



CHILD SAFE POLICY

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		Secondary Author	People & Culture Coordinator

CEO Approved
(Acting CEO Signature, Bryan Sword)

CORPORATE CEO POLICY

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1. POLICY OBJECTIVE

This policy establishes guidelines and outlines responsibilities for both management and staff in relation to Council's commitment to ensure:

- 1.1 Employees, volunteers, councillors and council representatives understand and comply with Council's obligations and their personal obligation/s under the law including mandatory reporting obligations.
- 1.2 All employees, volunteers, councillors and council representatives understand the South Gippsland Shire Council commitment to providing a child safe organisation.
- 1.3 All children and young people attending South Gippsland Shire Council services and facilities are provided with a safe environment.
- 1.4 Timely and effective intervention for children and young people who may be at risk of abuse or neglect.

2. POLICY STATEMENT

Council has a moral and legal responsibility to ensure that all children and young people are safe in our direct care and supervision, and will provide training, resources, information and guidance to support this. Council is committed to:

- 2.1 Ensuring that the health, safety and wellbeing of children and young people are protected at all times.
- 2.2 Fulfilling its duty of care obligations under the law by protecting children from any reasonable, foreseeable risk of injury or harm.
- 2.3 Ensuring that people caring for children and young people act in the best interests of the child, and take all reasonable steps to ensure the child's safety and wellbeing at all times.
- 2.4 Supporting the rights of all children and young people to feel safe, and be safe, at all times.
- 2.5 Developing and maintaining a culture in which children and young people feel valued, respected and cared for.
- 2.6 Promoting children's development and wellbeing.
- 2.7 Zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our policies and procedure.
- 2.8 Upholding legal and moral obligations to contact authorities if there are concerns about a child's safety.



- 2.9 Preventing child abuse by identifying risks early, and providing Victorian Police, Child FIRST or child protection information to removing and reducing these risks.

This policy and procedures applies to all South Gippsland Shire Council full-time, part-time, temporary, seasonal, agency, and casual employees, volunteers, students, contractors, councillors and representatives that may have direct supervision responsibilities. This policy and procedures also applies to Council staff and Councillors who do not directly supervise children but come in to contact with children in the course of their duties.

3. POLICY PROCEDURES

3.1 General Guidelines

South Gippsland Shire Council takes all allegations seriously and has practices in place to investigate thoroughly and quickly. We work to ensure all children, families, employees and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour.

If a person in a position of authority has a reasonable belief that an incident has occurred, or receive an allegation of abuse; then they have a responsibility to report the incident or allegation, otherwise this will be seen as a failure to disclose and have legal ramifications.

- 3.1.1 The best interests of the child and young person should always be the primary considerations, with due regard to confidentiality and fairness to the person against whom the allegation is made.
- 3.1.2 Children and young people should be encouraged to approach any person in the service to express concerns about their treatment, and should be made to feel confident that they will be taken seriously.
- 3.1.3 Any investigation undertaken must ensure procedural fairness and natural justice for a person suspected of abusing a child.
- 3.1.4 Records must be kept about any child safety concerns or complaint, and stored securely by submitting to the Child Safety Officer/s/People & Culture. These records must contain information about the actions taken, including any internal investigations and any reports made to statutory authorities or professional bodies.
- 3.1.5 Instances of physical and sexual abuse of children and young people are crimes and must be reported to the Victorian Police. If a child or young person discloses any such abuse, the service must list, respond and report to both the Victorian Police and child protection authorities.
- 3.1.6 A report to the appropriate authorities can be made even if staff or others working with children do not have all the necessary information.

Permission is not required from parents/guardians of a child or young person where abuse is suspected, and parents/guardians do not need to be notified that a report has been made.



3.2 Forming a Reasonable Belief

Forming an objective and reasonable belief can be based on:

- 3.2.1 Warning signs (or indicators) of harm or potential harm, that have been observed or inferred;
- 3.2.2 Knowledge of child development;
- 3.2.3 Knowledge of cultural backgrounds;
- 3.2.4 Knowledge of any difficulties experiences or support currently being received by a family;
- 3.2.5 Consultation with colleagues and other professionals;
- 3.2.6 Professional obligations and duty of care responsibilities;
- 3.2.7 Establishing service protocols;
- 3.2.8 Individual service procedures; and
- 3.2.9 Legal requirements, such as mandatory reporting.

3.3 Signs or Indicators of Harm

- 3.3.1 Physical signs of abuse or neglect may include, but are not limited to, bruises, burns, sprains, bites, cuts, fractures, frequent hunger, malnutrition, poor hygiene and inappropriate clothing.
- 3.3.2 Behavioural signs of abuse (physical, sexual and emotional) or neglect may include, but are not limited to, wariness or distrust of adults, fear of parents/guardians and of going home, fear when other children cry/shout, excessive friendliness to strangers, being very passive and/or compliant, having/claiming to have headaches and/or stomach aches, displaying sexual behaviour that is unusual for the child's age, frequent rocking, sucking and biting, having difficulty sleeping, being withdrawn, aggressive and/or demanding, being highly anxious, having delayed speech, acting like a much younger child, and often being tired and falling asleep.
- 3.3.3 Disclosures by the child concerned, or by other parties.

3.4 Reporting

If a child or young person discloses an incident of abuse to you:

- 3.4.1 Try and separate them from the other children/young people discreetly and listen to what he/she says carefully. Stay within eyesight of others.
- 3.4.2 Let the child/young person use their own words to explain what has occurred.
- 3.4.3 Reassure the child/young person that:
 - i. you take what they are saying seriously;
 - ii. it is not their fault; and
 - iii. they are doing the right thing.
- 3.4.4 Explain to them that this information may need to be shared with others, such as with their parent/carer, specific people in your organisation, Child FIRST, child protection or the Victorian Police and that he/she will be taken care of.



- 3.4.5 Do not make promises to the child/young person such as promising not to tell anyone about the incident, except that you will do your best to keep them safe.
- 3.4.6 Do not leave the child/young person in a distressed state. If they seem at ease in your company, stay with them.
- 3.4.7 Provide them with an incident report form to complete, or complete it together, if you think the child/young person is able to do this. Remember to record the information using the child/young person's words.
- 3.4.8 As soon as possible after the disclosure, record the information using the child/young person's words and report the disclosure to your Manager/Coordinator/Supervisor, the Child Safety Officer/s/People & Culture, Victorian Police, Child FIRST or child protection (see child safety incident reporting form).
- 3.4.9 Ensure the disclosure is recorded accurately, and that the record is stored securely by submitting it to the Council's designated Child Safety Officer/s or People & Culture. All records will be retained in accordance with Council's record keeping.

If you believe a child is at immediate risk of abuse phone 000.

A notification should still be made, even if the notifier does not have all the necessary information.

4. KEY ROLES AND RESPONSIBILITIES

Every person employed with or acting on behalf of South Gippsland Shire Council has a responsibility to understand their important and specific role, individually and collectively, to ensure that the wellbeing and safety of all children is at the forefront of all they do and every decision they make. Key roles and responsibilities have been outlined for the purpose of clarity and understanding as follows:

Key Role	Key Responsibilities
All Employees	<ul style="list-style-type: none">• Complete the compulsory employee Induction training on commencement of employment with South Gippsland Shire Council.• Conduct work accordingly to the requirements of the South Gippsland Shire Council Child Safe Policy, procedures and Code of Conduct.• Be aware of the Council's legal and moral obligations.• Report or discuss all concerns regarding child safety or harm to the Child Safety Officer/s (Please contact People & Culture to obtain contact details of Council's Child Safety Officer/s).• Where a child is in immediate danger call 000.



Key Role	Key Responsibilities
Child Safety Officer/s	<ul style="list-style-type: none"> Act as the first point of contact within Council for child safety concerns or allegations of abuse 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. Confirm relevant authorities have been notified. i.e. Department Health & Human Services (DHHS) child protection, Child FIRST, Victorian Police for imminent risk and the Commission for Children and Young People of reports of allegations of child abuse and misconduct towards children. Please contact People & Culture to obtain contact details of Council's Child Safety Officer/s.
Managers and Coordinators	<ul style="list-style-type: none"> Receive reports of child safety concerns or allegations of abuse within Council. Offer support to the child, the parents and the person who reports the abuse. Offer appropriate support and direction to the employee or volunteer who has been accused or implicated in the abuse. 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 must be or should be reported to the Victorian Police and/or Child Protection and make report as soon as possible if required.
Hiring Managers	<ul style="list-style-type: none"> Ensure employees and volunteers have access to and are aware of the Child Safety Policy and procedures. Ensure that new employees complete compulsory Induction on commencement with Council. Conduct recruitment practices in line with Council's recruitment and selection guideline requirements for child related work.
People & Culture	<ul style="list-style-type: none"> Provide information (including Code of Conduct) relating to the Child Safe Standards and Policy via training/Induction material and make available to managers, coordinators for dissemination. Manage Council's disciplinary procedures as they apply to the Child Safe Standards and policy. Apply relevant recruitment and pre-employment screening processes to select appropriate staff to work with children. Support staff to build resilience and cope with issues related to child abuse incidences, for example through resilience training, and the use of the Employee Assistance Program (EAP) counselling service. Reflect a culture of child safety in Learning and Development activities.



Key Role	Key Responsibilities
Councillors and Council Representatives	<ul style="list-style-type: none">• Complete the compulsory employee Induction training on commencement of appointment with South Gippsland Shire Council.• Conduct work accordingly to the requirements of the South Gippsland Shire Council Child Safe Policy, procedures and Code of Conduct.• Be aware of the Council's legal and moral obligations.• Report or discuss all concerns regarding child safety or harm to the Child Safety Officer/s (Please contact People & Culture to obtain contact details of Council's Child Safety Officer/s).• Where a child is in immediate danger call 000.

4.1 Guidelines for the recruitment of staff and volunteers

The process for the recruitment and selection of employees and volunteers demonstrate our commitment to maximising the safety of children and preventing unsuitable and inappropriate persons from attempting to work at South Gippsland Shire Council.

Council is committed to employing skilled people to work with children. We develop selection criteria and advertisements which clearly demonstrate our commitment to child safety and an awareness of our social and legislative responsibilities.

All people engaged in child-related work, including volunteers, are required to hold a current Working with Children Check and to provide evidence of this check.

We carry out robust reference checks, interviews and where appropriate psychometric testing and National Police checks on all our employees to ensure that we are recruiting the right people.

During interviews the Hiring Manager and interview panel need to be clear on what the position requires. Open ended style behavioural-based questions will give insight into the applicant's values, attitude and understanding of professional boundaries and accountability. The interview panel will be encouraged to take notice of their own thoughts and feelings when interacting with the applicant, and to ask for more information if the applicant does not provide sufficient information in his or her responses.

Specifically, the interview panel should reflect on the following questions and possible warning signs such as:

- 4.1.1 Unexplained lengthy gaps in employment history?
- 4.1.2 The applicant says they do not value or 'need' supervision
- 4.1.3 The applicant is evasive or inconsistent in their answers.

Contact People & Culture for further guidance on next steps if any of the above applies.

Regarding Referee checks, the Hiring Manager should ask referees directly about any concerns they may have about the applicant working with children. To help



introduce this difficult topic, you could say you have some specific questions about child safety because your organisation takes child safety seriously.

Take note of any pause or gaps in the referee's responses.

Ask behaviour-based questions like:

- 4.1.4 'What did the applicant do when ... [for example, they had to comfort a distressed child]?'
- 4.1.5 'Do you have any concerns about the applicant's attitude towards Aboriginal peoples / peoples from culturally and/or linguistically diverse backgrounds / people with a disability?'
- 4.1.6 'Do you have any concerns about the applicant working with children?'
- 4.1.7 'Would you employ this person again?'

4.2 Ongoing Management

New employees, volunteers, students, agency employees, contractors, councillors and Council representatives will be inducted to ensure they understand our commitment to child safety and that everyone has a role to play in protecting children from abuse.

Training and education with regard to child safety is provided for all employees, volunteers, students, agency employees, contractors, councillors and Council representatives.

Resources and support are provided for all employees, volunteers, students, agency employees, contractors, councillors and Council representatives to ensure a child safe environment.

4.3 Contact Details and Additional Resources

Reporting Authority

Department of Human Services, Victoria
Website: www.dhs.vic.gov.au

Further Services / Information

The Child Protection Service is specifically targeted to those children and young people at risk of significant harm. For information about child protection and mandatory reporting requirements in Victoria, refer to the department's Child Protection webpage. <http://www.dhs.vic.gov.au/for-individuals/children,-families-and-young-people/child-protection>

Contact Details

Child Protection Crisis Line
(After Hours Emergency Service)

Telephone: 13 12 78

Child Protection South Division Intake Telephone: 1300 655 795
Business Hours: 8.45am to 5pm (Monday – Friday)



South Division has one child protection intake located at DHHS Dandenong, and covers the following area and Local Government Areas:

Bass Coast	Frankston	Port Phillip
Baw Baw	Glen Eira	South Gippsland
Bayside	Greater Dandenong	Stonnington
Cardinia	Kingston	Wellington
Casey	Latrobe	
East Gippsland	Mornington Peninsula	

Depending on the age and circumstances of the child they may be supported to access sexual assault services if this is their preference. Centres Against Sexual Assault (CASAs) are located across Victoria and provide free, lifetime counselling to people affected by sexual assault. CASA staff can support people to access Victorian Police and other services.

Sexual Assault Crisis Line (Victoria) Telephone: 1800 806 292

1800 RESPECT (Australia) Telephone: 1800 737 732

Child FIRST is a State Government Initiative to help vulnerable families, children and babies. The primary purpose of Child FIRST is to ensure that children, young people and their families are linked effectively into all relevant services.

Child FIRST Telephone: 1300 721 383

5. RISK ASSESSMENT

A risk management approach will be adopted to minimise or eliminate the potential for child abuse or harm to occur. Risk analysis and data is utilised to inform policy, procedures and activity planning, helping to facilitate ongoing continuous improvements.

Risk management strategies are outlined in our Risk Management and Policy guidelines and are used to identify, assess, and take steps to minimise child abuse risks. In addition to general occupational health and safety risk, assessments will include potential risks to child safety such as the physical environment (i.e. doors that can lock) and include the online environment.

The process of addressing Child Safe Legislation may cause distress to employees, and volunteers who have been or/are victims of abuse. It is Council's responsibility to provide appropriate support to employees and volunteers. This may include referral to external organisations, such as Gippsland Centre Against Sexual Assault (GCASA telephone 5134 3922) with expertise in assisting victims of abuse. Council's Employee Assistance Program (EAP) is also available.

Any breach of policy and reporting requirements will be handled in accordance with Council's Disciplinary Guidelines. Individual reports and systematic failings will be investigated. It is important to note that Council may not be the appropriate body to conduct such investigations. In this instance investigations will be referred to external bodies such as the Victorian Police or Child Protection.



6. POLICY IMPLEMENTATION STATEMENT

All staff will be made aware of this policy via email and staff newsletter.

Councillors will be made aware of this policy via Infosum.

The policy will be published on Council's Intranet and available by contacting People & Culture.

Training and education with regard to child safety is provided for all employees, councillors and volunteers. Training will be funded from the Corporate Training budget held by People & Culture.

Resources and support are provided for all employees, contractors, councillors and volunteers to ensure a child safe environment.

7. POLICY DEFINITIONS

Failure to Disclose	Requires any adult who holds a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child (aged under 16) must disclose that information to Victorian Police or Child Protection. Failure to Disclose applies to everyone in the community, not just mandated professionals. Maximum penalty is 3 years imprisonment.
Failure to Protect	Applies to people who hold a position of authority within organisations who know of a risk of child sexual abuse by someone in the organisation and have the authority to reduce or remove the risk, BUT negligently fail to do so. Maximum penalty is 5 years imprisonment.
Grooming	Individuals who communicate, including online communications, with a child under the age of 16 or their parents, with the intent of committing child sexual abuse. Maximum penalty is 10 years imprisonment.
Mandatory Reporters	Doctors, nurses, midwives, teachers (including early childhood educators), principals and Victorian Police.
Reasonable Belief	<p>A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof but is more than mere rumour or speculation. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a 'reasonable belief' might be formed if:</p> <ul style="list-style-type: none"> • A child states that they have been physically or sexually abused. • A child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves). • Someone who knows a child states that the child has been physically or sexually abused. • Professional observation of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused. • Signs of abuse lead to a belief that the child has been physically or sexually abused.



8. REFERENCE DOCUMENTS

Council Policy

- Employment Probity Policy
- Code of Conduct Policy (Staff)
- Councillor Code of Conduct
- Volunteer Policy
- Recruitment Policy
- Employee Assistance Program
- Risk Management Policy
- Child Safety Reporting Guidelines

Legislative Provisions, Standards and Guidelines

The *Child Wellbeing and Safety Act 2005*, requires all councils to adopt and maintain a 'Child Safe' policy and comply with compulsory Child Safe Standards.

The Child Safe Standards, Standard 4; Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel.

This may include but not limited to:

- Regularly provide information, training and education for employees, volunteers, councillors and council representatives.
- Induction processes to inform new employees, councillors, council representatives and volunteers about child safety policies and processes, including the code of conduct.
- Provide ongoing training, support, supervision and performance management for all personnel.

The 'failure to disclose' offence introduced as part of the Crimes Amendment (*Protection of Children*) Act 2014 requires that any adult (aged 18 and over) who holds a reasonable belief that a physical or sexual offence has been committed in Victoria by an adult against a child (aged under 16) must disclose that information to a member of the Victorian Police force.

The criminal offence for 'failing to protect' a child imposes penalties for a 'person in authority' within Council if they know of the risk of abuse, have the power or responsibility to reduce or remove the risk, but failed to do so.

External Documents

- Benchmarking across various Victorian Council's
- Department of Human Services Child Protection
- Department of Education and Early Childhood Development
- An overview of the Victorian Child Safe Standards



9. FURTHER INFORMATION

South Gippsland Shire Council's **Child Safety Reporting Guidelines** including an Incident Report Form.

Please contact People & Culture to obtain contact details of Council's Child Safety Officer/s.

Telephone: 03 5662 9233

Postal Address: 9 Smith Street (Private Bag 4) Leongatha VIC 3953

Or contact, Council's Manager Community Services

Telephone: 03 5662 9369

Mobile: 0400 788 143

Or contact, Council's Coordinator Children and Family Services

Telephone: 03 5662 9812

Mobile: 0428 629 223