights (section 20)	There are no impacts on this right.
Liberty and security of person (section 21)	The policy protects this right for children by ensuring the child safe standards are met. Otherwise, this right is not impacted by the policy.
Fair hearing (section 24)	There are no impacts on this right.
Rights in criminal proceedings (section 25)	There are no impacts on this right.
Overall, does the policy, local law or decision raise human rights issues?	The policy does not raise any human rights issues.
Are there any human rights implications arising from this policy or directive in relation to the 20 substantive rights? Note: some rights have been excluded that do not apply to local government (eg deprivation of liberty)	Analysis
Overall, does the policy, local law or directive restrict or interfere with the scope of the human right/s identified? If yes, are the limitations or restrictions reasonably and demonstrably justified under Section 7 of the Human Rights Charter?	No interference, to the contrary, this policy is set out to protect the specific human right of children and young people when interacting with Council.
Are there any less restrictive means reasonably available to achieve the purpose that the limitation seeks to achieve?	The policy does not seek to achieve limitations of human rights.

GENDER EQUITY IMPACT ASSESSMENT

Gender impact assessments (GIAs) are designed to help organisations think critically about how policies, programs and services will meet the different needs of women, men and gender diverse people. The purpose GIAs is to create better and fairer outcomes, and make sure all people have equal access to opportunities and resources.

Your gender can affect your needs and experiences. This means that policies, programs and services can affect people of different genders in different ways. If we don't think about how their work affects different people, they might unintentionally reinforce inequalities.

A gender impact assessment must:

- assess the effects that the policy, program or service may have on people of different genders
- explain how the policy, program or service will be changed to better support Victorians of all genders and promote gender equality
- where practical, apply an intersectional approach to consider how gender inequality can be compounded by disadvantage or discrimination that a person may experience on the basis of other factors such as age, disability or ethnicity.

Step 1 – Defining the issues and challenge your assumptions	
What is the issue the policy or directive is aiming to address (think about why it is needed)?	This policy sets out Council's responsibility to protect children and young people and meeting the 11 child safe standards determined by the Commission for Children and Young People when engaging with or providing service to children and young people. It sets out the obligations on Councillors, Council Officers and Volunteers when interacting with children. It also sets out the process for reporting suspected abuse and child safety concerns.
Are the people who are targeted and impacted by the policy or directive included in the decision-making?	Only to the extent that decisions are made in relation to children's right to be provided with a child safe environment.
Do you think that people of different genders access this policy or directive at the same rate?	Yes
Do the different social roles and responsibilities that people take on affect the way people access and use this policy or directive?	No
Do you think that everyone who accesses this policy or directive has the same needs from it?	The needs might vary for different children. However, the policy is addressing the child safe standards taking these differences into consideration and providing a child safe environment for all children and young people. As far as the policy creates obligations on
Do the different social roles and responsibilities that people take on affect the way people access and use this policy or directive?	No

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What additional needs might there be for people with disabilities, or from different cultural identities, ages, gender identities, sexual orientations or religions?

The policy provides protections to all children, including children with disabilities or with different cultural identities, ages, gender identities, sexual orientations or religions and by providing the child safe environment addresses specific needs.

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Step 2 – Understanding the policy context	
What information is available to understand who is likely to be affected by the policy or directive?	As the policy was developed to address the 11 child safe standards implemented by the Victorian Government it is known that this policy applies to all children and young people Council engages with and / or provides services to.
Do you already have this information?	Yes
How will you find the further information you need? Think about internal data, research, consultation.	Through consultation with all Council Officers as well as volunteers who interact with children.
What did the research and evidence tell you? List key points and references/evidence	N/A
Have you consulted with affected stakeholders on this aspect? State if it was formal or informal consultation. What were the key issues/outcomes/views?	N/A
What information is available to understand the lived experiences of the diverse groups who will be affected?	Limited impact
Do you already have this information?	No
How will you find the further information you need? Think about internal data, research, consultation.	Through engagement with all children and young people Council is engaging with and/ or providing services to.
What did the research and evidence tell you? List key points and references/evidence	N/A
Have you consulted with affected stakeholders on this aspect? State if it was formal or informal consultation. What were the key issues/outcomes/views?	N/A
How is this policy or directive likely to have different impacts for different people?	Limited impact
Do you already have this information?	N/A
How will you find the further information you need? Think about internal data, research, consultation.	N/A
What did the research and evidence tell you?	N/A

List key points and references/evidence	
Have you consulted with affected stakeholders on this aspect? State if it was formal or informal consultation. What were the key issues/outcomes/views?	No
Step 3 – Options analysis	
What are the policy options? For each option describe the proposed policy solution. Provide a brief description of the proposed strategies, activities or service design elements and how they will meet the needs and create benefit for the target audience.	The policy review has not identified any issues of concern that need addressing since the original policy was adopted, therefore it is considered that there are no other policy options that require consideration. The policy meets legislative requirements and no issues have arisen in the application of the policy.
What are the potential policy options and what gendered impact might they have?	It is considered that the policy is gender neutral in its impacts.
What are the gendered costs and risks? <ul style="list-style-type: none"> Who is likely to be negatively impacted by this? How are the most vulnerable groups likely to be impacted? Will this reduce a certain group's access to economic resources or opportunities? If so, are they already disadvantaged? Does it reinforce harmful gender stereotypes, for example, further promoting men in a male dominated industry? 	It is considered that the policy review is gender neutral in its impacts and does not give rise to costs or risks.
What are the gendered benefits? <ul style="list-style-type: none"> Will some people benefit more because they have greater access, or does this policy, program or service do everything it can to ensure resources are distributed and used equally? Will it contribute to transforming gender norms in a positive way? Eg will it contribute to a more balanced distribution of unpaid care labour and family responsibilities between women and men? Will it make women and children safer in public or private spaces? 	It is considered that the policy is gender neutral in its impacts and does not provide gendered benefit.
Will some people benefit more because they have greater access, or does this policy, program or service do everything it can to make sure resources are distributed and used equally?	It is considered that the policy is gender neutral in its impacts and does not provide greater benefits to some people as it provides equal access to all children and young people affected by this policy.
Will it contribute to transforming gender norms in a positive way?	It is considered that the policy is gender neutral and hence will not contribute to positively transforming gender norms.

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Does your policy, program or service potentially have negative unintended consequences for certain groups of people?	It is considered that the policy is gender neutral and will not have negative unintended consequences for certain groups of people.
Overall, do the benefits outweigh the costs or vice versa?	N/A
Step 4 Recommendations	
Provide the rationale for the proposed recommendation and include any mitigation strategies that could be used to avoid any harmful unintended outcome.	N/A
Include here the rationale for your recommendation as well as any mitigation strategies needed. In line with the Gender Equality Act, explain: <ul style="list-style-type: none">• how your recommendation meets the needs of persons of different genders• how it addresses gender inequality• how it promotes gender equality.	N/A

HANDY HINTS

The above questions have been derived from the Gender impact assessment toolkit produced by the Commission for Gender Equality in the public sector. To access the gender equity impact assessment toolkit for more information, please use this link [Gender impact assessment toolkit | Commission for Gender Equality in the Public Sector \(genderequalitycommission.vic.gov.au\)](https://www.genderequalitycommission.vic.gov.au/gender-impact-assessment-toolkit).

For Open Source gender data and research, please use the following resource – the final page is where you will find links to data and resources. [DPC 2011 CGEPS GIA-Templates & Resources FA-Web 0.pdf](#)

For Step 3 the following will assist in identifying whether an impact is a cost or a benefit for gender equity:

Negative or neutral gender impact

- Perpetuates gender inequality by reinforcing unbalanced norms, roles and relations.
- Privileges men over women and gender diverse people (or vice versa).
- Ignores differences in opportunities and resource allocation for people of different genders.
- Does not take into account issues of intersectionality.

Positive gender impact

- Considers gender norms, roles and relations for people of different genders and how they affect access to and control over resources.
- Promotes the elimination of existing gender gaps, or at least a significant reduction of them.

- Addresses the causes of gender-based health inequities, including the prevention of violence against women, girls and gender diverse people.
- Includes ways to transform harmful gender norms, roles and relations.

CLIMATE CHANGE ADAPTATION/MITIGATION AND SUSTAINABILITY CONSIDERATIONS

The Local Government Act 2020 requires council to consider climate change mitigation and adaptation measures in all its key decision making, which includes policy development.

Council has finalised its Climate Change Action Plan after declaring a Climate Emergency in 2021. This Action Plan has 5 key actions areas:

- Protecting our natural environment
- Reducing our emissions
- Our climate resilient community
- Moving sustainability: transport
- Advocating for change.

Strathbogie Shire Council Climate Change Action Plan 2022 – 2027 [Climate Action - Strathbogie Shire](#)

Our Climate Resilient Community	Comment
Increasing heat	There are no impacts at the time of preparing this document.
Changing rainfall patterns, drought conditions, and extreme meteorological conditions	There are no impacts at the time of preparing this document.
Increased bushfire conditions and declining volunteer numbers	There are no impacts at the time of preparing this document.
Increased social impacts	There are no impacts at the time of preparing this document.
Reducing our emissions	Comment
Net Zero by 2025	There are no impacts at the time of preparing this document.
Energy Efficiency	There are no impacts at the time of preparing this document.
Energy Storage	There are no impacts at the time of preparing this document.
Renewable Energy	There are no impacts at the time of preparing this document.
Community Renewable Energy	There are no impacts at the time of preparing this document.
Conserving valuable potable water	There are no impacts at the time of preparing this document.
Stormwater management	There are no impacts at the time of preparing this document.
Adaptive and recycled water resources	There are no impacts at the time of preparing this document.
Keeping our shire green, cool and resilient	There are no impacts at the time of preparing this document.
Advocating for Change	Comment
Are we increasing resilience?	There are no impacts at the time of preparing this document.
What is the impact?	There are no impacts at the time of preparing this document.
Economic benefits	There are no impacts at the time of preparing this document.

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Protecting our natural environment	Comment
Deforestation	There are no impacts at the time of preparing this document.
Rural green infrastructure	There are no impacts at the time of preparing this document.
Increasing our urban canopy	There are no impacts at the time of preparing this document.
Rural roadsides	There are no impacts at the time of preparing this document.
Rivers & Wetlands	There are no impacts at the time of preparing this document.
Benefitting from our native forests	There are no impacts at the time of preparing this document.
Moving sustainably: Transport	Comment
Security of fuel supply	There are no impacts at the time of preparing this document.
Transition to new fuel economy	There are no impacts at the time of preparing this document.
Enabling access to the outdoors	There are no impacts at the time of preparing this document.
Alternative fuel sources	There are no impacts at the time of preparing this document.