

Child Wellbeing & Safety Policy

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Approval by:	Councillors	Responsible Officer:	Chief People Officer, People, Strategy & Development
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1. Our Commitment to child safety

All children and young people who access our services, programs, events and facilities have the right to feel safe and be safe. This includes spaces owned or managed by Council.

We take the wellbeing and safety of children and young people in our care seriously.

We maintain a child safe organisation by embedding the protection of children into everyday thinking and practice.

All Knox City Council employees, contractors and volunteers are responsible for ensuring children and young people are valued, heard and protected from abuse.

2. Embedding the Child Safe Standards in practice

The Council is committed to providing children with a safe, inclusive, and supportive environment in which they can thrive.

The Council supports, values and respects all children, and is committed to their safety, wellbeing, participation and empowerment.

The Council has zero tolerance for all forms of child abuse or risk of harm to children. All allegations, concerns, suspicions and reports of child abuse or risk of harm will be treated seriously in accordance with this Policy and the Child Safe Reporting and Incident Management Procedure.

The Council is committed to the cultural safety of Aboriginal and Torres Strait Islander children, and those from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children living with a disability, children who cannot live at home, LGBTIQ+ children and children who are vulnerable.

The Council will take into account the diversity of all children, including the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, children who cannot live at home, LGBTIQ+ children and children who are vulnerable, and make reasonable efforts to accommodate them.

The Council will openly communicate with children, families and communities about its approach to Child Safety and ensure that information about Child Safety including information about making a complaint is readily available and accessible.

3. Scope

This Policy applies to all Council Workers (i.e. employees, contractors, volunteers, students and Councillors engaged by Council) and their conduct both within and outside of work, irrespective of whether they work with or have direct contact with children or young people. This includes:

- (a) physical contact,
- (b) face-to-face contact;
- (c) communications with children and young people (whether verbal, written or electronic, including via email, social media).

Third parties engaged by Council, including contractors, agency staff and funded bodies (e.g. grant recipients), are required to comply with this Policy as part of their contractual agreements with Council.

4. Purpose

The Child Safety and Wellbeing Policy (**Policy**) outlines how the Council will prioritise the safety and wellbeing of children and young people, and the child safe practices that Council will implement to create a culture where the safety of children and young people is promoted, child abuse is prevented, and allegations of child abuse are taken seriously and acted upon.

This policy supports our international obligations under the *United Nations Convention on the Rights of the Child*, the Victorian Child Safe Standards and is aligned with the *Australian Human Rights Commission National Principles for Child Safe Organisations*.

In keeping children and young people safe, the following values are a mechanism for guiding our actions and assisting in decision making. In continuing to implement and promote a child safe system of work, we will:

- ensure the safeguarding of children and young people is a shared responsibility, reliant on all individuals within our organisation working to keep children and young people safe in our care;
- empower children and young people by informing them of their rights and responsibilities and support them to speak up about matters of importance to them, including if something goes wrong.
- 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;
- 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 Workers to report any concerns about child safety;

- report all forms of suspected abuse, neglect, racism or mistreatment promptly to the appropriate authority, and take action upon report of any suspected harmful or abusive behaviours;
- 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 Workers who are suitable to work with children and provide high quality training, supervision and professional development to Workers; and
- have policies, procedures and supports in place to reflect these commitments, and review these on a regular basis.

5. Definitions

Child or young person means person who is under 18 years of age, unless otherwise defined by law or noted in this Policy or the Child Safe Reporting and Incident Management Procedure.

Child abuse or risk of harm means conduct and/or the risk of conduct towards, against, with or in the presence of a child, including:

- (a) physical violence or harm (including family violence);
- (b) sexual misconduct;
- (c) sexual offences (including sexual abuse and/or grooming a child);
- (d) significant emotional or psychological harm;
- (e) significant neglect of a child.

Child-related work means work which usually involves (or is likely to involve) direct contact with a child, irrespective of whether that contact is supervised or not, and in child-related occupational fields including (but not limited to) education and care services, educational institutions, religious organisations, counselling or other support services for children.

Child Safety means matters related to Council's duty of care to children in its care, protecting all children from harm, promoting the safety and wellbeing of children, managing child abuse or risk of harm, taking steps to prevent the occurrence or reduce the occurrence of child abuse or risk of harm, providing support to a child at risk of child abuse, and responding to incidents, allegations, concerns, suspicions and reports of child abuse or risk of harm.

Child Safety Officers or CSOs means people appointed by the Council to listen, discuss and clarify issues raised by Workers and children in relation to actual or suspected child abuse or risk of harm, including [insert positions].

Council means Knox City Council

Council Environment means all physical and online environments and places made available or authorised by the Council for use by a child, including but not limited to:

- (a) the offices of the Council;

- (b) a premises owned and/or operated by the Council (e.g. a library, aquatic centre, sports facilities and early learning centre);
- (c) online Council Environments (including email, portals, intranet systems, telecommunication, social media and other online communications); and
- (d) other premises and facilities provided by the Council for a child's use (including, without limitation, locations used for [excursions, competitions, and other events]).

Grooming means an adult communicates, by words or conduct, with a child under the age of 16 years or with a person who has care, supervision or authority for the child with the intention of facilitating the child’s involvement in sexual conduct, either with the groomer or another adult, unless otherwise defined by law or noted in this Policy or the Child Safe Reporting and Incident Management Procedure.

LGBTIQ+ means lesbian, gay, bisexual, transgender, intersex and queer.

Reportable Conduct Scheme means the reportable conduct scheme under the *Child Wellbeing and Safety Act 2005* (Vic), which imposes obligations on the heads of organisations to report allegations of child abuse and misconduct.

Sexual misconduct includes behaviour, physical contact, gestures, speech or other communication of a sexual nature, inappropriate touching, grooming behaviour and voyeurism, unless otherwise defined by law or the Child Safe Reporting and Incident Management Procedure.

Sexual offence 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, unless otherwise defined by law or the Child Safe Reporting and Incident Management Procedure.

Workers means all employees, Councillors, contractors, students and volunteers of the Council.

WWCC means a Working with Children Check issued pursuant to the *Worker Screening Act 2020* (Vic).

6. Policy context

In 2013, following the Victorian Parliamentary Inquiry into the Handling of Child Abuse by Religious and other Non-Government Organisations and the subsequent Royal Commission into Institutional Responses to Child Sexual Abuse, the Child Safe Standards were introduced via amendment to the *Child Safety and Wellbeing Act 2005*.

From 2017, all Victorian organisations, providing services to children and young people were required to comply with the Standards. In July 2022, the Standards were legislated to align with the National Child Safe Principals, with an additional Standard focusing on the protection of Aboriginal children and young people.

The Standards promote the safety of children, prevent child abuse, and ensure organisations have effective processes in place to respond to and report all allegations of child abuse. The Standards require changes in organisational culture – embedding child safety in everyday thinking and practice.

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

7. Child Safe Code of Conduct

The Council’s Child Safe Code of Conduct aims to ensure that children and young people who engage with our services are safe. It clearly outlines the expected behaviour for all Workers in their interaction with or in the presence of children and young people.

The Child Safety Code of Conduct helps ensure that all Workers are aware of acceptable and unacceptable behaviours towards or in the presence of children and young people, and those behaviours that support child safety.

Our Child Safe Code of Conduct is available on our website and shared with children, young people and families we work with as well as with Workers. This promotes child safety through ensuring awareness of the behavioural and environmental standards that we expect our Workers to maintain.

All Workers are expected to act in accordance with the Council’s Child Safe Code of Conduct in their interactions with children and young people.

8. Supporting equity and diversity

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.

The 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.

The Council 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.

9. Reporting child safety concerns or incidents

As Victorians working in local government, all Council Workers, 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.

Workers 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.

Indicators of child abuse or risk of harm can be behavioural or physical and can co-occur with multiple types of child abuse or risk of harm. Examples include, but are not limited to:

<p>Physical violence or harm</p> <ul style="list-style-type: none"> • unexplained bruises, burns, welts, cuts grazes or scratches (or vague or unlikely explanations) for the child or their family members; • avoidance of physical contact, or disproportionate reactions or limited emotion displayed; • unexplained absences and decline in academic performance; • wearing clothing that is unsuitable for the weather conditions (to hide injuries); • substance abuse, self-harm or suicide attempts.
<p>Conduct of a sexual nature, including a sexual offence, sexual abuse, sexual misconduct and/or grooming a child</p> <ul style="list-style-type: none"> • signs of pain, itching or discomfort in the genital or rectal area; • sexualised behaviours;

- withdrawal, low self-esteem, suicidal ideation, self-harm;
- manifestation of psychological diagnoses including anxiety, depression and substance misuse;
- presence of sexually transmitted diseases;
- frequent urinary tract infections;
- pregnancy (actual or suspected);
- self-mutilation;
- displaying age-inappropriate sexual behaviour or knowledge;
- inappropriate expressions of affection;
- sudden fears of specific places or particular adults;
- obsessive and compulsive washing;
- complaining of headaches, stomach pains or nausea;
- sleeping difficulties;
- poor self-care or personal hygiene;
- regressive behaviours such as bedwetting and speech loss;
- substance abuse, self-harm or suicide attempts.

Emotional or psychological harm

- delays in emotional, mental or physical development;
- speech impairments such as stuttering or being selectively mute;
- rocking, thumb-sucking or other infantile behaviours;
- eating disorders;
- exhibiting high anxiety or symptoms of stress;
- poor self-image or low self-esteem;
- displaying aggressive, demanding or attention-seeking behaviour;
- compulsive lying or stealing;

<ul style="list-style-type: none"> • unexplained mood swings or depression; • poor social and interpersonal skills; • excessive neatness or cleanliness; • substance abuse, self-harm or suicide attempt.
<p>Neglect of a child</p> <ul style="list-style-type: none"> • frequent hunger, or stealing or begging for food; • poor hygiene; • lack adequate or suitable clothing; • refusal or reluctance to go home; • appearing dirty and unwashed; • unattended health problems; • appearing pale and weak; • inadequate shelter or unsanitary living conditions; • aggressive or self-destructive behaviour; • involvement in criminal activity; • poor, irregular or non-attendance at school; • limited positive interaction with parents, carers or guardians; • poor academic performance; and • substance abuse.

10. Responsibilities

The safety and wellbeing of children is everyone’s responsibility. The responsibilities of Council Workers may vary depending on their role. A failure to comply with the responsibilities in this Policy, the Child Safety Code of Conduct or the Child Safe Reporting and Incident Management Policy, may lead to disciplinary action up to and including the immediate termination of a Worker’s engagement.

All Workers

All Workers:

- have a shared responsibility for contributing to the safety of children from child abuse or risk of harm;
- are responsible for identifying child abuse or risk of harm, and taking steps to prevent, reduce or eliminate child abuse or risk of harm to the greatest extent possible;
- must promote Child Safety at all times and provide a safe environment for all children; and
- must telephone 000 if they believe there is a serious or immediate risk of child abuse or risk of harm.

All Workers are required to:

- read and comply with this Policy, the Child Safety Code of Conduct and the Child Safe Reporting and Incident Management Policy;
- take all reasonable steps to maintain an environment that is safe and prevents child abuse or risk of harm;
- respond to a child disclosing an incident of child abuse or risk of harm in a sensitive and supportive manner that prioritises their health and wellbeing;
- participate in Child Safety induction and training as directed by the Council and request further assistance if further training is required;
- report any allegations, concerns, suspicions and reports of child abuse or risk of harm in accordance with the Child Safe Reporting and Incident Management Procedure, and are strongly encouraged to report those concerns to a CSO or CEO. This includes conduct that may fall under the Reportable Conduct Scheme or *Crimes Act 1958* (Vic) including the failure to disclose and failure to protect offences;
- promptly record any concerns, suspicions and reports of child abuse or risk of harm on Council's reporting system Elumina, with support from a CSO as needed;
- report any breach or suspected breach of this Policy, the Child Safety Code of Conduct and the Child Safe Reporting and Incident Management Procedure as soon as possible to a CSO or CEO.

The Councillors

The Councillors have ultimate responsibility for ensuring that Council complies with the Victorian Child Safe Standards, including:

- ensuring Council has appropriate systems in place to effectively identify and prevent child abuse or risk of harm;
- ensuring the Council has appropriate and effective internal control systems and processes in place to respond to child abuse or risk of harm, including regular reviews;
- modelling and championing a child safe culture and making a public commitment to Child Safety;

- ensuring the Council has effective Child Safety policies, procedures and codes of conduct in place to prevent child abuse or risk of harm;
- ensuring that the Council equips Workers with appropriate training and information to identify, prevent and respond to child abuse or risk of harm, consistent with their obligations; and
- ensuring that the Council empowers children, families and communities with information about their rights and opportunity to input on the Council's approach to Child Safety or risk of harm.

The CEO

The CEO of Council is responsible for:

- appointing, managing and overseeing the response and investigation of reports of child abuse or risk of harm to children;
- preventing, identifying and mitigating Child Safety risks, including child abuse or risk of harm within all Council Environments;
- reporting concerns of child abuse or risk of harm consistent with relevant legal obligations under the Reportable Conduct Scheme;
- ensuring Workers are aware of:
 - this Child Safety Policy, the Child Safety Code of Conduct, the Child Safe Reporting and Incident Management Procedure and their Child Safety obligations, including the obligation to report suspected child abuse or risk of harm;
 - their responsibilities to create and maintain Child Safe environments;
 - acceptable and unacceptable behaviour in relation to children;
 - The Council's commitment to empowering children about their rights including the right to feel safe, be informed and participate in decisions affecting them;
 - ensuring that the Council has effective internal control measures in place to detect child abuse or risk of harm;
 - appointing CSOs and ensuring that they are provided with training or information to perform their role effectively;
 - providing support for Workers in undertaking their Child Safety obligations;
 - ensuring that this Child Safety Policy, the Child Safety Code of Conduct and the Child Safe Reporting and Incident Management Procedure is reviewed and updated every two years (or earlier after a Child Safety incident); and
 - monitoring and reporting to the Councillors on compliance with this Child Safety Policy, the Child Safety Code of Conduct and the Child Safe Reporting and Incident Management Procedure.

People Leaders

All People Leaders must:

- promote and model Child Safety at all times;

- assess the risk to Child Safety, including child abuse or risk of harm, within their area of control and take steps to reduce or eliminate any risk to the extent possible;
- educate Workers about identifying and preventing child abuse or risk of harm;
- make a record of Child Safety risks and incidents on Elumina and specify the action(s) the Council will take to reduce or remove the risks (i.e. risk controls) when a Worker notifies them of an identified risk;
- facilitate the reporting of any concerns regarding Child Safety including reports or disclosures of child abuse or risk of harm, as soon as possible; and
- report any allegations, concerns, suspicions and reports of child abuse or risk of harm in accordance with the Child Safe Reporting and Incident Management Procedure as soon as possible, and are strongly encouraged to report those concerns to a CSO or CEO.

People Experience Lead

The People Experience Lead must:

- sight, verify and record all WWCCs and identify and monitor those that require renewal;
- not allow Workers to work with children without a valid WWCC, or when a WWCC has expired or a negative notice is received, unless the Worker has applied for a WWCC and is legally permitted to work with children while their WWCC application is being processed;
- notify People Leader of any suspension, withdrawal or negative notice about a Worker's WWCC;
- collect, document and store information from applicants and their referees to assess their suitability for child-connected work, including the information set out in this Policy;
- ensure that Incident Reports and actions taken to address allegations, concerns, suspicions and reports of child abuse or risk of harm are promptly recorded and securely stored on Elumina;
- ensure Workers receive training and/or information at induction and annually thereafter as set out in this Policy;
- ensure Workers are informed about this Child Safety Policy, the Child Safety Code of Conduct and the Child Safe Reporting and Incident Management Procedure;
- ensure Workers provide written acknowledgment that they have read, understood and agree to comply with this Child Safety Policy, the Child Safety Code of Conduct and the Child Safe Reporting and Incident Management Procedure; and
- undertake the recruitment strategies set out in this Policy.

Child Safe Officers (CSOs)

CSOs are available to listen, discuss and clarify issues confronting Workers in relation to child abuse or risk of harm.

The Council's CSOs are responsible for:

- responding to, managing and overseeing the investigation of complaints and disclosures under this Policy, as directed by the CEO;
- reporting any risks to Child Safety, including child abuse or risk of harm to the Chief People Officer and CEO;
- promptly recording allegations, concerns, suspicions and reports of child abuse or risk of harm on Elumina, and specify the action(s) the Council will take to reduce or remove the risks (i.e. risk controls) when the Council is notified of child abuse or risk of harm;
- supporting Workers to promptly record allegations, concerns, suspicions and reports of child abuse or risk of harm in an Incident Report on Elumina where requested;
- reporting child abuse or the risk of harm on behalf of the Council, consistent with their authority and any directions by the [CEO] (which may include supporting Workers to meet their reporting obligations);
- maintaining adequate records of all complaints, decisions and actions taken in relation to any allegation, concern, suspicion or report of child abuse or risk of harm; and
- being familiar with the types of child abuse or risk of harm and be alert to any indications of such conduct, including harm caused by children.

11. Safer Recruitment

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

The Council has robust recruitment and selection processes, to ensure the recruitment of suitable Workers to minimise the risk of recruiting individuals who may commit child abuse.

Council Workers may require a current police check and WWCC, or evidence of being exempt from the requirement to hold a WWCC, at the time of employment and may be required to update this information from time to time.

Council is committed to ensuring that Workers 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 under the Reportable Conduct Scheme) and the Child Safe Code of Conduct.

In addition to the inclusion of Child Safety in Council's suite of compliance training modules, and position-specific training requirements, training will be available to Workers 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.

Further information for People Leaders regarding child safe recruitment is included in the Knox Recruiting and Selecting for Excellence Policy.

Working with Children Clearances (WWCCs)

Designated Workers are required to have a current Working with Children Clearance (WWCC). These roles have been selected based on legislative requirements and Child Safe Standards risk assessment. They cover those who:

- work/volunteer in services and programs that care for/educate/support children whether supervised or unsupervised (e.g. school crossing supervisors, maternal child health and immunisation nurses) OR
- are required to work with or visit a child-based service (childcare centre, kindergarten, school) on a regular basis (e.g. contractor for a child related facility) OR
- are not engaged in work that is specifically child-related but do have direct contact with children (e.g. library staff, home support staff where child family members may be present in the home in the home environment, playground maintenance staff) AND
- may be expected to come into direct contact with children on a regular basis during the course of their work or whilst representing Council. This includes attendance at community event where children or families are participating.

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

- Child Wellbeing and Safety Act 2005 (Vic)
- Child Wellbeing and Safety Regulations 2017 (Vic)
- Commission for Children and Young People Act 2012 (Vic)
- Charter of Human Rights and Responsibilities Act (Vic) 2006
- Crimes Amendment (Protection of Children) Act 2014
- 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 2014 (Vic)
- Privacy Act 1988 (Cth)
- Disability Act 2006 (Vic)
- 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
- Knox City Council Child Safe Reporting and Incident Management Procedure

13. 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.