



Child Safe Policy



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Child Safe Policy

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I. PURPOSE

The purpose of this policy outlines the City of Port Phillip's strong commitment to the care, safety and wellbeing of children and young people and provides procedures to manage their safety.

Statement of commitment to child safety:

The City of Port Phillip has zero tolerance for child abuse.

The City of Port Phillip 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 City of Port Phillip has the right to feel and be safe.

This City 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 City of Port Phillip 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.

2. OVERVIEW

The following underpins our commitment to the safety of all children and young people who live in, study in or visit the City of Port Phillip.

- All children and young people deserve, as a fundamental right, safety and protection from all forms of abuse and neglect.
- All people have a responsibility to care for children and young people, to positively promote their wellbeing and to protect them from any kind of harm or abuse.
- Our policies and guidelines for the care, wellbeing and protection of children are based on honest, respectful and trusting relationships between adults and children.
- Our policies and practices demonstrate compliance with legislative requirements and cooperation with governments, the police and human services agencies.
- We work in partnership with children, families and the community to ensure that they are engaged in decision making processes, particularly those that have an impact on child safety and protection.
- All persons involved in situations where harm is suspected, disclosed or who make a notification will be treated with sensitivity, dignity and respect, and provided with support.

All staff, families, children and young peoples should feel free to raise concerns about child safety, knowing these will be taken seriously by the City of Port Phillip.

3. DEFINITIONS

For the purpose of this policy, 'child /children or young person/ people' includes any person up to the age of 18 who has contact with people working for or representing the City of Port Phillip.

The Child Safe Standards and this policy cover the following forms of child abuse of children under the age of 18:

Sexual abuse occurs when a person uses power or authority over a child to involve the child in sexual activity. Physical force is sometimes involved. Child sexual abuse involves a wide range of sexual activity. It includes fondling of the child's genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or other object, or exposure of the child to pornography.

Grooming describes the predatory conduct designed to facilitate later sexual activity with a child. Grooming can include communicating and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer. Grooming does not necessarily involve any sexual activity or even discussion of sexual activity. On-line grooming is also a criminal offense.

Physical abuse occurs when a child suffers harm from an injury inflicted by another person. The injury may be inflicted intentionally or may be the inadvertent consequence of physical punishment or physically aggressive treatment of a child. The injury may take the form of bruises, cuts, burns or fractures.

Serious emotional and psychological abuse occurs when another person repeatedly rejects the child or uses threats to frighten the child. This may involve name calling, put downs or continual coldness from other person, to the extent that it significantly damages the child's physical, social, intellectual or emotional development.

Serious neglect is the failure to provide the child with the basic necessities of life such as food, clothing, shelter, medical attention or supervision, to the extent that the child's health and development is, or is likely to be harmed.

4. SCOPE

This policy applies to everyone who works for or represents the City of Port Phillip, as follows:

- Employees
- Councillors
- Contractors
- Agency staff
- Consultants
- Volunteers
- Students over the age of 18 on placement.

For this policy, the above will be referred to as "all staff" unless otherwise stipulated.

5. COMPLIANCE

All staff must adhere to this policy at all times.

Failure to comply with this policy may result in disciplinary action and in serious cases, termination of employment or contracts.

6. POLICY

6.1 Child safe standards

The United Nations Convention on the Rights of the Child recognises that children have a right to be protected from physical and mental harm and neglect, and to be able to enjoy the full range of human rights, including civil, cultural, economic, political and social rights. Children have the right to be safe in an organisational setting.

Council is committed to creating a child safe environment for all children and has been a signatory to the Victorian Charter for Child Friendly Cities and Communities since 2013. Council recognises the importance of human rights for all people including children and young people.

Council is committed to children's rights and safety, and complying with the compulsory Child Safe Standards introduced in 2015, which requires organisations to create and maintain a child safe organisation through:

- a) Strategies to embed an organisational culture of child safety, including through effective leadership arrangements.
- b) A child safe policy or statement of commitment to child safety.
- c) A code of conduct that establishes clear expectations for appropriate behaviour with children.
- d) Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel.
- e) Processes for responding to and reporting suspected child abuse.
- f) Strategies to identify and reduce or remove risks of child abuse.
- g) Strategies to promote the participation and empowerment of children.

Further, in complying with the Child Safe Standards we will seek to embed the following principles:

- Promoting the cultural safety of Aboriginal and Torres Strait Islander children.
- Promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds.
- Promoting the safety of children with a disability.

For more detailed information about the CCS and organisations' responsibilities please refer to:

<https://ccyp.vic.gov.au/child-safety/being-a-child-safe-organisation>

6.2 Roles and Responsibilities

All staff have a responsibility to ensure that the wellbeing and safety of children and young people is at the forefront of all they do and every decision they make that may impact on children and young people.

Council will:

- create environments for children and young people to be safe and feel safe.
- build in regular reviews of this policy and related policies and procedures to ensure they address the requirements of the Child Safe Standards.
- actively promote and uphold the commitment to child safety at all times.

Executive Management and Senior Leadership Team, in addition to the above, will:

- uphold high principles and standards for all staff and volunteers.
- ensure thorough and rigorous practices are applied in the recruitment, screening and ongoing professional training and induction of all staff.
- ensure that all staff have regular and appropriate supervision and learning opportunities to develop their knowledge of, openness to and ability to address child safety matters.
- provide regular opportunities to clarify and confirm legislative obligations, policies and procedures in relation to the protection and wellbeing of children.
- ensure the organisation meets the specific requirements of the Victorian Child Safe Standards and that all staff abide by these requirements.
- act on any breaches that compromise the safety to children.

All staff will:

- interact with all children and young people with dignity and respect, act with propriety, provide a duty of care, and protect all children and young people.
- follow the legislative and internal processes for reporting and responding to child safety concerns.
- provide a physically and psychologically safe environment where the wellbeing of all children and young people is nurtured.
- undertake regular training and education in order to understand their individual responsibilities in relation to the safety and wellbeing of all children and young people.
- assist all children and young people to develop positive, responsible and caring attitudes and behaviours which recognise the rights of all people to be safe and free from abuse.

6.7 Risk management

Measures have been adopted to identify and manage risks of child abuse in physical and online settings and to promote a safe and healthy environment for children, families, employees, volunteers and the community.

6.8 Human resources and recruitment

Council will continue to implement screening, supervision, training and other practices that reduce the risk of child abuse by employees.

All staff engaged in child related work or as defined by CoPP are required to:

- hold a current Working with Children Check.
- provide evidence of this check to the City of Port Phillip.

- ensure that the City of Port Phillip is recorded as the current employer on the holder's Working with Children Check.

Council will maintain a register of all staff with Working with Children Checks.

Council will inform and educate all staff and volunteers about this policy, and related policies and procedures to ensure all staff are aware of the role they play in keeping children and young people safe.

All staff will be required to undertake training to develop their knowledge and increase their skills and confidence relating to responding, reporting, reducing and removing the risk of child abuse.

Council will periodically review and develop human resource management policies and practices to ensure ongoing compliance with the Child Safe Standards.

6.9 Reporting and responding to child safety concerns

All staff must comply with legal requirements and adopted processes for responding to and reporting suspected child abuse.

Council will work to ensure all people to whom this policy applies, and all children and families, know what to do and who to tell if they notice inappropriate behaviours, observe abuse or are a victim of abuse.

Where appropriate and in the best interests of the child, Council will inform parents or carers if their child raises safety concerns with staff or volunteers. Council may seek advice from the Victorian Police or the Department of Health and Human Services Child Protection.

Council takes all allegations of abuse seriously and will investigate all allegations, following due process and ensuring procedural fairness for all parties concerned. This may include reporting the allegations to the Victorian Police or Department of Health and Human Services, Child Protection.

If an allegation of abuse or a safety concern is raised, Council will:

- ensure that procedures for responding to alleged abuse are fair and focus on child safety.
- ensure processes for responding to suspected child abuse explicitly include culturally appropriate responses.
- provide progress updates to the relevant authorities and where appropriate people involved in any incident.
- provide ongoing support or make referrals for support to alleged victims, their families and affected staff, such as helping them understand their rights and the process that will be followed in responding to allegations, and assistance in accessing counselling or other support as required.
- provide contact details for internal and/or external expertise so that all staff have access to advice when managing child safety incidents, including expertise relating to culturally and/or linguistically diverse children, and children with a disability.
- undertake timely reviews of organisational child safe policies and procedures if child abuse occurs; and review organisational responses following an incident to help drive continuous improvement.

Council will record and store securely all reports of child safety concerns, allegations and actions taken to ensure the privacy of all parties.

6.10 Reportable Conduct Scheme

The Victorian Reportable Conduct Scheme (RCS) seeks to improve organisations' response to allegations of child abuse and neglect by their workers and volunteers. The scheme is established by the Child Wellbeing and Safety Act 2005.

The RCS has been designed to ensure that the Commission of Children and Young People (the Commission) will be aware of every allegation of certain types of misconduct involving children in relevant organisations that exercise care, supervision and authority over children.

For more detailed information about the RCS and organisations' responsibilities please refer to:

<https://ccyp.vic.gov.au/reportable-conduct-scheme/>

Council will comply with all requirements under the RCS and will ensure all staff report all allegations of misconduct or reportable conduct to the appropriate person- even if the conduct happens outside the workplace.

6.11 Children's participation and empowerment

Council will aim to ensure:

- reporting procedures are accessible for all children and young people.
- children and young people understand their rights and understand what abuse is and how they can seek support or advice (in an age appropriate manner).
- children feel safe, empowered and taken seriously if they raise concerns.
- children feel empowered to contribute to the City of Port Phillip's understanding and treatment of child safety.
- children's reports of concern are responded to appropriately.
- staff and volunteers understand how to empower children and encourage their participation.

6.12 Continuous improvement

Council will continuously improve its approach to child safety by:

- continually working to embed an organisational culture of child safety and reporting.
- regularly reviewing and updating child safety policies and practices.
- being open to scrutiny.
- reviewing organisational responses following an incident.
- develop procedures to monitor internal compliance with the Child Safe Standards.

6.13 Review of this policy

This policy will be reviewed annually and following any significant legislative change.

This policy will also be reviewed following any adverse incident to ensure the policy is robust and remains relevant.

Feedback, views and comments are regular sort from key stakeholders, including children and young people. This will be included in any updates and reviews as appropriate.

Any policy update will be communicated to all staff.

6.14 Breaches

Breaches of this policy may lead to action in accordance with the City of Port Phillip Disciplinary Policy, which may include termination of employment and/or referral to Victoria Police.

7. RELEVANT POLICY AND LEGISLATION

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| Legislation (Victoria) | <p>Children Youth and Families Act (2005) Working with Children Act (2005) Child Wellbeing and Safety Act (2005) Child Wellbeing and Safety Amendment (Child Safe Standards) Act (2015) Child Wellbeing and Safety Amendment (Oversight and Enforcement of Child Safe Standards) Act (2016) Child Wellbeing and Safety Amendment (Child Safe Standards) Regulations (2015) Crimes Act (1958) <i>Crimes Amendment (Grooming) Act (2014)</i> The Charter of Human Rights and Responsibilities Act (2006) The Commission for Children and Young People Act (2012) Privacy and Data Act (2014)</p> |
| Criminal offences | <p>Failure to protect a child from sexual abuse (2015) Failure to disclose child sexual abuse (2014) Grooming offence (2014)</p> |
| City of Port Phillip policies | <p>City of Port Phillip Reconciliation Action Plan City of Port Phillip Social Justice Charter City of Port Phillip Code of Conduct City of Port Phillip - Complaints Handling policy <i>Child First policy – Operational Guideline Statement</i> <i>Child Protection policy – Operational Guideline Statement</i></p> |

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| Other | Victorian Charter for Child Friendly Cities and Communities United Nations Convention on the Rights of the Child |
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8. RELATED DOCUMENTS

List any associated guidelines or procedures that specify roles, responsibilities or required action

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