
Child Safety and Wellbeing Policy



August 2022





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Child Safety and Wellbeing Policy



Council Policy

Responsible director	Corporate and Community Services
Responsible officer	Manager People and Culture
Functional area	People and Culture
Date adopted by Council	15 August 2022
Review date	August 2026

Purpose

Council is committed to creating and maintaining a child safe organisation where protecting children and preventing and responding to child abuse is embedded in the everyday thinking and practice of all Councillors, employees, contractors and volunteers. This policy reflects Council's legislative responsibility in meeting the requirements of the Child Safe Standards and our commitment to the community to create and sustain an environment where children are safe and protected from abuse.

Statement of commitment to child safety and wellbeing

Northern Grampians Shire Council has zero tolerance for child abuse.

Northern Grampians Shire Council is a committed Child Safe organisation. Our commitment is to ensure that a culture of child safety is embedded into our practices and processes.

Every child and young person accessing Northern Grampians Shire Council has the right to feel and be safe.

This Council embraces diversity and inclusion. All children and young people, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, family background or social background, have equal rights to protection from abuse.

We firmly commit to the cultural safety of Aboriginal and Torres Strait Islander children and young people and children and young people from culturally and/or linguistically diverse backgrounds, and to the provision of a safe environment for children and young people with a disability, as well as other vulnerable groups of children and young people.

All Northern Grampians Shire Councillors, employees, volunteers, contractors and community representatives have a responsibility to understand and activate their role in preventing, detecting, responding and reporting any suspicions of child abuse to the relevant authorities, and maintaining a child safe culture.

Background

In recent years we have had the benefit of learning from many survivors and multiple inquiries, including the Victorian Parliament's Betrayal of Trust inquiry¹ and the Royal Commission into Institutional Responses to Child

¹ Family and Community Development Committee, Victorian Parliament, Betrayal of Trust: inquiry into the handling of child abuse by religious and other non-government organisations, Victoria 2013, 2: p 262.

Sexual Abuse² (the Royal Commission). These have shown the devastating extent of harm done to children when organisations do not have the right culture, systems, processes and understanding to prevent abuse.

A child safe organisation takes deliberate steps to safeguard children from physical, sexual, emotional and psychological abuse and neglect. It puts children's safety and wellbeing first and embeds a commitment to child safety in every aspect of the organisation.

Victoria's mandatory Child Safe Standards (the Standards) have been in effect since 2016.

Following the Royal Commission, the Victorian Government reviewed the Standards.³ The review found strong support for the Standards and recommended several changes to better align the Standards with the National Principles for Child Safe Organisations, and to strengthen administration of the Standards.

In line with these recommendations, the new Standards were released by the Victorian Government in 2021. They consist of 11 updated Standards and apply from 1 July 2022 and this policy reflects those recommendations.

Scope

This policy applies to all activities in the organisation which involve, result in or relate to contact with children.

This policy applies to all councillors and people employed directly by Northern Grampians Shire Council, whether full time, part time, casual or temporary. It also applies to people engaged as a contractor, agency staff, volunteers and students over the age of 18 on placement.

Policy Objective

This policy aligns with Northern Grampians Shire Council's goal to Enhance Lifestyle and Community and Council Plan 2021-2025 pillar of Wellness and Welfare.

Policy

This policy outlines Northern Grampians Shire Council's commitment to the health, safety and wellbeing of all children and to protecting them from child abuse.

Council does not tolerate child abuse and all allegations and safety concerns will be treated seriously, reported and investigated.

Council will always listen to children respectfully and advocate for their right to feel safe, valued and protected.

Council will work in partnership with local organisations and services to protect children in our community from child abuse regardless of their age, gender, race, ability, sexual orientation, social, cultural or linguistic background or their family's religious beliefs or affiliations.

The policy is supported by the [Child Safe Standards Action Plan](#) to deliver the 11 Child Safe Standards.

Child Safe 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

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

² Commonwealth of Australia, Royal Commission into Institutional Responses to Child Sexual Abuse, 2017

³ Department of Health and Human Services, Review of the Victorian Child Safe Standards, 2019

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

Staff and volunteers 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

Legislation and Standards

Child Wellbeing and Safety Act 2005 (Vic)

Charter of Human Rights and Responsibilities Act 2006 (Vic)

Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015

National Principles for Child Safe Organisations

Responsibilities

Role	Responsibilities
Councillors	<ul style="list-style-type: none"> • Familiarise themselves with this policy and the Child Safe Standards • Provide leadership for the good governance of Council by acting as a responsible partner in fostering and developing an organisational culture that has zero tolerance for child abuse. • Advocate in the best interests of children to create and sustain a community in which children are safe and protected from abuse.
Chief Executive Officer	<ul style="list-style-type: none"> • Lead the embedding of child safety and wellbeing through the implementation and maintenance of the Child Safe Standards. • Ensure Council has effective mechanisms in place to: <ul style="list-style-type: none"> ○ empower children and young people to participate in decision-making; ○ support and respond to their diverse needs; and ○ provide access to complaint processes.
Executive Leadership Team	<ul style="list-style-type: none"> • Support the Chief Executive Officer to embed and deliver the Child Safe Standards.

- Ensure the organisation has in place and implements robust child safety procedures that protect children from child abuse and suspected or alleged instances of child abuse are reported, fully investigated and communicated to relevant stakeholders.
- Provide support to employees, contractors and volunteers in undertaking their child protection responsibilities.

Senior Leadership Team

- Identify and embed Child Safe Standards in council procedures to ensure the safety of children in council-led activities and council-owned premises where activities involving children and young people occur.
- Eradicate or minimise risks to children and young people in delivery of services, amenities or programs through assessment and development of management plans.
- Ensure complaints and concerns of child safety are managed in line with council policies and procedures
- Ensure employees are educated about child safety and wellbeing, including the prevention and detection of child abuse, and attend any relevant training when it is provided.
- In the case of a complaint, offer support to the child, the parents, the person who reports and the accused staff member, contractor or volunteer.

People and Culture

- Embed the principles of the Child Safe Standards in Council procedures including recruitment and pre-employment screening processes
- Provide education to employees and volunteers in the Child Safe Standards, Child Safety and Wellbeing Policy, including incorporation of child safety in Council's induction and learning and development programs.
- Ensure staff and volunteers understand and promote child safety strategies and promote how to raise safety concerns through council procedures.
- Monitor the organisation's strict adherence to procedures as they apply to Child Safe Standards and take appropriate action when a non-compliance arises.
- Manage Council's disciplinary procedure as it applies to the Child Safe Standards.
- Support employees who have been impacted by a child abuse incident and make appropriate referrals to the Employee Assistance Program.

Child Safety Officers

- Act as the first point of contact for employees who have a child safety concern or allegation of abuse within Council.
- Support the notification of child safety concerns or allegations to relevant authorities (Police or Child Protection).

All council staff and volunteers

- Understand and champion a child safe culture.
- Participate in relevant training and understand their obligations regarding information sharing and record keeping.
- Report any suspicion or reasonable belief that a child's safety may be at risk to their supervisor or designated Child Safety Officers.
- Provide support and culturally safe environments to children and young people in delivery of services and programs.

Contractors, labour hire and agency employees

- Processes are in place by council to ensure the same standards that apply to Council also apply through contractual obligations of contractors, labour hire and agency employees.
- Induction and training to understand their obligations regarding information sharing and record keeping are completed.

Licensee / Lessor

- Sporting associations and not-for-profit entities are required to comply with Child Safe Standards.
- Council, as their licensee or lessor, notes this requirement in the Occupancy Licence Agreement between Council and individual groups with the aim to raise awareness of the legislation and compliance requirements.

Review

Assessment of the policy will be undertaken every four years to ensure it remains current legislative requirements. Triggers for an earlier assessment include legislative changes and introduction of new systems or procedures.

Communication and implementation

The policy will be communicated to all stakeholders via the EDRMS, senior leadership team activities and information, posters, newsletters, induction and/or training.

References

Council Plan 2021-2025
Complaints Policy
Charter of Human Rights and Responsibilities Act 2006
Victorian Child Safe Standards
National Principles for Child Safe Organisations
Child Wellbeing and Safety Act 2005
Local Government Act 2020
Creating a Child Safety and Wellbeing Policy - CCYP
Short Guide to the Child Safe Standards - CCYP

Compliance

[Select the checkboxes that this policy requires relevant State Government legislative compliance with.]

[Use and as required]

- Local Government Act 2020*
- Local Government Act 1989*
- [Gender Equality Act 2020](#)
- Child Safety Act 2015*
- [Privacy and Data Protection Act 2014](#)
- Equal Opportunity Act 2010*
- Fair Work Act 2009*
- [Charter of Human Rights and Responsibilities Act 2006](#)
- Health Records Act 2001*
- Freedom of Information Act 1982*
- Climate Change Act 2017*
- Other – Child Wellbeing and Safety Act 2005

Privacy and Data Protection compliance

This policy is developed in line with the Privacy and Data Protection Act 2014 and the Victorian Protective Data Security (VPDSS) Framework which adopts a risk-based approach to privacy and protective data security.

Gender Equality compliance

Gender Impact Assessment GNDASS5 reviews the compliance of this policy to the *Gender Equality Act 2020*.

Charter of Human Rights compliance

This policy has a positive impact on the following Human Rights, as outlined in the *Charter of Human Rights and Responsibilities Act 2006*:

8 Recognition and equality before the law

Every person is equal before the law and is entitled to the equal protection of the law without discrimination and has the right to equal and effective protection against discrimination.

17 Protection of families and children

Every child has the right, without discrimination, to such protection as is in the child's best interests and is needed by the child by reason of being a child.

19 Cultural rights

All persons with a particular cultural, religious, racial or linguistic background must not be denied the right, in community with other persons of that background, to enjoy their culture, to declare and practise their religion and to use their language.

Aboriginal persons hold distinct cultural rights and must not be denied the right, with other members of their community—

- (a) to enjoy their identity and culture; and
- (b) to maintain and use their language; and
- (c) to maintain their kinship ties; and
- (d) to maintain their distinctive spiritual, material and economic relationship with the land and waters and other resources with which they have a connection under traditional laws and customs

Definitions

The Act: *Child Safety and Wellbeing Act 2005*

Child: a person who is under the age of 18 years.

Child safety: in the context of the child safe standards, child safety means measures to protect children from abuse.

Aboriginal child: a person under the age of 18 who is of Aboriginal or Torres Strait islander descent, 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 safe organisation: in the context of the child safe standards, a child safe organisation is one that meets the child safe standards by proactively taking measures to protect children from abuse.

Child abuse: any act committed against a child involving physical violence, sexual offences, serious emotional or psychological abuse and serious neglect.

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: a disability can be any physical, sensory or neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child's ability to undertake everyday activities. Some disabilities can be obvious while others are hidden.

Child Protection Authority: the Victorian Child Protection Service is specifically targeted to those children and young people at risk of harm or where families are unable or unwilling to protect them.

Review history

Date	Review details	Action
August 2017	New policy	Endorsed by ELT

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June 2022	Revised policy – new standards	Approved by ELT
August 2022	Reviewed policy	Approved by Council