

POLICY LOCATION	Corporate and Organisational Development	POLICY TITLE	Child Safe Standards Policy
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POLICY NUMBER	CA21	DATE ADOPTED	19 December 2024
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REVISION NUMBER	2	REVISION DATE	August 2028
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Purpose

All people working under the auspice of Buloke Shire Council (Council) are responsible for the care and protection of children and young people (being anybody under the age of 18), which includes the reporting of any concerns of child abuse. The Child Safe Standards Policy has been created to ensure all those working for The Council have a shared understanding of child safety and of their responsibilities in keeping children and young people safe from abuse.

Scope

This policy applies to all councillors, employees, volunteers, service providers, contractors, representatives, agents, and others who act on behalf of Council.

Council as a provider of services and facilities for children and young people, Council is required to comply with the *Child Wellbeing and Safety Act (2005)*.

As of the 1 July 2022, eleven compulsory Victorian Child Safe Standards (**The Standards**) came into effect for all organisations or groups who provide services or facilities for children or engages a child as a contractor, employee or volunteer.

The Standards provide a framework for organisations to develop policies, procedures and strategies that embed a culture of child safety in everyday thinking and practice and reduce the risk of child abuse being perpetrated by a person within Council's scope.

Definitions

Term	Definition
Act	The Child Wellbeing and Safety Act 2005 (as amended from time to time).
Child or Children	A person (or persons) under 18 years of age.
Child Abuse	Has the same meaning given to that term in the Act. Child abuse is defined in the Child Safety and Wellbeing Act 2005 (Vic) as including: <ul style="list-style-type: none"> • a sexual offence committed against a child • grooming for sexual conduct with a child under the age of 16 (under section 49M(1) of the Crimes Act 1958 (Vic)) • physical violence against a child • causing serious emotional or psychological harm to a child • serious neglect of a child

Child Safe Incident	<p>A child safe incident is any of the following:</p> <ul style="list-style-type: none"> • sexual offences against, with or in the presence of a child; • sexual misconduct against, with or in the presence of a child; • physical violence against, with or in the presence of a child; • any behaviour that causes significant emotional or psychological harm to a child; • significant neglect; • a disclosure of abuse or harm; • an allegation of suspicion or observation; • breach of code of conduct relating to child safety and wellbeing; and • environmental safety issues
Child Safe Standards Code of Conduct	<p>The Council's Child Safe Standards Code of Conduct which outlines the standards of behaviour required of all Council Staff in relation with the safety and wellbeing of all Children.</p>
Child Safe Standards Council Staff	<p>The eleven compulsory standards made under section 17 of the Act to prevent child abuse and harm from happening in an organisation. Includes employees, volunteers and contractors.</p>
Disability	<p>Has the same meaning given to that term in the Disability Act 2006. Disability includes the following:</p> <ul style="list-style-type: none"> • the total or partial loss of a body part or a bodily function (such as mobility, sight or hearing); • the presence in the body of organisms that may cause disease; • malformation or disfigurement; • a mental or psychological disease or disorder; and/or • learning difficulties. Disability may be permanent, non-permanent or an increased chance of developing a disability in future. <p>Disability also includes behaviour that may be a symptom or expression of disability even if that disability is not formally diagnosed.</p>
Incident	<p>An occurrence of Child Abuse or harm to a Child or a breach of the Child Safe Standards Code of Conduct.</p>
Mandatory Reporting	<p>Mandatory reporting is the legal requirement of certain professional groups to report a reasonable belief of child physical or sexual abuse to child protection authorities.</p>
Reportable Conduct	<p>Has the same meaning given to that term in the Act;</p> <p>(a) a sexual offence committed against, with or in the presence of, a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded; or</p> <p>(b) sexual misconduct, committed against, with or in the presence of, a child; or</p> <p>(c) physical violence committed against, with or in the presence of, a child; or</p> <p>(d) any behaviour that causes significant emotional or psychological harm to a child; or</p> <p>(e) significant neglect of a child; reportable conduct scheme means the scheme.</p>
Report Conduct Scheme	<p>The scheme set out in Part 5A of the Act;</p>

Policy Statement

Council is committed to being a child safe organisation and has zero tolerance for child abuse. We recognise our legal and moral responsibilities in keeping all children and young people safe from harm and promoting their best interests. We have specific policies, procedures and training in place to support Council workers to achieve these commitments.

Guidelines

The Child Safe Standards, and how Council will achieve compliance with each of them, is as follows:

Child Safe Standard	Compliance Statement
Child Safe Standard 1 Establishing a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued	Council will take steps to create a culturally safe environment for Aboriginal Children. The Council will meet this requirement regardless of whether or not we know that there are Aboriginal Children currently using our services or facilities.
Child Safe Standard 2 Child safety and wellbeing is embedded in the Council's leadership, governance and culture	Council places great emphasis on information sharing, record keeping and governance arrangements to ensure the creation of a Child-safe culture at all levels at Council. The management of risks to Children will be embedded in our leadership, governance, practice and culture.
Child Safe Standard 3 Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously	Council will have strategies in place to empower and encourage Children and Young People to promote their participation and engagement. Children and Young people are invited to present to Councillors on a regular basis.
Child Safe Standard 4 Families and communities are informed, and involved in promoting child safety and wellbeing	Council will inform and involve families and communities in complying with the Child Safe Standards. Council will ensure that it: <ul style="list-style-type: none"> • seeks input from families and communities in decisions impacting Children, • involves families and communities in the development and review of our Child safe policies, procedures and practices, • communicates effectively with families and communities about how to raise Child safety concerns and how it operates, and • take into account the diversity of families and act to reduce barriers to inclusion.
Child Safe Standard 5 Equity is upheld and diverse needs respected in policy and practice	Council will recognise and respond to diversity and understands that some Children are more vulnerable to abuse than others. This can include but not limited to, the cultural safety of Aboriginal children, culturally and/or linguistically diverse children and the safety of children with disability.

Council will focus on understanding Children's diverse circumstances and give attention to the needs of non-binary and gender diverse Children. This commitment links to the Council's obligations to establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.

Child Safe Standard 6

People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice

Council will have Child safety policies and procedures for recruitment and selection processes, screening, supervision, training, development, and performance monitoring of Council's Staff. Council Staff will be made aware of their reporting procedures for Child safety issues.

Council will inform staff about the organisations record keeping processes in relation to Child safety and wellbeing and information sharing and reporting obligations.

Child Safe Standard 7

Processes for complaints and concerns are Child-focused

Council will have complaints processes that are Child-focused and can be understood by Children and their families, and Council Staff.

Council recognises its obligations to take complaints seriously and respond to them promptly and thoroughly, to co-operate with law enforcement, and to meet reporting, privacy, and employment law obligations.

Child Safe Standard 8

Staff and volunteers are equipped with the knowledge, skills and awareness to keep Children safe through ongoing education and training

Council recognises its obligations under the Child Safe Standards. The Council will provide training and information for Staff and volunteers on building safe environments for Children.

Council will train and support Staff and volunteers through ongoing education and training to recognise indicators of harm, and to respond effectively to child safety issues and concerns.

Child Safe Standard 9

Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed

Council will be mindful of the risks associated with both physical and online environments and to adopt measures to remove risks of Child Abuse. The Council understands its obligations to:

- consider online environments in addition to physical environments,
- identify and mitigate risks in these environments without compromising a Child's right to privacy, access to information, social connections and learning opportunities,
- promote Child safety and wellbeing as well as minimising the opportunity for Children to be harmed, and
- have systems in place that ensure the safety of Children if the Council contracts facilities and services from third parties.

Child Safe Standard 10

Implementation of the Child Safe Standards is regularly reviewed and improved

Review and continuous improvement are part of Council's response to compliance with the Child Safe Standards. Council will continue to

meet its obligations to consistently review and improve the embedding of the Child Safe Standards through:

- analysing complaints, concerns and safety Incidents to identify causes and systemic failures to inform continuous improvement; and
- report on findings of relevant reviews of Child safe practices to Council staff, the community, Children and their families.

Child Safe Standard 11

Policies and procedures document how the organisation is safe for children and young people

Council acknowledges that the preparation of comprehensive policies and procedures to support implementation of Child safe practices is mandated by the Child Safe Standards. Council understands its obligations to:

- ensure policies and procedures are easy to understand;
 - use stakeholder consultation and best practice models to inform the development of policies and procedures; and
 - ensure The Council's leaders champion and model compliance with policies and procedures.
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Mandatory Reporting

In Victoria, under the Children, Youth and Families Act 2005 any personnel who are mandatory reporters must report to Child Protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

In Council this is relevant for some staff including, nurses and early childhood workers. A complete list of mandatory reporters is available on the Department of Families, Fairness and Housing website.

Reportable Conduct Scheme

The Reportable Conduct Scheme (the Scheme) aligns closely with the Child Safe Standards and requires Council to:

- prevent child abuse and, if abuse is alleged, ensure allegations are brought to the attention of the appropriate person for investigation and response;
- respond to and investigate allegations of certain types of abuse or misconduct made against Council personnel; and
- report any allegations to the Commission for Children and Young People (the Commission).

The Commission is responsible for administering the Scheme with a focus on:

- supporting and guiding organisations that receive allegations in order to promote fair, effective, timely and appropriate responses;
- independently overseeing, monitoring and, where appropriate, making recommendations to improve the responses of those organisations; and
- facilitating information sharing between organisations, their regulators, Victoria Police and the Working with Children Check Unit to better prevent and protect children from abuse.

The five types of reportable conduct are:

- Sexual offences against, with or in the presence of a child;
- Sexual misconduct against, with or in the presence of a child;
- Physical violence against, with or in the presence of a child;

- Behaviour that causes significant emotional or psychological harm; and
- Significant neglect.

WHAT PERSONS COVERED BY THIS POLICY MUST DO IF THEY HAVE A REASONABLE BELIEF THAT CHILD ABUSE HAS TAKEN PLACE:

Council Staff or volunteers must promptly report all suspected or disclosed Child Abuse or harm to their manager, people leader by completing a Council incident report.

Managers and people leaders who receive a report of suspected or disclosed Child Abuse must refer the report to their director immediately. The Director and Manager in collaboration with other child safety experts, will determine if the incident is a reportable conduct.

If the suspected or disclosed Child Abuse report is Reportable Conduct, Council will report the Reportable Conduct to The Commission for Children and Young People (CCYP).

Roles and responsibilities

Safeguarding children and young people is a responsibility across Council.

Specific responsibilities are outlined below.

Councillors**Role Responsibility**

- Model a culture of child safety and wellbeing.
- Understand and comply with their obligations in relation to child safety and wellbeing.

Executive Team**Role Responsibility**

- Model a culture of child safety and wellbeing, and provide leadership and good governance, ensuring:
 - the appropriate policies and procedures are in place and implemented across the organisation;
 - all staff are aware of their roles and responsibilities in relation to child safety and wellbeing; and
 - allegations of child abuse and harm are reported and fully investigated.
- In addition, the CEO is responsible for meeting specific requirements under the Reportable Conduct Scheme and ensuring these are implemented within legislated timeframes.

Managers/Coordinators/Team Leaders**Role Responsibility**

- Ensure a culture of child safety and wellbeing is embedded among their team/s.
- Ensure Child Safety and Wellbeing policies and procedures are implemented within the work areas they are responsible for, including that all staff:
 - have access to Child Safety and Wellbeing Policies and Procedures; and
 - complete relevant training and are aware of their roles and responsibilities in relation to child safety, including child safety incident reporting.
- Conduct risk assessments, taking reasonable steps to identify any potential risks to the safety and wellbeing of children and young people within their team/s and remove or minimise the risks.

- Ensure engagement and consultation with children and young people on matters that affect them in relation to the work their team/s undertake.
- Where relevant, and in conjunction with Human Resources, ensure that relevant personnel maintain a current Working with Children Clearance.

Staff

Role Responsibility

- Understand and comply with their roles and responsibilities in keeping children and young people safe.
- Report any concerns about the safety and wellbeing of a child or young person.
- Participate in training and education in relation to child safety and wellbeing as required.
- Relevant personnel will obtain a Working with Children Check and maintain a current Working with Children Clearance or provide evidence of current Victorian Institute of Teaching (VIT) Registration.
- Provide environments for children and young people where they feel safe, empowered and can participate.
- Behave safely and appropriately with children and young people.

Human Resources

Role Responsibility

- Ensure all recruitment and selection is undertaken to meet the requirements of the Child Safe Standards.
- Where relevant, and in conjunction with Managers/Coordinators/Team Leaders, ensure staff have and maintain a current Working with Children Clearance or VIT Registration, prior to engagement and on an ongoing basis.
- Ensure induction of new employees includes the provision of the Child Safe Standards Policy and training to support them to understand their roles and responsibilities relating to child safety.
- Oversee the implementation of child safety refresher training for all employees on an ongoing basis and keep records of training completed.
- Manage disciplinary procedures as they relate to child safety and wellbeing.

References

This Policy was developed in accord with the following legislation:

Legislation

- Child Wellbeing and Safety Act 2005 (Vic)
- Child Wellbeing and Safety Regulations 2017
- Working with Children Act 2005
- Crimes Act 1958 (Vic)
- Disability Act 2006
- Health Records Act 2001
- Privacy and Data Protection Act 2016

This Policy is implemented in conjunction with the following documents:



- Councillors Code of Conduct
- Council Staff Code of Conduct
- Child Safe Procedure



Child Safety Reporting Process Appendix One

Who can report?

Parent/ Carer

Child/ Young
Person

Community
Member

Councillor
Staff
Contractor
Volunteer

What to report?

All signs of abuse, harm, or the reasonable belief the child is in danger are to be reported. This can include:

- disclosure of abuse or harm
- allegation, suspicion, or observation
- Sexual, abuse, sexual misconduct, or physical violence
- Grooming
- Significant emotional or psychological harm
- Significant neglect
- Reasonable belief that there is a breach of Code of Conduct

IMPORTANT

Please call Police on 000 (triple zero) if a child is in immediate danger.

How to make a report

Reports can be made verbally, either Face-to-face or over the phone, in writing, email, or in a meeting.

By telephone:

- 1300 520 520

By email:

- Do we get a Childsafety Email or do we just go with Buloke@buloke?

Directly to the Commission for Children and Young People:

- www.ccp.vic.gov.au/report-an-allegation
- OR

Child Protection

- 1300 884 706

Victoria Police, non emergency assistance

- 131 444

Who to make a report to

Reports are to be made to the appointed Buloke Shire Child Safety Officers.

- Director Corporate and Organisational Performance
- Manager Human Resources
- Manager Children & Youth



**What happens
next?**

Child Safety Officers will gather further information and the matter may be referred to Victoria Police and/or the Commission for Children and Young People through the Reportable Conduct Scheme.

- initiate internal processes to ensure the safety of the child, clarify the nature of the complaint and commence disciplinary process (if required)
- 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 Officers will also offer provide support to the child, the parents, the person who reports and the accused staff member or volunteer.

- Review policies, procedures and practices and where necessary update to improve responses to child safety.

Outcome

- Complete investigation
- Notify relevant parties of the outcome of the investigation (if appropriate)
- Review policies, procedures and practices and where necessary update to improve responses to child safety.