

Safeguarding Children

Code of Conduct

August 2020



Statement of Commitment

Darebin City Council prides itself on being a child safe organisation with zero tolerance for child abuse.

We recognise our legal and moral responsibilities to keep children and young people safe from harm; we promote their health and well-being, and support their best interests. We have policies, procedures, and training in place that support our leadership team, employees and volunteers to achieve these commitments.

We create environments where all children, including children with a disability, Aboriginal children, and children from cultural and linguistically diverse backgrounds, have a voice - they are listened to, their views are respected and they contribute to how we plan for, design and implement our services and activities.

Safeguarding Children Code of Conduct

This Safeguarding Children Code of Conduct (Code) must be read in conjunction with Council's Safeguarding Children Policy which outlines Council's legislative and moral obligation to ensure that children and young people involved in Council programs and services are safe from harm and abuse.

The Code has been developed to provide direction on how to support children, and avoid or manage challenging situations. The Code applies to Council Representatives (Representative/s)

and includes Councillors, employees, contractors, students on placement and volunteers working at Council.

Breaches of this Code may result in disciplinary action, which depending on the type of misconduct, may include suspension while matters are investigated, and/or dismissal. In addition to any internal proceedings and reporting, all incidents will be reported to the Commission for Children and Young People and any breaches of law will be reported to the police.

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

Representatives will, wherever possible, encourage children and young people to provide input into, and participate in all relevant organisational activities, especially in relation to issues that are important and relevant to them, and will ensure that children and young people participating in Council programs or services are aware of Council's expectation in relation to acceptable behaviour so that a positive experience can be provided for all participants.

Under no circumstances will Representatives take punitive action involving physical punishment or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating.

Council's Expectations

Role boundaries

Representatives should not, of their own volition or at the request of a program or service user, act or engage in activities, or provide additional support or care outside the confines of their duties (as specified in their position description) when delivering a Council program or service.

This includes but is not limited to:

- Provide unauthorised transportation to a child or young person
- Provide a babysitting/nanny service to a child or young person
- Seek contact with a child or young person, or former participants, outside Council services or programs, (for example, via social media)
- Accept an invitation to attend any private social function at the request of a child or young person who has participated, or is participating, in Council programs or services, including at the request of their family
- Develop any 'special' relationships with a child or young person that could be seen as favouritism (for example, offering gifts or special treatment for specific children)
- Engage in open discussions of a mature or adult nature in the presence of children (for example, personal social activities).

Pre-existing Relationships with Children and Young People

Council recognises that some Representatives may have pre-existing relationships with children and young people who access Council's programs and services, and as such may, in some instances, undertake babysitting/nanny/transport services and/or attend a function at the request of a child or young person, or their parent/guardian. To ensure the safety of children and young people, Representatives are required to disclose pre-existing relationships to Council's Child Safety Officer/s.

If a Representative is required to provide assistance to a child or young person which is beyond the expectations of that person's role, or beyond the scope of Council's usual programs or services, the Representative should immediately:

- Refer the matter to Council's Child Safety Officer (currently the Manager People and Development) and/or CEO
- Seek advice from management
- Call 000 if the child or young person is in immediate danger

Council provides a broad range of services including direct and indirect services to children and young people. We acknowledge that Representatives of Council will at times need to apply commonsense and good judgement when dealing with exceptional circumstances and/or critical instances involving children or young people.

If a Representative is ever in doubt about a situation, it is their responsibility to seek advice from management before escalating their concerns to the Child Safety Officer/s.

Language and tone of voice

Representatives, in the presence of children and young people, will use language and a tone of voice which:

- Provides clear direction
- Is reassuring
- Is not discriminatory, racist or sexist
- Is not derogatory, belittling or negative
- Is not intended to threaten or frighten
- Is not profane or sexual

Supervision

Representatives are required to avoid one-to-one unsupervised situations with children and young people to whom Council provides programs and services, and (where appropriate and possible) conduct all activities and/or discussions with children and young people in view of other adult colleagues. Council acknowledges that this may not be possible in the provision of some services such as Family Services and Youth Services, and in providing supervision to work experience students.

Representatives responsible for supervising children and young people participating in Council programs or services must ensure that those children are not exposed to risks that pose a threat to their health, safety or welfare – this includes risks posed by other children and young people.

Electronic and online communications

All Representatives are required to follow Council's Publishing Policy, Brand and Sub-Brand Guidelines, and all other policies in relation to electronic communications and social media. All electronic communication between Representatives and children and young people must be authorised by a direct Manager. Where the direct Manager is unable to provide guidance the communication should be referred to the Communications Unit. No personal electronic mediums can be used to communicate with children or young people.

Representatives must not have any online contact with a child's parent/s/guardian unless it is transparent to the organisation and forms part of an approved program (for example distribution of e-newsletters or responding to enquiries via Council's public Facebook pages).

Where a parent and/or guardian is not included in the communication (for example, direct messaging via social media/text messaging):

- Restrict such communication to issues directly associated with delivering Council programs and services, such as advising that a scheduled event is cancelled
- Ensure that this communication is via a channel which is visible and accessible to the manager or direct supervisor of that team

Giving gifts

Representatives are prohibited from giving personal gifts to children and young people to whom Council provides programs and services.

It is permissible however to give promotional, corporate, or recognition of service (student placement) gifts, for example a Council logo pin, library bag or drink bottle, to children or young people visiting Council as part of a school group visit. In this case each child or young person in the group should receive the same items.

Photographs of children and young people

Images (photograph and film) of children and young people should only be taken for the purpose of promoting, documenting and publishing Council run programs, services and events.

The following requirements must be met for all images of children and young people:

- Prior permission to photograph or film the child or young person is granted by the parent or guardian of the child or young person via Council's Appearance Release form
- The context is directly related to participation in or promotion of Council services or programs
- The child or young person is appropriately dressed and posed
- Each time an image of a child or young person is used, parental and/or guardian approval is obtained
- Any caption or text which accompanies an image is checked so that it does not identify a child or young person if such

identification is potentially detrimental

- Images are not to be distributed to anyone outside of Council other than the child or young person's parent and/or guardian, without the written approval of the child or young person's parent and/or guardian
- Images are stored in compliance with Council's obligations, the Privacy & Data Protection Act 2014 and Council's Information Privacy Policy

Physical contact with children and young people

Any physical contact with children and young people must be in a manner which is safe and adheres to the Child Safe Standards. Physical contact must be appropriate to the delivery of Council services and programs.

Representatives should not under any circumstances have any physical contact with children or young people participating in Council programs and services that:

- Involves touching of genitals, buttocks, the breast area except what is required as part of delivering first aid, medical or allied health services (for example, Maternal and Child Health Nurses). If contact with these areas was required as part of delivering such services, it should be in the presence of another staff member, or parent/guardian of the child.
- Would appear to a reasonable observer to have a sexual connotation
- Intends to cause pain or distress to the child or young person
- Is physical, for example, wrestling, horseplay, tickling or other roughhousing

- Is unnecessary, for example, assisting with toileting when a child does not require assistance
- Is initiated against the wishes of the child or young person, except if such contact may be necessary to prevent injury to the child or young person or to others, in which case:
- Physical restraint should be a last resort and only occur in an urgent or emergency situation, for example, when applying first aid
- The level of force used must be appropriate to the specific circumstances, and aimed solely at restraining the child or young person to prevent harm to themselves or others, for example, a school crossing supervisor removing a child off a crossing to prevent injury.

Representatives involved in the delivery of personal care support must operate within the parameters of their role and all specified instructions documented in the clients care plan are adhered to (for example, showering, dressing, managing incontinence and personal hygiene).

All such incidents must be reported to the Child Safety Officer or direct manager as soon as possible, and any physical contact initiated by a child or young person that is sexual and/or inappropriate must be reported to the Child Safety Officer.

Overnight stays and sleeping arrangements

Council will not support overnight stays or sleep outs involving children and young people without a thorough risk analysis and approval of the Child Safety Officer and the Chief Executive Officer

Change room, group fitness room and consultation room arrangements

If Representatives are required to supervise children and young people in change rooms, group fitness rooms or consultation rooms, they should avoid:

- One-to-one situations with a child or young person in a change rooms, group fitness rooms and consultation rooms
- Using change rooms, group fitness rooms and consultation rooms to undress while children and young people are present.

Representatives should:

- Ensure adequate supervision in group fitness rooms and consultation rooms when they are used
- Provide the level of supervision required to prevent abuse by members of the public, adult service users, peer service users, or general misbehaviour, while also respecting a child or young person's privacy
- Only enter change rooms in the event of any emergency, for example applying First Aid
- ensure via signage and other means that no photographs, videos or other recordings are made in change rooms, group fitness rooms and consultation rooms, or in other areas owned, managed or operated by Council

Uniform or identity card/pass/badge

Representatives should at all times wear Council identification/uniform when delivering Council programs and services to children and young people.

Use, possession or supply of alcohol or drugs

While on duty, Representatives must not:

- Use, possess or be under the influence of a illegal drugs
- Be incapacitated by alcohol or legal drugs such as, prescription or over-the-counter medications that interfere with a person's ability to care for children involved in a Council service or program
- Supply alcohol or drugs (including tobacco) to children and young people participating in Council programs and services unless as a result of administering First Aid.

Transporting children

Children and young people are to be transported only in circumstances that are directly related to the delivery of Council programs and services (for example, transporting a work experience student), and only with the permission of the child or young person's parent/guardian

Where transportation of a child or young person requires a Representative to be one-on-one with that child or young person, it must be:

- In order to remove a child or young person from harm or threat of harm
- In order to connect a child or young person during work hours with a service or program essential to their wellbeing (for example, Youth Services transporting a young person to Court).

In these cases, the representative must advise the Child Safety Officer, or a manager who will advise the Child Safety Officer of:

- The form of transport proposed, such as private car, public transport
- The reason for the journey
- The route to be followed, including any stops or side trips
- Details of who will be present during the journey

Reporting a child safety concern or complaint

All 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 Code.

All incidents or breaches of child safety must be recorded on Council's Safeguarding Children Incident Reporting Form (available in the Policy), and be submitted to Council's Child Safety Officers, Sue Wilkinson (CEO) or Natasha Ralston (Manager People and Culture).

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 CEO.

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

Dispute resolution process

Any dispute or grievance arising in relation to the Code or Policy should be addressed in accordance with Council's Grievance Procedure or Dispute Resolution Clause in Council's Enterprise Agreement. In the first instance, an aggrieved employee is expected to raise their concerns with their manager.

Foot note

This document will act as a reference point for all departments when carrying out the following work practices on an ongoing basis:

- ☑ Review and update of existing standard operating procedures
- ☑ Completion of risk assessments for services, programs or events delivered by Council involving the participation or attendance of a child or young person
- ☑ An audit to address the child safe aspects of Council owned and operated facilities. This may be as part of a regular site audit process that is carried out as part of council business.

Any exceptions to this Code must be referenced in the department's operating procedures and be consistent with the principles of the Victorian Child Safe Standards.

All Manager's will be required to provide evidence that they have communicated to employees any changes to work practices to improve child safety and ensure that People and Development are provided with a copy.

Contact

All queries and reports must be directed to Council's Child Safety Officers:

Manager People and Culture

8470 8575

Sarah.noel@darebin.vic.gov.au

Chief Executive Officer

8470 8608 or

Sue.Wilkinson@darebin.vic.gov.au

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National Relay Service
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If you are deaf, or have a
hearing or speech impairment,
contact us through the
National Relay Service.



Speak Your Language
T 8470 8470

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हिंदी	ਪੰਜਾਬੀ	Tiếng Việt