

10.2. DRAFT CHILD SAFE POLICY - FOR ADOPTION - COMMUNITY FEEDBACK - ATTACHMENTS

Attachment Titles:

1. DRAFT Childsafe Policy 2022-2026

Attachment 1 - Child safe policy 2023

Policy Title	Child Safe Policy
Policy Category	Public
Number & Version	SVC-COR-PO-125-02
Policy Owner	Community Services
Approval by	TBA
Effective date	TBA
Date for review	February 2026

1. STRATEGIC PURPOSE

Snowy Valleys Council (Council) upholds the ten Child Safe Standards, which are compulsory minimum standards for organisations that provide services for children and young people (or are used by children and young people) to help protect them from harm.

The purpose of the Child Safe Policy is to ensure that all Councillors and Council work participants are aware of our commitment and obligation to creating a child safe organisation.

The policy aims to communicate the Council's commitment to child safety in a way that can be understood by all, including children and young people, and it explains key features of our approach to meeting the standards.

2. POLICY STATEMENT

Council supports children and young people having safe and happy experiences in our community, accessing our facilities and in the care of our services. Council maintains the active participation of children and young people in the organisation. Where possible, Council will involve children and young people in decision making, particularly in matters that may directly impact them.

All Councillors and work participants must uphold and promote safety and wellbeing for children and young people and respond appropriately where concerns are identified. Council is committed to the ongoing education of children, young people and families, Councillors, and work participants about their rights, responsibilities and reporting processes relating to child protection.

3. DEFINITIONS

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Adopted: 18/11/2021
Reviewed:

Document Set ID: 3221184
Version: 4, Version Date: 09/02/2023

Child Safe Standards	Ten standards based on the findings, research and consultations from the <i>Royal Commission into Institutional Responses to Child Sexual Abuse</i> .
Child(ren)	A person under the age of 18 years old.
DCJ	Department of Communities and Justice (NSW State Government Department)
Mandatory Reporters	Mandatory reporters are people who deliver the following services, wholly or partly, to children as part of their paid or professional work: <ul style="list-style-type: none"> - Health care (e.g. registered medical practitioners, nurses etc.) - Welfare (e.g. psychologists, social workers, caseworkers etc.) - Education (e.g. teachers, principals etc.) - Children's services (e.g. childcare workers, family day carers etc.) - Residential services (e.g. refuge workers) - Law enforcement (e.g. police)
MRG	Mandatory Reporter Guide available from www.facs.nsw.gov.au
National Criminal History Record Checks	Document that lists an individual's disclosable court outcomes and pending charges sourced from state or national police jurisdictions.
Reportable Conduct	As defined in Section 20 of the <i>Children's Guardian Act 2019</i> <i>the following conduct, whether or not a criminal proceeding in relation to the conduct has been commenced or concluded--</i> (a) a sexual offence , (b) sexual misconduct , (c) ill-treatment of a child, (d) neglect of a child, (e) an assault against a child, (f) an offence under section 43B or 316A of the <i>Crimes Act 1900</i> , (g) <i>behaviour that causes significant emotional or psychological harm to a child.</i> <i>Examples of indicators of significant emotional or psychological harm for paragraph (g)--:</i> 1 <i>displaying behaviour patterns that are out of character</i> 2 <i>regressive behaviour</i> 3 <i>anxiety or self-harm</i>
Risk of Significant Harm (ROSH)	The circumstances that cause concern for the safety, welfare or wellbeing of a child or young person are present to a significant extent. This means the concern is sufficiently serious to warrant a response by a statutory authority (such as NSW Police Force or Department of Community and Justice) irrespective of family's consent.
Volunteers	A person who is registered and inducted to partake in approved volunteer programs conducted by Council.
WWCC	Working with Children Check

Work Participants	Any employees, labour hire staff, volunteers, work experience, contractors, and sub-contractors of the Council.
Young People	A person who is between the ages of 12 and 18 years old.

4. BACKGROUND

The Office of the Children’s Guardian introduced the Child Safe Standards to improve the way organisations provide services for children and young people to prevent and respond to child abuse that may occur within organisations. The Child Safe Standards are a central feature of the NSW Government’s response to the *Commonwealth Royal Commission Into Institutional Responses to Child Sex Abuse (2017)*.

The Child Safe Standards are:

1. Child safety is embedded in institutional leadership, governance and culture.
2. Children participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved.
4. Equity is upheld and diverse needs are taken into account.
5. People working with children are suitable and supported.
6. Processes to respond to complaints of child sexual abuse are child focused.
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.
8. Physical and online environments minimise the opportunity for abuse to occur.
9. Implementation of the Child Safe Standards is continuously reviewed and improved.
10. Policies and procedures document how the institution is child safe.

5. CONTENT

5.1 CHILD-SAFE ORGANISATION

Council upholds and promotes the safety and wellbeing of children and young people in our community. This involves implementing best practice approaches to child safety.. Council adopts the *Royal Commission Final Report Recommendations (2017)* relevant to Local Government including the Child Safe Standards as well as a Council officer who is delegated as Councils Child Safety Officer. Council’s relevant departments will collaborate on the identification, implementation and development of policies, procedures and actions that enables Council to meet its objectives as a Child Safe Organisation.

5.2 MANDATORY REPORTING RISK OF SIGNIFICANT HARM

Where there are concerns that a child or young person is suspected to be at risk of significant harm, staff who are ‘mandatory reporters’ are required to report these concerns to the Department of Community and Justice (DCJ) Child Protection Helpline. *The Mandatory Reporter Guide (MRG)* is used to help determine when and what should be reported. Staff who are not mandatory reporters, as well as members of the community, can also report the suspected risk of significant harm to the DCJ Child Protection Helpline. The Child Protection Helpline receives reports via either telephone on 132 111 or via eReporting. Mandatory reporting is outlined in the *Children and Young Persons (Care and Protection) Act 1998*.

5.3 REPORTABLE CONDUCT

Complaints and allegations against Councillors and work participants as well as, facility hirers and lessees involving a child or young person will be handled in accordance with the relevant legislation, specifically Part 4 of the *Children's Guardian Act 2019* as well as Councils Complaints Management Policy and Procedures. This provides a specific approach to the handling and reporting of complaints involving a child or young person. All allegations involving an individual under the age of 18 years will be immediately reported to the Child Safety Officer, who will, in turn, investigate and report the matter to the relevant oversight agency in accordance with Council's reporting obligations.

5.4 APPROPRIATE STANDARDS OF BEHAVIOUR

Council's Code of Conduct outlines appropriate standards of behaviour. All Councillors and work participants must display appropriate standards of behaviour towards children and young people, ensuring that their rights are respected, they feel safe and protected and their concerns are taken seriously.

The appropriate standards of behaviour for a Child Safe Organisation are as follows:

1. You must:

- a) treat all children with respect.
- b) take all reasonable steps to keep children safe.
- c) listen and respond to the views and concerns of children, particularly if they have stated that they or another child have been harmed in any way and/or are worried about their safety or the safety of another child.
- d) model appropriate adult behaviour in an open and transparent way.
- e) respect the privacy of parents and children by not disclosing personal information.
- f) where child abuse is suspected, ensure children are safe and protected from harm as quickly as possible.
- g) encourage children to have a say and participate in all relevant organisational activities where possible, especially on issues that are important to them.

2. You must not:

- a) Put children at risk of harm.
- b) Condone or participate in illegal, unsafe or abusive behaviour towards children, including physical, sexual or psychological abuse, ill-treatment, neglect or grooming.
- c) Engage in open discussion of mature or adult nature, or use inappropriate language in the presence of children.
- d) Discriminate against any child, including on the basis of age, gender, sexuality, race, cultural background or disability.
- e) Ignore or disregard any concerns, suspicions or disclosures of child being harmed in any way.

3. You are required to immediately report the following to the Child Safety Officer:

- a) any allegations of child abuse.
- b) suspected breaches of clause 2 above

5.5 TRAINING AND SUPERVISION

Council is committed to ensuring that Councillors and work participants have access to appropriate professional learning and training opportunities to develop and maintain an understanding of child safety and prevention of harm. To support Councillors and work participants, relevant training programs, including the Council induction program, will include appropriate content which outline Council's expectations and commitment to child safety. This training will include how to identify, assess and minimise risks of child abuse and to detect potential signs of child abuse.

5.6 RECRUITMENT

The recruitment and selection of staff will support Council's commitment to promoting an organisational culture of child safety. Council will meet legal requirements to ensure that only people with valid Working with Children Checks (WWCC) are engaged in child-related work. The WWCC is an essential part of Council's recruitment process to prevent people who pose a risk to the safety of a child or young person from being employed or engaged in child-related work.

HR manage all recruitment related WWCC in line with the *Child Protection (Working with Children) Act 2012* and the *Child Protection (Working with Children) Regulation 2013*. All people engaged in child-related work as defined in the *Working with Children Act 2005*, including volunteers, are required to hold a WWCC and to provide evidence that the WWCC is always valid while employed by Council. In addition, positions that may have contact with children and young people due to their working environment are to be assessed as to whether a WWCC is required to minimise the risk of harm to children and young people.

For positions that involve contact with children and young people, recruitment should be based on selection criteria which clearly demonstrate commitment to child safety ensure that the most appropriate staff are employed. Selection policies and guidelines, including pre-screening activities, reflect an understanding of, and commitment to, a child safe environment.

National Criminal History Record Checks may be undertaken on some positions prior to commencement of employment.

6. ASSOCIATED LEGISLATION

Advocate for Children and Young People Act 2014
Child Protection (Offenders Prohibition Orders) Act 2004
Child Protection (Offenders Registration) Act 2000
Child Protection (Working with Children) Act 2012
Child Protection (Working with Children) Regulation 2013
Children and Young Persons (Care and Protection) Act 1998
Children and Young Persons (Care and Protection) Regulation 2012
Children's Guardian Act 2019
Commission for Children and Young People Act 1998
Community Welfare Act 1987
Crimes Act 1900
Crimes (Domestic and Personal Violence) Act 2007
Education and Care Services National Law Act 2010

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Education and Care Services National Regulations 2012
 Government Information (Public Access) Act 2009
 Young Offenders Act 1997

7. ASSOCIATED DOCUMENTS

Convention on the Rights of the Child (1990)
 Mandatory Reporter Guide (MRG) 2010
 National Framework for Protecting Australia's Children (2009–2020)
 Office of the Children’s Guardian’s Child Safe Standards
 Royal Commission into Institutional Responses to Child Sexual Abuse (2017)
 The ChildStory Reporter Community (eReporting)

8. ASSOCIATED COUNCIL DOCUMENTS

SVC Code of Conduct SVC-RP-STY-001
 SVC Complaints Management Policy SVC-COR-PO-037
 SVC Recruitment, Selection and Appointment Policy SVC-COR-PO-045
 SVC Children’s Services – Child Protection Policy
 SVC Children’s Services – Child Safe Environment Policy
 SVC Children’s Services – Provision of Children Services
 SVC Children’s Services – Supervision Policy
 SVC Children’s Services – Code of Conduct
 SVC Children’s Services – Respect for Children
 SVC Children’s Services – Student and Volunteer Policy
 SVC Children’s Services – Gender Equity Policy

9. HISTORY

Date	Action	Name	Policy Number	Resolution Date	Resolution Number
13.04.2021	New Policy	Snowy Valleys Council Child Safe Policy	SVC-COR-PO-125-01	18 November 2021	M257/21