

Child Safe Policy

Policy Number:	2018/03	Directorate:	Strategy, People & Culture
Approval by:	EMT	Responsible Officer:	Executive Manager Strategy, People & Culture
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1. Purpose

Knox City Council is committed to complying with the Child Safe Standards (Standards) introduced by the Victorian Government, which set out the compulsory minimum standards for organisations that provide services for children and young people (or where services and facilities are used by children and young people), to help protect them from harm.

This policy is intended to ensure that all employees, volunteers and contractors (staff) engaged by Council are aware of its commitment to create and maintain a child safe environment that meets the Standards.

2. Application of policy

This policy applies to all staff and to the broad range of situations where interaction with children and young people may occur in the delivery of Council services.

3. Definitions

Child means a child or young person under the age of 18 years.

Child abuse means

- 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
- sexual misconduct, committed against, with or in the presence of, a child
- physical violence committed against, with or in the presence of, a child
- any behaviour that causes significant emotional or psychological harm to a child or significant neglect of a child.

4. Our commitment

This policy affirms our commitment to providing a child safe and child friendly environment for all children and young people who engage with Council services.

Knox City Council recognises, respects and promotes its responsibilities to keep children safe from abuse from those associated with Council, and commits to ensuring the safety of children as a first priority.

Knox values diversity and will not tolerate child abuse or discriminatory practices.

We pay particular attention to the safety and cultural safety of the following groups of children, in recognition of their increased vulnerability, and diverse and unique identities and experiences:

- Aboriginal and/or Torres Strait Islander children and young people;
- children from culturally and/or linguistically diverse backgrounds;
- children with a disability;
- children who identify as lesbian, gay, bisexual, trans and/or intersex;
- children who are non-binary or gender diverse;
- children who have experienced out of home care and youth justice settings.

5. Knox City Council's approach to child safety

In continuing to implement and promote a child safe system of work, we will:

- develop an environment in which children feel listened to, valued and their concerns are acted upon, including encouraging and allowing children to participate in decisions important to them;
- consult with staff and other appropriate parties, including families and children;
- proactively assess and manage the risk of abuse to children who interact with Council, including through recruitment practices and in online environments;
- take a proactive approach to child safety, including fostering a culture of openness that supports all staff to report any concerns about child safety;
- report suspected abuse, neglect or mistreatment promptly to the appropriate authority, whether or not the law requires reporting;
- ensure children know the options available to them if they are concerned or feeling unsafe, and foster an environment where children are safe to raise such concerns;
- recruit staff who are suitable to work with children and provide high quality training, supervision and professional development to staff;
- have policies, procedures and supports in place to reflect these commitments, and review these on a regular basis.

6. Child Safety Code of Conduct

All staff are responsible for the safety and wellbeing of children and young people who engage with Council.

All staff are expected to act in accordance with Knox City Council's Child Safe Code of Conduct in their physical and online interactions with children and young people under the age of 18 years.

7. Recruitment and training

Knox's recruitment procedure, including advertising, reference checks and staff and volunteer pre-employment screening, has an emphasis on child safety and wellbeing in line with the commitment to promote child safety.

Knox has robust recruitment and selection processes, to ensure the recruitment of suitable staff to minimise the risk of recruiting individuals who may commit child abuse. All relevant staff must have current Working with Children Checks to support the ongoing culture of child safety.

Council staff may require a current police check at the time of employment and may be required to update this information from time to time.

Council is committed to ensuring that staff have access to appropriate induction and ongoing training in relation to their child safety responsibilities, including child safety and wellbeing policies and procedures, external reporting obligations (e.g. mandatory reporting) and the Child Safe Code of Conduct.

In addition to the inclusion of Child Safe in Council's suite of compliance training modules, and position-specific training requirements, training will be available to staff who are likely to come into regular contact with children and young people. This training will include how to identify, assess and minimise risks of child abuse and detecting potential signs of child abuse.

8. Reporting child safety concerns or incidents

As Victorians working in local government, all Knox staff, whether working directly with children or not, have an ethical and legal obligation to protect children and young people and report all forms of child abuse.

Staff must act as soon as an incident is witnessed or when a reasonable belief is formed that a child or young person has been abused or is at risk of being abused.

Staff must follow all Council policies and procedures in relation to child safety and the reporting of abuse.

Immediate Danger

If you have witnessed an incident or believe a child is in immediate danger you should:

- Take all practicable steps to protect the safety of the child and remove the risk.

- Contact 000 for urgent police assistance if the person who is alleged to be involved in the abuse of a child poses an immediate risk to the health and safety of the child or any other person.

Not all child safety matters involve immediate danger, however, any incidents or concerns should be reported to the relevant line manager or another appropriate Council manager, or a Child Safe Officer or a Senior HR Business Partner as soon as possible after witnessing an incident, or receiving information, or forming a belief that a child is at risk.

The process for reporting child safety concerns and incidents is outlined on Council's Child Safety intranet page <http://erik/Docs/PoliciesProceduresForms/Pages/Child-Safe-Committee.aspx> An incident form can be used and is also embedded on the Child Safe home page [link to be updated]

Council will receive, respond to and investigate complaints of child harm or abuse in a manner that prioritises the safety and wellbeing of children and young people.

Knox also works to ensure all children and young people, families and staff understand their obligations and know who to tell if they observe abuse, are a victim, or if they notice inappropriate behaviour.

Reportable Conduct

The Child Safe Standards and the Reportable Conduct Scheme impose distinct sets of responsibilities on organisations, including Knox City Council. The Standards and the Reportable Conduct Scheme have been designed to complement one another.

The Reportable Conduct Scheme focusses on staff conduct and requires additional organisational responses and actions.

Reportable Conduct includes the following incidents of staff conduct, that must be reported:

- 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
- sexual misconduct, committed against, with or in the presence of, a child; or
- physical violence committed against, with or in the presence of, a child; or
- any behaviour that causes significant emotional or psychological harm to a child; or
- significant neglect of a child.

If a staff member has a reasonable belief that Reportable Conduct may have occurred, then they must report the incident to the relevant line manager or another appropriate Council manager, or a Child Safe Officer or a Senior HR Business Partner directly and immediately.

If the incident potentially involves a criminal offence, the incident must also be reported to the local police station or by calling 000, after first consulting with a Child Safe Officer, if reasonably practicable, before contacting police.

Where a law enforcement agency undertakes to investigate a child safety matter, staff members must cooperate to the best of their ability. Where such an agency (e.g. Victoria Police) takes action, this will likely take precedence over any organisational responses and may delay, but will not replace or eliminate required organisational responses and actions.

Senior Human Resources staff will coordinate organisational responses and actions, including notifying and liaising with the Commission for Children and Young People (CCYP) in relation to reportable conduct matters. Relevant Human Resources staff can be contacted on (03)9298 8779 or (03)9298 8871 for any questions or concerns.

9. Related legislation, regulation, policy, procedures and other resources

- *Child Wellbeing and Safety Act (Vic) 2005*
- *Child Wellbeing and Safety Regulations (Vic) 2017*
- *Commission for Children and Young People Act (Vic) 2012*
- *Charter of Human Right and Responsibilities Act (Vic) 2006*
- Victorian Child Safe Standards (updated 1 July 2022)
- National Principles for Child Safe Organisations (2019)
- Victorian Reportable Conduct Scheme
- United Nations Convention on the Rights of the Child
- National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030
- Early Childhood Australia Code of Ethics
- *Privacy and Data Protection Act (Vic) 2014*
- *Privacy Act (C'th) 1988*
- *Disability Act (Vic) 2006*
- Knox City Council Staff Code of Conduct
- Knox City Council Councillor Code of Conduct
- Knox City Council Child Safe Code of Conduct
- Knox City Council Disciplinary Policy and Procedure
- Knox City Council Councillor Child Safe Policy
- Knox City Council Councillor Child Safe Procedure

10. Administrative updates

From time to time, circumstances may change leading to the need for minor administrative changes to this policy. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.