

Safeguarding Children Policy

Purpose

This Policy outlines Darebin City Council's child protection principles and objectives, and the obligations of Council's staff and others to keep children safe and well.

Scope

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

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

Definitions and Abbreviations

Aboriginal and Torres Strait Islander Child

A person under the age of 18 who identifies as Aboriginal and/or Torres Strait Islander person

Child

A person who is under the age of 18

Child Safe Standards

The Child Safe 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.

Child abuse

For the purposes of the Child Safe Standards, abuse constitutes any act committed against a child involving:

- Physical violence
- Sexual offences
- Emotional or psychological abuse
- Neglect

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

An organisation that meets the child safe standards by proactively 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 and Torres Strait Islander children

This recognises the additional vulnerability of Aboriginal and Torres Strait Islander children due to systemic issues of racism, discrimination, and history of removal of children from their families. It requires an understanding of the impact of past and present practices, and cultural awareness and cultural sensitivity regarding Aboriginal and Torres Strait Islander children and their families.

Cultural safety for children from culturally and / or linguistically diverse backgrounds



This recognises the additional vulnerability of children who identify 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 parent's identification on a similar basis.

Children with a disability

This recognises the additional vulnerability of children with a disability, which includes 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.

Children who identify as gay, lesbian, bisexual, transgender, intersex and queer

This recognises the additional vulnerability of children who identify as gay, lesbian, transgender, intersex or queer. It requires that organisational practices do not have the effect of treating any child adversely because of their sex, gender or sexuality.

Reasonable belief

If an adult has reasonable grounds to believe that an incident has occurred, then they must report the incident. Factors contributing to reasonable belief may be:

- A child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)
- Behaviour consistent with that of an abuse victim is observed
- Someone else has raised a suspicion of abuse but is unwilling to report it
- Observing suspicious behaviour

Policy Statement(s)

Darebin City Council has zero tolerance for child abuse. Council aims 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 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, valuing the input of, and regularly communicating with families and carers
- Communicating via Council's Code of Conduct that appropriate conduct and behaviour towards children is expected at all times

Four key principles underpin this policy:



Principle 1: We are committed to supporting child wellbeing and safety and protecting children in our work. To help ensure children are safe and well, we apply a holistic view of children's wellbeing and an understanding of child safe practices. We recognise:

- Children have the right to feel safe and well, and to be safe and well, at all times.
- Children form one of the most vulnerable groups in our community.
- We often work in contexts where children experience heightened vulnerability or whose own circumstances give rise to additional vulnerability, including:
 - Children from Aboriginal and Torres Strait Islander backgrounds and children with cultural and linguistic diverse backgrounds who must be provided special considerations for cultural safety and identity.
 - Children with disability may experience additional vulnerability. These needs require additional consideration.
 - Children who identify as gay, lesbian, bisexual, transgender, intersex and queer.

Principle 2: We value and respect children. The best interests and the views of children are central to our decision making and actions. We are committed to upholding the rights of the child and to applying, so far as practicable, the principles of the United Nations Convention on the Rights of the Child.

Principle 3: We have zero tolerance for any form of child abuse, neglect or exploitation.

Principle 4: We act in accordance with Australian legal standards and obligations, in the context of international legal conventions, declarations and agreements relating to children's rights and protection¹.

Approach

We support children to be and feel well and safe through:

Facilitating opportunities for children to build on their strengths and enhance their resilience, by:

• providing opportunities for children to engage in activities that are inclusive, meaningful, safe, and educational.

Working with their families and communities to prevent and reduce their vulnerability, by:

- supporting and empowering their families and carers to meet their needs
- minimising the risk of abuse, neglect and exploitation of children in their daily life including support for their families (so far as reasonably practicable) and when in contact with our activities
- actively seeking their participation actively seeking their participation in our work including design, implementation, monitoring and review.

Embedding a child safe organisational culture by:

- managing the risk of employing or engaging persons who may pose a danger to the safety or wellbeing of children in child-related work
- providing our staff and people within the scope of this policy with the knowledge and skills to keep children safe and minimise risks to children

¹ Including: United Nations Convention on the Rights of the Child (UNCRC); Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography; Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts; Geneva Declaration of the Rights of the Child; International Labour Organisation Convention 182: Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.



- providing easy ways and support to report child protection concerns and take action when:
 - there are reasonable grounds to suspect that a child is at risk of child abuse, neglect or exploitation or that child abuse, neglect of exploitation has occurred
 - o child abuse, neglect or exploitation has been disclosed
 - there are reasonable grounds to consider that a breach of this Policy or of the Safeguarding Children Code of Conduct may have occurred.
- requiring contractors and partner organisations to apply child protection standards in their activity with Council.

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) https://ccyp.vic.gov.au/child-safety/being-a-child-safe-organisation/the-child-safe-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. https://ccyp.vic.gov.au/child-safety/being-a-child-safe-organisation/

The seven standards require:

- 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
- 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 for children facing additional vulnerabilities which must be embedded and reflected in an 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) https://ccyp.vic.gov.au/assets/resources/About-the-Reportable-Conduct-Scheme.pdf administered by the Commission for Children and Young People.

The Scheme requires organisations to respond to allegations of child-related misconduct https://ccyp.vic.gov.au/assets/resources/What-is-reportable-conduct.pdf 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. https://ccyp.vic.gov.au/

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.

• CEO must notify the Commission within 3 business days of becoming aware of a reportable allegation.

 • CEO must initiate an investigate into the allegation – subject to police clearance on criminal matters.
 • CEO must advise the Commission who is undertaking the investigation.
 • CEO must manage the risks to children.

• Within 30 calendar days CEO must provide the Commission with detailed information about the reportable allegation and any action Council has taken.

• CEO must notify the Commission of the investigation findings and any disciplinary action that has been taken (or the reasons no action was taken).

What is Child Abuse?

The abuse of children takes many forms, some of which are outlined below. Council adopts a harm-based perspective to be proactive in identifying and preventing all forms of harm and abuse*.

* Sourced from Commission for Children and Young People – a guide for creating a child safe organisation https://ccyp.vic.gov.au/assets/resources/CSSGuideFinalV4-Web-New.pdf

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 their 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.

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 risky 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, ieopardised. Serious neglect can also occur if an adult fails to adequately ensure the safety of a child where the child is exposed to dangerous or lifethreatening situations.

Grooming is an offence which targets communication by an adult, Grooming

including online communication, with a child or their parents, with the

intent of committing child sexual abuse

Family Violence can include physical violence or threats, verbal Family Violence abuse, emotional and psychological abuse, sexual abuse and financial

and social abuse.

Reporting a Child Safety Concern or Complaint

All Council representatives in the scope of this policy must 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 behaviour set out in this Safeguarding Children Policy and Code of Conduct

Council has developed a diagram to easily understand how to report a child safety concern or complaint (see Attachment A). This diagram will made available across Council. Any questions in relation to this process must be directed to the Child Safety Officer (Manager, People and Culture) or a divisional General Manager.

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 Culture).

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.

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 referred above 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 and Data Protection Act 2014 and Council's Information Privacy Policy.

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 action plans to 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 and 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 Code of Conduct

This Code of Conduct provides direction to all Council representatives about the behaviour 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.

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. suspicions of child abuse







1. RESPONDING

If a child is at risk of immediate harm you must ensure their safety by:

Separating alleged victims

Administering first aid



Calling '000' for medical and/or police assistance to respond to immediate health or safety concerns



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

If there is no immedi harm go to Action 2



2. REPORTING

Any incident must be documented on the Safeguarding Children Incident Report Form Where does the source of suspected

Within the family

You may report to Council's Child Safety Officer who, if

necessary, will report to the Police or Child

Protection Office

0

Within the

CEO CEO

Report to Child Safety Officer and/ or CEO

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



If the reported disclosure, allegation, suspicion or breach constitutes a criminal offence, the police must also be notified



Council must undertake an investigation of the reported disclosure, reported disclosure, allegation, suspicion or breach (subject to police clearance on criminal matters), and must advise the Commission who is undertaking the investigation

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)

Actions resulting from the investigation to be implemented - these may include but are not limited to disciplinary actions, and policy and procedure updates



4. CONTACTING & SUPPORTING

Council must manage risks for children and young people

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

帝 🏛

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

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



KEY CONTACTS

Œ Chief Executive Officer, Sue Wilkinson Phone: (03) 8470 8608



Child Safety Officer, Manager People and Culture Phone: (03) 8470 8575



Child Protection Office Phone: 1300 664 977



Commission for Children and Young People (CCYP) Phone: (03) 8601 5281 childsafestandards @ccyp.vic.gov.au



Police 000 or your local police station

Key Responsibilities and Roles

Responsibilities

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 Complete compulsory training representatives Conduct work according to the requirements of this Safeguarding Children Policy, the Safeguarding Children Code of Conduct and other relevant policies and procedures • Report all concerns regarding child safety or harm to the Child Safety Officer Chief Executive • Notify the commission within 3 business days of becoming aware Officer of a reportable allegation Investigate an allegation, provide advice to the Commission for Children and Young People about who is undertaking the investigation • Manage risks to children and young people



- Provide the Commission for Children and Young People with detailed information about the reportable allegation and any action Council has taken within 30 days
- Notify the Commission for Children and Young People of the investigation findings and any disciplinary action that has been taken (or the reasons no action was taken).

General Managers

- Champion Child Safe Practices across Division
- Act as a key point of contact for child safety concerns or allegations of abuse within council and provide support to other personnel
- 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.

Child Safety Officer (Manager, People and Culture)

- Act as the first point of contact for child safety concerns or allegations of abuse within council and provide support to other personnel
- Oversee the implementation of Child Safe policy and procedures
- 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.
- Confirm relevant authorities have been notified. i.e. Department Health and Human Services (DHHS) child protection, Police for imminent risk and the Commission for Children and Young People of reports of allegations of child abuse and misconduct towards children.
- Advise, 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.

Managers and Coordinators

- Receive reports of child safety concerns or allegations of abuse within council
- Enable support to the child, the parents, the person who reports and the accused employee or volunteer
- Initiate internal processes to ensure the safety of the child, clarify the nature of the complaint and commence disciplinary process (if required)

Hiring Managers, Coordinators and Team Leaders

- Ensure employees and volunteers have access to and are aware of the Child Safe Policy and procedures
- Ensure that new workers complete compulsory training
- Conduct recruitment practices in line with Council's recruitment and selection guideline requirements for child related work, including verification of credentials and reference checks.

People and Culture

- Apply relevant recruitment and pre-employment screening
- 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

- Manage Council's disciplinary procedures as they apply to the Child Safe Standards and Policy
- Support employees to build resilience and cope with child abuse incidences (e.g. Employee Assistance Program (EAP) service)
- Reflect a culture of child safety in Learning and Development activities
- Ensure information is available online and updated

Contact Officers

- Support Council to embed and maintain best practice as a Child Safe Organisation.
- Model and lead child safe practice as outlined in the Safeguarding Children Policy and Code of Conduct and National Principles for Child Safe Organisations
- Act as a point of contact for queries about Safeguarding Children Policy implementation and reporting requirements, directing people to their Direct Manager, Direct Manager and Child Safety Officer for more complex matters as required

Organisational Values

Council's organisational values enable and support the effective design and application of this policy by guiding staff in the course of their work.

We Make a Difference: We are driven by our We have Integrity: We act with integrity and desire to make a difference for the people we serve. Our work is purposeful and creates a positive impact for the community. We are proud to work here. Our work matters.

We are Accountable: We are empowered to We show Respect: We are diverse, inclusive, own and take responsibility for our actions. We follow through on our commitments and deliver on our promises. We make it happen.

We are Collaborative: We are united by a common purpose to serve the community. We work together, connecting within our teams and across the organisation. We are inclusive and collaborative. We are one.

transparency in conversations and decisionmaking. Through open and clear communication, we build trust. We're honest. We walk the talk.

respectful and caring. We encourage everyone to have a voice and we listen to each other. We recognise one another's contributions and treat people fairly. We look after each other.

We are Creative: We are bold, courageous and innovative. We try new things, experiment and continuously improve. We are open-minded, creative and forward-thinking. We are leaders.

Breach of Policy

Breaches of this policy or the Safeguarding Children Code of Conduct will be handled in accordance with the Reportable Conduct Scheme and/or Council's Disciplinary Procedure.



GOVERNANCE

GOVERNANCE	
Parent Strategy/ Plan	Not Applicable
Related Documents	
Supporting Procedures and Guidelines	 Safeguarding Children Code of Conduct Employee Code of Conduct Councillor Code of Conduct Reporting a Child Safety Complaint or Concern Darebin City Council Enterprise Agreement 2018-2022 Incident Management Policy Equal Employment Opportunity Policy Disciplinary Procedure Family Violence Commitment (as articulated in Council's Enterprise Agreement) Toward Equality Framework Recruitment and Selection Policy Pre employment safety screening Procedure
Legislation/ Regulation	 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) The Commission for Children and Young People Act (2012) Privacy and Data Protection Act (2014) Wrongs Amendment (Organisational Child Abuse) Act 2017 Child Wellbeing and Safety Regulations 2017 The criminal offences 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)
Author	Manager, People and Culture
Policy Owner/ Sponsor	Manager, People and Culture
Date Effective	December 2020
Review Date	December 2022
Version Number	4
Document ID	A4785582
Content enquiries	Manager, People and Culture

^{*} All Darebin policies and procedures must be developed through the lens of key Darebin strategies, plans and related considerations. See the **Darebin Policy Review Lens** to inform and guide policy development and review.