

# MANAGEMENT POLICY

<b>Child Safe Standards Policy</b>	Document No:	MPL315.3
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## 1. PURPOSE

All children and young people within the City of Greater Geelong (Council) have the right to feel safe and to be safe. The welfare of children and young people in our care, and who participate in Council and community activities will always be our priority. Council has a zero tolerance of all forms of child abuse and any behaviour that may pose a risk to the safety and wellbeing of children and young people. We aim to create a child safe and child friendly environment where children feel safe and have fun regardless of age, gender, ethnicity, disability, sexuality or cultural background.

Council is required under the Child Safety and Wellbeing Act to ensure compliance with compulsory child safe standards to protect children and young people from harm, and has a social, ethical, and legislative responsibility to promote and protect the wellbeing and safety of children.

This policy:

- demonstrates the strong commitment of the management, employees, and volunteers to child safety.
- aims to ensure the protection of children and young people from abuse is embedded in the policies, practices, and responsibilities of leaders, staff and volunteers throughout Council and the local community.
- ensure all allegations and safety concerns associated with inappropriate behaviour or abuse of children and young people are treated seriously, and addressed in a timely manner.
- demonstrates commitment to preventing child abuse by identifying potential risks early and removing or reducing these risks.

## 2. SCOPE

This policy applies to all Councillors, employees and volunteers of the City of Greater Geelong, and also applies to service providers, contractors, representatives and agents who act on behalf of the City of Greater Geelong.

## 3. REFERENCES

- Local Government Act 1989
- Protected Disclosure Act 2012
- Charter of Human Rights and Responsibilities Act 2006
- Working With Children Act 2005

- Children, Youth and Families Act 2005
- Sex Offenders Register Act 2004
- Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015
- Victorian Crimes Amendment (Protection of Children) Act 2014
- Disability Act 2006

#### 4. DEFINITIONS

1. **Child / Young Person** – means every human being under eighteen (18) years of age.
2. **Child Related Work** - has a specific definition as per the Working With Children legislation. 'Work' is child-related if contact with children is part of the duties (not incidental to the duties) and is within one or more of the occupational fields defined in the Act.
3. **Child Abuse** – is an act by a parent, caregiver, other adult or older adolescent that endangers a child or young person's physical or emotional development. Abuse can be a single incident, but usually takes place over time. Abuse can happen in several different ways, and can be physical, emotional and/or sexual. Refer to the definitions of Neglect, Emotional or Psychological abuse, or Sexual abuse in this policy for more information.
4. **Child Safe Standards** - refer to a set of seven compulsory standards introduced by the Victorian government under the Child Safety and Wellbeing Act 2005 to protect children from harm. The standards are compulsory for all organisations providing services to children.
5. **Contractor** – any external agent engaged by City of Greater Geelong to provide goods or services. It is the responsibility of all contractors and service providers to the City of Greater Geelong to ensure they are a Child Safe Organisation.
6. **Code of Conduct** - outlines the standards of behaviour expected of people employed by or volunteering with the City of Greater Geelong as well as Councillors and contractors.
7. **Emotional and Psychological Abuse** – occurs when a child does not receive the appropriate love, affection or attention they need for healthy, emotional, psychological and social development. Such abuse may involve repeated threats to a child, constant criticism, teasing, ignoring, threatening, yelling, scapegoating, ridicule and rejections or continual coldness. These behaviours continue to an extent that it results in significant damage to the child's physical, intellectual or emotional wellbeing and development.
8. **Grooming offence** – a term used to describe what happens when a perpetrator of abuse builds a relationship and rapport with a child with a view to abusing them at some stage in the future. Grooming can also be used to describe the process that a perpetrator goes through when building rapport and a relationship with guardians of children, or people with the responsibility for the care of children and young people. Grooming can occur over any length of time, in a variety of settings where a relationship can be formed, such as leisure facilities, childcare, music, religious and sporting activities, internet chat rooms and social media or by SMS.

The grooming offence applies where a person over 18 years of age communicates, by words or conduct, online or face-to-face, with a child under

the age of 16 years or with a person who has care supervision or authority for a child, with the intention of later sexual activity with a child.

9. **Neglect** – is the persistent failure or deliberate denial to provide with the basic necessities of life. Such neglect includes failure to provide adequate food, clothing, shelter, supervision, water, medical attention or supervision for the appropriate physical or psychological development.
10. **Physical Abuse** – occurs when a person subjects another to non-accidental acts of physical aggression. The abuse may inflict injury intentionally or inadvertently as a result of physical punishment or aggressive treatment. Physically abusive behaviour includes (but not limited to) shoving, hitting, slapping, shaking, throwing, punching, biting, burning and kicking. It also includes the provision of harmful substances such as drugs, alcohol or poison.
11. **Reasonable** – In determining whether conduct or a conduct expectation is reasonable, all of the circumstances of the situation will be taken into account, including the City of Greater Geelong Values. Determining reasonableness requires consideration of how a reasonable person would act in the same or similar situation.
12. **Child Safe Culture** – the ongoing and genuine provision of organisational beliefs and processes that support City of Greater Geelong as a workplace and community facility where all people are able to engage freely without the threat or potential threat of physical or psychological harm.
13. **Sexual Abuse** – a child is sexually abused when any person uses their authority over the child to involve the child in sexual activity. Child sexual abuse involves a wide range of sexual activity including fondling genitals, masturbation, vaginal or anal penetration by a finger, penis or any other object, voyeurism and exhibitionism.
14. **Failure to protect offence** – This offence applies to people within organisations who knew of a risk of child sexual abuse by someone in the organisation and had the authority to reduce or remove the risk, but did not act to protect the child.
15. **Failure to disclose offence** – Any adult who forms a reasonable belief that sexual offence has been committed by an adult against a child under 16 years of age has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.
16. **Incident** – any disclosure of abuse or harm to a child or young person; allegation, suspicion or observation of abuse or harm to a child or young person; or a breach of the Code of Conduct.

## 5. MANAGEMENT POLICY

The City of Greater Geelong is committed to being a child safe organisation and to promote child safety in all areas of work and volunteerism within the City. This policy outlines the City of Greater Geelong's commitment to protect and promote the safety and well being of all children.

Council's education and care services are required by law to have policies and procedures in place in relation to providing a child safe environment. This includes addressing issues of child protection.

Individual Departments, business units, and/or staff within Council may have additional mandatory and/or operational requirements to ensure a child safe organisation.

Responding to reports of child abuse will be handled quickly, sensitively and confidentially.

This policy does not only apply to the operational hours of the City of Greater Geelong workplaces. It may also extend to any events or activities that have been sanctioned or sponsored by Council or are related to Council. Examples may include, but are not limited to, social club events, employees meetings or functions, Council organised or sponsored events.

## **5.1 Responsibilities**

### **1. Code of Conduct**

This Code of Conduct outlines the required appropriate standards of behaviour towards children and young people (anyone under 18 years of age).

The Code of Conduct aims to protect children and young people, and reduce any opportunities for abuse or harm to occur. It also helps employees and volunteers to avoid or better manage difficult situations.

All City of Greater Geelong Councillors, employees, volunteers and contractors are responsible for promoting the safety and wellbeing of children and young people by:

- adhering to our Child Safe Policy and other policies
- taking all reasonable steps to protect children from abuse
- treating everyone with respect, including listening to and valuing their ideas and opinions
- welcoming all children and their families and carers and being inclusive
- respecting cultural, religious and political differences and acting in a culturally sensitive way
- modelling appropriate adult behaviour
- listening to children and responding to them appropriately
- reporting and acting on any breaches of these guidelines, complaints or concerns
- complying with our guidelines on physical contact with children
- working with children in an open and transparent way – other adults should always know about the work you are doing with children
- respecting the privacy of children and their families, and only disclosing information to people who have a need to know.

All City of Greater Geelong Councillors, employees, volunteers and contractors **MUST NOT:**

- seek to use children in any way to meet the needs of adults
- ignore or disregard, suspicions or disclosures of child abuse
- use prejudice, oppressive behaviour or language with children
- engage in rough physical games
- discriminate on the basis of age, gender, race, culture, vulnerability or sexuality
- initiate unnecessary physical contact with children or do things of a personal nature that children can do for themselves, such as toileting or changing clothes

- develop “special” relationships with specific children or show favouritism through the provision of gifts or inappropriate attention
- exchange personal contact details such as phone number, social networking site or email addresses with children
- have unauthorised contact with children and young people on line or by phone or in person

## 2. Management

In complying with this policy, management has the responsibility to set a positive example and to take measures to ensure that this is a child safe organisation. This includes, but not limited to, providing appropriate training and workplace induction, providing clear guidelines and instruction on the appropriate conduct with and around children and young people, and enabling appropriate processes for the reporting and investigation of abuse or suspected abuse.

Any staff member in a position of authority, who becomes aware that an adult associated with their organisation (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child under the care, authority or supervision of the organisation, must take all reasonable steps to remove or reduce that risk.

## 3. Employees, volunteers and contractors

Under the Child Wellbeing and Safety Amendment (Child Safe Standards) Act, 2015, all employees, volunteers and contractors of the City of Greater Geelong who form a reasonable belief that abuse against a child has been committed by an adult against a child or young person have an obligation to report that information to police. **Failure to disclose** the information to police is a criminal offence.

The **failure to protect offence** applies to those who knew of a risk of child sexual abuse by someone in the organisation and had the authority to reduce or remove the risk, but did not act to protect that child.

Under the Children Youth and Families Act 2005 section 182 (1) and 184 staff employed in particular roles and professions are also subject to ‘mandatory reporting requirements’. They have an obligation under law to report to Police and/or the Department Health and Human Services (Child Protection Services) as soon as practicable any incidences where they have formed a belief on reasonable grounds that a child has suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse and the child’s parents/carer have not protected, or are unlikely to protect, the child from harm of that type. This includes staff employed as teachers (including early childhood) and nurses (including Maternal and Child Health nurses).

All employees and volunteers are encouraged and supported in the reporting of all suspected instances of child abuse.

## 5.2 Child Safe Standards

This policy outlines the commitments to the seven Child Safe Standards.

### 1. Strategies to embed and organisational culture

The City of Greater Geelong is committed to child safety. Council has specific policies, procedures and training in place to support our leadership

team, all employees and volunteers to understand their obligations and ensure a safe environment is provided for children and young people at all times.

**2. Child Safe Policy**

This policy summarises the commitment of the City of Greater Geelong to child safety.

**3. Code of Conduct**

To support and guide all Councillors, employees, volunteers, and contractors in ensuring appropriate behaviour, conduct, communication, and engagement with all children and young people a code of conduct has been developed and included in this policy. It is incumbent upon all staff, volunteers, contractors, and elected officials to abide this code of conduct at all times in their interaction with children and young people.

**4. Screening, training and supervision**

The City takes all reasonable steps to employ skilled, responsible staff and volunteers to work with children and young people. Council employs appropriate selection criteria, screening processes, advertisements, and position statements, that clearly demonstrate Council's commitment to child safety and an awareness of our social and legislative responsibilities.

All staff engaged in child-related work including volunteers and contractors, are required to hold a Working with Children Check and to provide evidence of this Check. Staff, volunteers, and contractors are also required to be directly familiarised with Council Child Safety Code of Conduct and all related policies and procedures prior to engagement with children and young people.

Training and education is important to ensure that everyone understands that child safety is everyone's responsibility and their obligations under the legislation. Our organisational culture aims for all staff and volunteers to feel confident and comfortable in reporting any concerns and/or allegations of child abuse or child safety.

Council will support staff and volunteers through ongoing supervision to: develop their skills to protect children from abuse; promote the cultural safety of Aboriginal children, the cultural safety of children from linguistically and/or diverse backgrounds, and the safety of children with a disability.

**5. Responding to and reporting suspected child abuse**

The City of Greater Geelong takes all allegations of suspected child abuse seriously and has processes in place to guide the prevention, detection, reporting, and investigation of suspected incidences of child abuse thoroughly and quickly. All Councillors, employees, volunteers, and contractors have a responsibility to report suspected allegations of abuse if they have a reasonable belief that an incident took place. The reporting procedure is outlined in the Child Safe Standards Management Procedure

The safety and wellbeing of children and young people is our primary concern. Any allegations of abuse and safety concerns will be appropriately recorded using the Child Safe Standards Management Procedure, including investigation updates. All records are securely stored.

All personal information considered or recorded will respect the privacy of the individuals involved, unless there is a risk to someone's safety. We

have safeguards and practices in place to ensure any personal information is protected.

The reporting of suspected incidences of child abuse will reflect all legislative requirements and will include notification to the appropriate authorities and agencies external to Council to ensure thorough and independent investigation.

#### **6. Risk Management**

The City of Greater Geelong has risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments, and online environments which will be represented in the corporate risk profile.

All Council departments are required to include the implementation of Child Safe Standards and measures to prevent and respond to suspected incidences of child abuse within their Risk Management Plans.

#### **7. Participation and empowerment of children**

Involvement of children and young people is fundamental to a child safe organisation. The City of Greater Geelong will develop age appropriate methods of communication including printed materials to ensure all children are informed of reporting process and have an understanding of their rights.

Underpinning the Child Safe Standards is the City of Greater Geelong commitment to:

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

### **6. QUALITY RECORDS**

**Quality Records shall be retained for at least the period shown below.**

<b>Record</b>	<b>Retention/Disposal Responsibility</b>	<b>Retention Period</b>	<b>Location</b>
Child Safe Reports			

### **7. ATTACHMENTS**

- Child Safe Standards Management Procedure