



Child Safety and Wellbeing Policy

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1. Statement and Purpose

The Child Safety and Wellbeing Policy outlines Council commitment to child safety and wellbeing by creating and maintaining a child safe environment that supports the health and wellbeing of all children who interact with Council.

This policy reflects Council's responsibility in meeting the requirements of the Child Safe Standards and our commitment that our culture, practices and priorities will create and sustain an environment where children feel safe, nurtured and protected, and where they are confident to share their views and concerns and trust that these will be heard and taken seriously.

2. Scope

The Child Safety and Wellbeing Policy (the Policy) applies to all Councillors and employees, including any person directly employed by the Rural City of Wangaratta, or employed through an agency, or on a contract basis and includes Council's volunteers and work experience/work placement students, irrespective of their specific involvement in child-related duties.

3. Policy Statement

3.1 Commitment to Child Safety and Wellbeing

Council is committed to creating and maintaining a child safe organisation where all children are valued, protected from abuse, and where their wellbeing and empowerment is placed at the heart of what we do. We will meet this commitment by:

- Demonstrating through our leadership, actions, policies, procedures, and documentation that the principles of being a child safe organisation are embedded into our everyday thinking and practices
- Upholding the right of all children to feel safe and protected
- Having a zero tolerance for child abuse and taking all safety concerns seriously
- Promoting cultural safety for Aboriginal children, and children from culturally and/or linguistically diverse backgrounds, and by providing a safe environment for children with a disability or who are considered vulnerable.
- Creating an inclusive, safe and connected community for children and young people. Recognising that children and young people have different needs, characteristics and life experiences and, although there are similarities within groups, no one child's experience is the same.
- Ensuring we have systems in place to evaluate risk, document incidents and identify appropriate responses consistent with law, policy and procedure.

3.2 Victorian Child Safe Standards

Council's Child Safe and Wellbeing Policy has been developed to align with the Victorian Government's Child Safe Standards to prevent and respond to child abuse.

These standards broadly require organisations to:

- embed child safety into organisational culture and governance
- have clear policies that promote child safety
- respect and acknowledge the diverse needs of children, and
- engage effectively with children about their experiences of safety.

The eleven Child Safe Standards are:

Standard 1	Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
Standard 2	Child safety and wellbeing is embedded in organisational leadership, governance and culture.
Standard 3	Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
Standard 4	Families and communities are informed and involved in promoting child safety and wellbeing.
Standard 5	Equity is upheld and diverse needs respected in policy and practice.
Standard 6	People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
Standard 7	Processes for complaints and concerns are child focused.
Standard 8	Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
Standard 9	Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
Standard 10	Implementation of the Child Safe Standards is regularly reviewed and improved.
Standard 11	Policies and procedures document how the organisation is safe for children and young people

3.3 Risk Management

Council recognises the importance of adopting a risk-based approach to minimise the potential for child abuse and will use this as a basis for developing supporting documentation to the Policy.

Each operational area of Council is responsible for developing supporting documentation and embedding the principles and actions inherent in the Child Safe Standards into their operations as is relevant to the nature of their interaction with children and young people.

3.4 Child Safe Code of Conduct and Obligations

Councillors, staff, contractors, volunteers work experience/work placement students are responsible for supporting the safety, participation, empowerment, and wellbeing of all children they come in contact with.

Behavioural expectations are clearly defined within Council's policies, procedures, and the relevant Councillor and staff Codes of Conduct. In addition, there is an obligation to:

- Adhere to Council's Child Safety and Wellbeing Policy at all times, and abide by the commitment and obligation to create a child safe organisation
- Treat all children with respect, by valuing their ideas and opinions, encouraging them to participate in activities and issues that are important to them and working with them in an open and transparent way
- Be vigilant to the signs of abuse, challenging unacceptable behaviour, reporting all allegations or suspicions of abuse.

3.5 Recruitment Practices

Council complies with all relevant regulatory and legal requirements when recruiting staff to ensure its employees and customers are not put at unreasonable risk.

Council implements accurate and effective screening tools during recruitment and onboarding to ensure it employs staff, contractors and volunteers who are suitable for the roles they are undertaking. These screening practices include conducting reference checks, Australian Criminal History Checks, and ensuring that all staff have a current Working with Children Check as relevant to the role being undertaken.

Any disclosable offence recorded after these checks have been completed must be communicated to People and Governance as a matter of priority. Any, or all, of these checks may be re-performed during employment and maintaining a clear record is a condition of ongoing employment with Council.

3.6 Training and Support

Council is responsible for ensuring that appropriate behaviour with children is clearly defined and expectations are accessible by all Councillors, staff, contractors and volunteers.

Council will provide Code of Conduct training, induction training and role specific training on child safety and wellbeing.

Staff will be provided with supervision, support, and mechanisms to ask questions and provide feedback to increase their capacity to establish and maintain a child safe environment relevant to their area of work and interaction with children and young people.

3.7 Disclosure and Reporting

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

Council takes allegations of child abuse seriously and will investigate all allegations promptly, fairly and appropriately to protect and support the health and wellbeing of children. Any Councillor, staff

member, contractor or volunteer who suspects an incident of child abuse is to immediately report the incident to their supervisor and/or the Manager People and Culture.

Council will protect an individual's right to privacy. In accordance with Council's Information Privacy Policy, personal information considered or recorded during the process of a report or investigation will respect the privacy of all individuals involved.

Where appropriate, Council will assist alleged victims and their families to access counselling and support service and provide support to affected staff through Council's Employee Assistance Program.

If any child, young person, family, Councillor, employee, contractor or volunteer has concerns regarding the organisation's leadership in relation to child safety, concerns can be reported under the Reportable Conduct Scheme.

3.7.1 Reportable Conduct Scheme Obligations

The Reportable Conduct Scheme was established under the Child Wellbeing and Safety Act 2005 and requires Council to respond to allegations of child abuse (and other child-related misconduct) made against Councillors, staff, contractors, and volunteers and to notify the Commission for Children and Young People. It also facilitates information sharing between organisations and regulators.

Reportable Conduct Scheme Obligations do not replace the requirement to report allegations of child abuse to Victoria Police.

There are five types of Reportable Conduct. These are:

1. Sexual offences committed against, with or in the presence of a child
2. Sexual misconduct committed against, with or in the presence of a child
3. Physical violence against, with or in the presence of a child
4. Any behaviour that causes significant emotional or psychological harm to a child
5. Significant neglect of a child.

It is the responsibility of the Chief Executive Officer (CEO) to ensure the Commission for Children and Young People is notified when they form, or become aware that another person has formed, a reasonable belief that reportable conduct has occurred.

Three-day notification obligations

Within three business days of becoming aware of an allegation the CEO must notify the Commission that a reportable allegation has been made.

30-day notification obligations

Within 30 calendar days of becoming aware of the allegation, the CEO must provide certain detailed information about the allegations, investigation undertaken and proposed responses.

4. Roles and Responsibilities

Role	Responsibility
Councillors	<p>Lead Council's commitment to the safety and wellbeing of children and:</p> <p>Adopt that commitment within the Councillor Code of Conduct, including the obligation that all Councillors obtain a Working with Children Check.</p>
CEO	<p>Lead Council's commitment to the safety and wellbeing of children and ensure that:</p> <ul style="list-style-type: none"> • An appropriate Policy is developed and approved • Supporting procedures, documentation and reporting mechanisms are developed, implemented and complied with • Making a report and undertaking investigations under the Reportable Conduct Scheme.
Manager People & Culture	<ul style="list-style-type: none"> • Provide an organisational contact for the Policy. • Oversee the development of procedures, documentation and reporting mechanisms relevant to area of responsibility. • Notify the appropriate child protection services and/or the police of an allegation. • Provide support to those that have reported an allegation.
People & Culture Business Partner	<p>Implement appropriate recruitment and training processes to support the Policy.</p>
Directors, Managers, Coordinators, Team Leaders, People & Culture Staff	<p>Implement the Child Safe Standards and Child Safety and Wellbeing Policy specific to the operational and risk profile of their area of responsibility.</p>

Role	Responsibility
All employees, contractors, volunteers and work experience/work placement students	Comply with this Policy

5. Breaches

Any suspected breach of the Policy must be reported immediately to the Manager People and Culture.

Breaches may lead to action in accordance with Council's Enterprise Agreement, which may include termination of employment and/or referral to Victoria Police.

6. Human Rights

This policy has considered and complies with the Human Rights and Responsibilities contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

7. Monitoring and evaluation

People and Culture will monitor and evaluate compliance to the Policy.

Definitions

Term	Definition
Aboriginal	A person who is of Aboriginal or Torres Strait Islander decent, identifies as Aboriginal or Torres Strait Islander, and is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.
Child	A person under the age of 18 years.
Child abuse	Any act committed against a child involving: physical violence, sexual offences, serious emotional or psychological abuse and serious neglect. It can be a single event or a series of traumatic events.
Child related work	Work within one or more of the occupational fields defined in the Working With Children Act where the contact with children is direct, unsupervised and part of a person's duties, not incidental to their work.
Child safe organisation	In the context of the Child Safe Standards, a child safe organisation is one that proactively takes measures to protect children from abuse. This commitment to protecting children must be embedded in the organisations culture and polices.

Term	Definition
Children from culturally and/or linguistically diverse backgrounds	A child or young person who identifies as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home, or because of their parents' identification on a similar basis.
Children with a disability	Use of the term 'disability' is consistent with that in the Disability Act 2006. In relation to a child, the use of the word 'disability' incorporates any physical, sensory, neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child's ability to undertake everyday activities. A disability can occur at any time in life. Children can be born with a disability or acquire a disability suddenly through an injury or illness. Some disabilities may be obvious while others are hidden.
Child Safe Standards	In 2015, the Child Wellbeing and Safety Act 2005 was amended to include Child Safe Standards. The standards are designed to drive cultural change and embed practice of protecting children into the everyday thinking of an organisation.
Commission	Commission for Children and Young People
Failure to Disclose	Any adult who forms a reasonable belief that a 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, unless they have a reasonable excuse for not disclosing or exemptions apply. Failure to disclose the information to police is a criminal offence.
Mandatory Reporter	The legal obligation of certain professions to report when a child is in need of protection. Includes: <ul style="list-style-type: none"> • Medical practitioners & registered nurses • Teachers & Early Childhood Teachers • Police • Youth and Social workers
Reasonable belief	A reasonable belief is formed if a reasonable person in the same position would have formed the belief on the same grounds.
Voluntary reporter	Any person

8. References and related policies

Legislation

- Local Government Act 2020 (Vic)

- Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015
- Victorian Charter of Human Rights and Responsibilities Act 2006
- Working with Children Act 2005
- Child Youth and Families Act 2005
- Crimes Act 1958
- United Nations Convention on the Rights of the Child

Internal policies

- Councillor Code of Conduct
- Staff Code of Conduct
- Recruitment and Selection Policy and Procedure
- Information Privacy Policy
- Volunteer Policy
- Disciplinary Policy and Procedure
- Child Safe Reporting Procedure
- Security Check Procedure

Related Guidelines

- Victorian Child Safe Standards
- Victorian Reportable Conduct Scheme

Version History		
Version Number	Date of change	Reasons for change
1.0	2018	Child Safe Policy first approved:
2.0	June 2022	Reviewed to incorporate new legislative requirements.
3.0	July 2024	Scheduled review date. Minor changes.