

# SAFEGUARDING CHILDREN POLICY

March 2018

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Date Authorised by CEO/EMT:	March 2018
Effective Date:	March 2018
Date to be Reviewed (2 years)	March 2020
Objective Document ID Number:	A4785582
Version Number:	V3.0
CEO Signature	

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## Objective

This policy represents Darebin Council's legislative and moral obligation to ensure that children and young people involved in Council programs and services are safe.

## Scope

All Councillors, employees, contractors, students on placement and volunteers (herein referred to as 'Council representatives') must adhere to this Safeguarding Children Policy.

This policy shall be read and implemented in conjunction with Council's Child Safe Code of Conduct (currently being developed), and other associated policies, practices and procedures to guide Council representatives conduct, both generally and in relation to children and young people.

## Definitions and Key Terms

Aboriginal & Torres Strait Islander Child	A person under the age of 18 who identifies as Aboriginal and/or Torres Strait Islander
Child	A person who is under the age of 18
Child abuse	For the purposes of the Child Safe Standards, abuse constitutes any act committed against a child involving: <ul style="list-style-type: none"><li>• Physical violence</li><li>• Sexual offences</li><li>• Emotional or psychological abuse</li><li>• Neglect</li></ul> Further explanation of these types of abuse is provided in the section 'What is child abuse?'
Child safety	In the context of the Child Safe Standards, child safety means measures to protect a child from abuse.
Child Safe Organisation	In the context of the Child Safe Standards, a child safe organisation is one that meets the Child Safe Standards by <i>proactively</i> taking measures to protect children from abuse.
Council representatives	All Councillors, employees, contractors, students on placement and volunteers working at Council
Cultural safety for Aboriginal Children	The <i>positive</i> recognition and celebration of cultures. It is more than just the absence of racism or discrimination, and more than cultural awareness and cultural sensitivity.
Cultural safety for 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.

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.
Reasonable belief	If an adult has a reasonable belief that an incident has occurred then they must report the incident. Factors contributing to reasonable belief may be: <ul style="list-style-type: none"> <li>• A child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)</li> <li>• Behaviour consistent with that of an abuse victim is observed</li> <li>• Someone else has raised a suspicion of abuse but is unwilling to report it</li> <li>• Observing suspicious behaviour</li> </ul>

## Background

### *Child Safe Standards*

Darebin Council's Safeguarding Children Policy has been developed in response to the Victorian Government's introduction of compulsory minimum standards for organisations that provide programs and services for children and young people to help protect them from abuse.

The [Child Safe Standards](#) (Standards) are designed to drive cultural change in organisations, so that protecting children from abuse is embedded in the everyday thinking and practice of leaders, employees and volunteers; provide a minimum standard of child safety across all organisations; and highlight the role all organisations have in keeping children safe from abuse.<sup>1</sup>

The seven standards include:

1. Strategies to embed an organisational culture of child safety, including through effective leadership arrangements
2. A child safe policy or statement of commitment to child safety
3. A code of conduct that establishes clear expectations for appropriate behaviour with children
4. Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel
5. Processes for responding to and reporting suspected child abuse
6. Strategies to identify and reduce or remove risks of child abuse
7. Strategies to promote the participation and empowerment of children

While the Standards recognise that all children are vulnerable, some children face additional vulnerabilities. As such, the standards provide three overarching principles which must be embedded and reflected in an

<sup>1</sup> <https://ccyp.vic.gov.au/child-safety/being-a-child-safe-organisation/>

organisation's efforts to ensure child safety. These principles are:

- the cultural safety of Aboriginal children
- the cultural safety of children from culturally and/or linguistically diverse backgrounds
- the safety of children with a disability

The [Commission for Children and Young People](#) is the oversight body for the Standards.

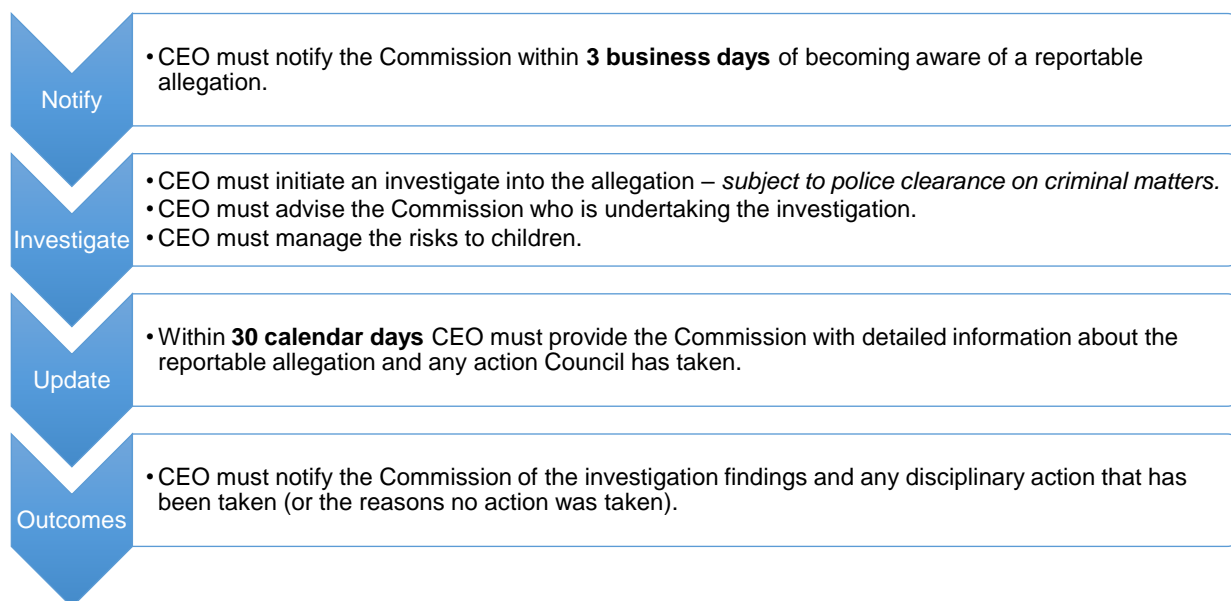
### **Reportable Conduct Scheme**

The Victorian Government has also introduced the [Reportable Conduct Scheme](#) (Scheme) administered by the Commission for Children and Young People.

The Scheme requires organisations to respond to allegations of [child-related misconduct](#) made against councillors, employees, contractors, volunteers and students on placement, and report those allegations to the Commission for Children and Young People.

The Scheme has been designed to ensure that the Commission will be aware of every allegation of employee misconduct involving children in relevant organisations that exercise care, supervision and authority over children.<sup>2</sup>

Under the Scheme, a head of organisation is required to adhere to the following steps. At Darebin Council, this applies to the Chief Executive Officer.



### **Related Legislation, Criminal Offenses and Policies**

The legislation relevant to the obligations attached to the Standards and Scheme include:

- Children Youth and Families Act (2005)
- Working with Children Act (2005)
- Child Wellbeing and Safety Act (2005)
- The Charter of Human Rights and Responsibilities Act (2006)

<sup>2</sup> <https://ccyp.vic.gov.au>

- The Commission for Children and Young People Act (2012)
- Privacy and Data Protection Act (2014)
- Wrongs Amendment (Organisational Child Abuse) Act 2017

The criminal offenses relevant to the obligations attached to the Standards and Reportable Conduct Scheme include:

- Failure to protect a child from sexual abuse (2015)
- Failure to disclose child sexual abuse (2014)
- Grooming offence (2014)

Darebin Council policies, plans, procedures and frameworks relevant to the obligations attached to the Standards and Scheme include:

- Incident Management Policy
- Disciplinary and Unsatisfactory Work Performance Requirements Guide
- Equal Employment Opportunity Policy
- Family Violence Commitment (as articulated in Council’s Enterprise Agreement)
- Working with Children Policy Check
- Inclusion Access and Equity Framework
- Councillor Code of Conduct
- Excellence in Governance – Employee Code of Conduct
- Recruitment and Selection Policy

### What is Child Abuse?

This policy acknowledges that there is a continuum of abuse of children. All such events, regardless of whether they are seen as ‘harm’ or ‘abuse’ are damaging. Expressing concern regarding behaviour where there is a risk of physical or emotional harm to a child will help in preventing more serious abuse.<sup>3</sup>

Physical	Physical violence occurs when a child suffers, is likely to suffer, or threatened with suffering significant harm from a non-accidental injury or injuries inflicted by another person. Physical violence can be inflicted in many ways including beating, shaking, burning or use of weapons (such as, belts and paddles).
Sexual	Sexual offences occur when a person involves a child in sexual activity, or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to his/her age and development. Child sexual abuse can involve a range of sexual activities including fondling, masturbation, penetration, voyeurism and exhibitionism. It can also include exposure to or exploitation through pornography or prostitution, as well as grooming behaviour.

<sup>3</sup> Sourced from Commission for Children and Young People – a guide for creating a child safe organisation.  
<http://www.cryp.vic.gov.au/downloads/creating-a-childsafe-organisation-guide.pdf>

Emotional or Psychological	Serious emotional or psychological abuse occurs when harm is inflicted on a child through repeated rejection, isolation, or by threats or violence. It can include derogatory name-calling and put-downs, or persistent and deliberate coldness from a person, to the extent where the behaviour of the child is disturbed or their emotional development is at serious risk of being impaired. Serious emotional or psychological abuse could also result from conduct that exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risk behaviours.
Neglect	Serious 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.
Grooming	Grooming is an offence which targets communication by an adult, including online communication, with a child or their parents, with the intent of committing child sexual abuse.
Family Violence	Family Violence can include physical violence or threats, verbal abuse, emotional and psychological abuse, sexual abuse and financial and social abuse.

## Policy

### *Principles*

This Policy is based on principles that aim to embed a culture of child safety by:

- Council and Council representatives understanding their obligations under the Standards
- Promoting a culture of child safety by increasing understanding and awareness through the provision of information
- Implementing the processes that assist Council to recruit the best applicants to work with children
- Promoting practice that is preventative, proactive and participatory approach to child safety
- Encouraging the empowerment of children to participate in decisions which affect their lives
- Fostering a culture of openness that supports all persons (including children) to safely disclose risks of harm to children
- Respecting diversity in cultures while keeping child safety paramount
- Promoting the safety of children with a disability
- Providing guidance on reporting child safety concerns, suspected abuse, neglect or mistreatment of children promptly both internally within council and to the appropriate authorities
- Consulting with and value the input and regular communication with families and carers
- Communicating via Council's Code of Conduct that appropriate conduct and behaviour towards children is expected at all times

### *Key Responsibilities and Roles*

In accordance with the Standards and Scheme, every Council representative has a responsibility to understand their specific role and responsibility in ensuring the wellbeing and safety of all children, as outlined below.

Role	Key Responsibilities
Council representatives	<ul style="list-style-type: none"> <li>• Complete compulsory training</li> <li>• Conduct work according to the requirements of this Safeguarding Children Policy, the Safeguarding Children Code of Conduct and other relevant policies and procedures</li> <li>• Report all concerns regarding child safety or harm to the Child Safety Officer</li> </ul>
Chief Executive Officer (Head of Organisation)	<ul style="list-style-type: none"> <li>• Notify the commission within 3 business days of becoming aware of a reportable allegation</li> <li>• Investigate an allegation, provide advice to the Commission for Children &amp; Young People about who is undertaking the investigation</li> <li>• Manage risks to children and young people</li> <li>• Provide the Commission for Children &amp; Young People with detailed information about the reportable allegation and any action Council has taken within 30 days</li> <li>• Notify the Commission for Children &amp; Young People of the investigation findings and any disciplinary action that has been taken (or the reasons no action was taken).</li> </ul>
Child Safety Officer	<ul style="list-style-type: none"> <li>• Act as the first point of contact for child safety concerns or allegations of abuse within council and provide support to other personnel</li> <li>• Oversee the implementation of Child Safe policy and procedures</li> <li>• Engage the assistance of expert advice as required when the nature of the child safety issue is beyond experience, knowledge or qualifications. This expert advice might be provided by the Commission for Children and Young People, the Police or the Australian Childhood Foundation.</li> <li>• Confirm relevant authorities have been notified. ie Department Health &amp; Human Services (DHHS) child protection, Police for imminent risk and the Commission for Children &amp; Young People of reports of allegations of child abuse and misconduct towards children.</li> </ul>
Managers & Coordinators	<ul style="list-style-type: none"> <li>• Receive reports of child safety concerns or allegations of abuse within council</li> <li>• Offer support to the child, the parents, the person who reports and the accused employee or volunteer</li> <li>• Initiate internal processes to ensure the safety of the child, clarify the nature of the complaint and commence disciplinary process (if required)</li> <li>• Decide, in accordance with legal requirements and duty of care, whether the matter should/must be reported to the police or Child Protection and make report as soon as possible if required.</li> </ul>



Hiring Managers, Coordinators and Team Leaders	<ul style="list-style-type: none"> <li>• Ensure employees and volunteers have access to and are aware of the Child Safe Policy and procedures</li> <li>• Ensure that new workers complete compulsory training</li> <li>• Conduct recruitment practices in line with Council's recruitment and selection guideline requirements for child related work, including verification of credentials and reference checks.</li> </ul>
People & Development	<ul style="list-style-type: none"> <li>• Apply relevant recruitment and pre-employment screening</li> <li>• Provide information (including Code of Conduct) relating to the Child Safe Standards and Policy via training / Induction material and make available to managers, team leaders and coordinators for dissemination</li> <li>• Manage Council's disciplinary procedures as they apply to the Child Safe Standards and Policy</li> <li>• Support employees to build resilience and cope with child abuse incidences (e.g. Employee Assistance Program (EAP) service)</li> <li>• Reflect a culture of child safety in Learning and Development activities</li> <li>• Ensure information is available on line and updated</li> </ul>

## **Supporting Processes**

### Organisational Assessment and Annual Review

An organisational assessment has been undertaken to better understand the programs and services offered to children and young people; individual team policies, practices and procedures in relation to ensuring child safety; the risks to children and young people inherent in the current mode of program and service delivery; and ascertaining the organisation's and specific team's readiness to implement the Safeguarding Children Policy. This assessment will form the basis of an organisation-wide as well as team specific action plans which will address the gaps identified.

An annual review of organisational policies, practices and procedures will ensure Council's success in maintaining a child safe organisation.

### Training

Ongoing training and education is important to ensure all Council representatives understand that child safety is everyone's responsibility. All Council representatives will be made aware of their obligations and expectations in working for a Child Safe Organisation via this policy, the Safeguarding Children Code of Conduct, new employee induction, online and face-to face training sessions.

### Recruitment

Council's commitment to child safety will be further demonstrated in Council's recruitment and selection policies and processes. Council will be actively promoted as an organisation committed to child safety in position descriptions and position advertising. The engagement of employees will be subject to robust reference checking, interviews and where appropriate psychometric testing, working with children and criminal history checks.

## Retention of Records

All records will be retained in accordance with Council's record keeping requirements under the Public Records Act 1973 and privacy requirements under the Privacy & Data Protection Act 2014 and Council's Privacy Policy.

## Promoting Equity and Diversity

Council representatives must ensure that their approach and interactions with children and young people are sensitive, respectful and inclusive of all backgrounds and abilities.

In interacting with children who are Aboriginal or Torres Strait Islander, from culturally and/or linguistically diverse backgrounds, or who have a disability, Council representatives will ensure cultural safety, participation and empowerment.

This includes supporting children and young people to understand their rights, promoting and encouraging children's participation in decision-making, and valuing and respecting children's opinions.

## ***Safeguarding Children Behavioural Code of Conduct***

A comprehensive Code of Conduct will be developed to provide direction to all Council representatives about the behavior required to ensure child safety, how best to support children, and manage problematic situations.

Breaches of the Code of Conduct may result in disciplinary action, which depending of the misconduct, may include suspension while matters are investigated and/or dismissal. In addition to any internal proceedings, any breaches of law will be reported to the police.

If an allegation has been made against a Council representative relating to inappropriate behaviour towards a child or young person outside of work, Council reserves the right to stand that person down during the investigation period.

## ***Reporting a Child Safety Concern or Complaint***

All Council representatives are expected to immediately report (that is, immediately following an occurrence, or on the same day):

- Any allegations of child abuse that a representative becomes aware of
- Any concern for the safety of a child or young person in Council's programs or services
- Any practice or behaviour demonstrated by a Council representative which is contrary to the expectations of behavior set out in this Safeguarding Children Policy and Code of Conduct

All incidents or breaches of child safety must be recorded on Council's Safeguarding Children Incident Reporting form, and be submitted to Council's Child Safety Officer (Manager, People and Development).

It is important to note that a Council representative does not need to be *absolutely* certain that abuse has occurred: if there is suspicion that a child is at risk of harm, this must be reported immediately.

Council's child safety reporting process is outlined in the diagram which follows. Any questions in relation to this process must be directed to the Child Safety Officer (Manager, People and Development).

In addition to the process outlined in the diagram, other department-specific processes of reporting may also need to be undertaken. Please note that these department-specific processes do not replace the organisational process outlined in the diagram which follows – they are in addition to the organisational process.

All information disclosed and gathered in the reporting and investigation process will be kept securely and confidentially in accordance with privacy requirements under the Privacy & Data Protection Act 2014 and Council's Information Privacy Policy.

### ***Monitoring and Review of Policy***

This policy will be reviewed every two years in consultation with key stakeholders.

There may be circumstances which trigger an early review. This includes but is not limited to legislative changes, organisational changes, incident outcomes, and other matters deemed appropriate by the Chief Executive Officer.

Council retains records of each review undertaken. These records are will include changes to policies and procedures which result from that review.

### ***Dispute Resolution Process***

Any dispute or grievance arising in relation to the Policy should be addressed in accordance with the Dispute Resolution Procedures set out in Council's Enterprise Agreement. In the first instance, an aggrieved employee is expected to raise their concerns with their Manager.

# REPORTING A CHILD SAFETY CONCERN OR COMPLAINT

**You Must Take Action**  
As a representative of Council, you play a critical role in protecting children and young people.

The following flowchart outlines the four critical steps when **responding to incidents, disclosures, and suspicions of child abuse**.

<p><b>1. RESPONDING</b></p> <p><b>If a child is at risk of immediate harm you must ensure their safety by:</b></p> <p>Separating alleged victims and others involved</p> <p>Administering first aid</p> <p><b>000</b></p> <p>Calling '000' for medical and/or police assistance to respond to immediate health or safety concerns</p> <p><b>CEO</b></p> <p>Notifying the Child Safety Officer (Manager, People and Development) and/or the CEO who will remain the contact person for future liaison with police and other agencies</p> <p><b>If there is no immediate harm go to Action 2</b></p>	<p><b>2. REPORTING</b></p> <p>Any incident must be documented on the Safeguarding Children Incident Report Form</p> <p><b>Where does the source of suspected abuse come from?</b></p> <table border="0"> <tr> <td data-bbox="319 515 526 985"> <p><b>Within the organisation</b></p> <p><b>CEO</b></p> <p>Report to Child Safety Officer and/or CEO</p> <p><b>CEO</b></p> <p>Child Safety Officer and/or CEO must notify the Commission for Children and Young People (CCYP) within 3 business days of becoming aware of any reportable disclosure, allegation, suspicion or breach</p> <p><b>CEO</b></p> <p>If the reported disclosure, allegation, suspicion or breach constitutes a criminal offence, the police must also be notified</p> </td> <td data-bbox="526 515 734 985"> <p><b>Within the family or community</b></p> <p>You may report to Council's Child Safety Officer who, if necessary, will report to the Police or Child Protection Office</p> </td> </tr> </table>	<p><b>Within the organisation</b></p> <p><b>CEO</b></p> <p>Report to Child Safety Officer and/or CEO</p> <p><b>CEO</b></p> <p>Child Safety Officer and/or CEO must notify the Commission for Children and Young People (CCYP) within 3 business days of becoming aware of any reportable disclosure, allegation, suspicion or breach</p> <p><b>CEO</b></p> <p>If the reported disclosure, allegation, suspicion or breach constitutes a criminal offence, the police must also be notified</p>	<p><b>Within the family or community</b></p> <p>You may report to Council's Child Safety Officer who, if necessary, will report to the Police or Child Protection Office</p>	<p><b>3. INVESTIGATING</b></p> <p>Council must undertake an investigation of the reported disclosure, allegation, suspicion or breach (subject to police clearance on criminal matters), and must advise the Commission who is undertaking the investigation</p> <p>Council must notify the Commission of the investigation findings and any disciplinary action taken as a result (or the reasons if no action is taken)</p> <p>Actions resulting from the investigation to be implemented - these may include but are not limited to disciplinary actions, and policy and procedure updates</p>	<p><b>4. CONTACTING &amp; SUPPORTING</b></p> <p>Council must manage risks for children and young people</p> <p>Council should provide support for children and young people impacted by abuse which could include: the development of a safety plan, direct support and/or a referral to wellbeing professionals</p> <p><b>CEO</b></p> <p>Council must consult with the Commission for Children and Young People and/or the Child Protection Office and/or the police to determine whether the information can be shared with parents/carers</p> <p>Throughout the process, support should be offered to the child, the parent/s and/or guardian, the person who has made the initial report, and the accused Council representative</p>	<p><b>KEY CONTACTS</b></p> <p><b>CEO</b></p> <p><b>Chief Executive Officer,</b> Sue Wilkinson Phone: (03) 8470 8608</p> <p><b>CEO</b></p> <p><b>Child Safety Officer,</b> Katina Angelofsky, Manager People and Development Phone: (03) 8470 8203 Mobile: 0419 764 134</p> <p><b>CEO</b></p> <p><b>Child Protection Office</b> Phone: 1300 664 977</p> <p><b>CEO</b></p> <p><b>Commission for Children and Young People (CCYP)</b> Phone: (03) 8601 5281 childsafestandards@ccyp.vic.gov.au</p> <p><b>000</b></p> <p><b>Police 000</b> or your local police station</p>
<p><b>Within the organisation</b></p> <p><b>CEO</b></p> <p>Report to Child Safety Officer and/or CEO</p> <p><b>CEO</b></p> <p>Child Safety Officer and/or CEO must notify the Commission for Children and Young People (CCYP) within 3 business days of becoming aware of any reportable disclosure, allegation, suspicion or breach</p> <p><b>CEO</b></p> <p>If the reported disclosure, allegation, suspicion or breach constitutes a criminal offence, the police must also be notified</p>	<p><b>Within the family or community</b></p> <p>You may report to Council's Child Safety Officer who, if necessary, will report to the Police or Child Protection Office</p>					

# Safeguarding Children Incident Reporting Form



the place  
to live

## Details of Council representative reporting an incident

Date of Submission:

Name:

Department:

Work telephone number:

Mobile telephone number:

Email address:

## Details of service/program/area in which incident occurred

Comments:

## Alleged Perpetrator Information and Description of Allegation(s)

First name:

Middle name (if applicable):

Last name:

Is this person over 18 years of age?  YES  NO

Gender:

Length of involvement with service/or employment with Council:

Role of alleged perpetrator:

Comments:

Number of children involved:

Comments:

Age, gender, disability of victims:

Comments:

**Details of the alleged conduct**

When did the alleged conduct occur?

Comments:

Where did the alleged conduct occur?

Comments:

Allegation type (Physical, Psychological, Sexual):

Comments:

Additional information relating to allegation

Comments:

Has this matter been reported to the Police?  YES  NO

If YES, please provide details of the Officer's rank and contact details

What immediate action(s) were taken to further reduce harm to the child/ children?

Comments:

Please submit this form immediately to Council's Child Safety Officer,  
Angela Johnson, Manager People and Development via email to:  
[Angela.Johnson@Darebin.vic.gov.au](mailto:Angela.Johnson@Darebin.vic.gov.au)