

# Child Safety and Wellbeing Policy

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**Responsible Service Area:** Community Services and People and Culture

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## Acknowledgment of Country

We, in the spirit of Reconciliation, acknowledge the Wurundjeri People of the Kulin Nation as traditional custodians of the land now known as the City of Maroondah, where Indigenous Australians have performed age-old ceremonies. We acknowledge and respect their unique ability to care for Country and their deep spiritual connection to it. We pay our respects to their Elders, past, present and emerging.

## 1. Purpose

The Child Safety and Wellbeing Policy (the Policy) outlines Maroondah City Council's approach to creating and maintaining a child safe organisation and is consistent with the requirements under the Victorian Child Safe Standards and other relevant legislation. It is created to assist Council to prioritise the safety and wellbeing of children and young people, and incorporate 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.

If this policy is found to be inconsistent or in conflict with any other Council policy, plan, procedure or directive, this Policy shall prevail and take precedence, to the extent to which it provides for better child safety outcomes.

## 2. Objectives

- To communicate Council's commitment to ensuring the safety and wellbeing of children and young people and zero-tolerance of child abuse
- To outline Council's responsibilities as a child safe organisation compliant with the Child Safe Standards
- To detail the roles and responsibilities of Council employees, contractors, volunteers, students, and Councillors in ensuring the safety and wellbeing of children and young people, irrespective of their involvement in child-related work
- To guide and support Council employees, contractors, volunteers, students and Councillors to fulfil their responsibilities to respond to and report child safety concerns and complaints.
- To communicate the behavioural expectations of Council employees, contractors, volunteers, students, and Councillors (both within and outside work) when working with or around children and young people
- To set out Council's policy positions and procedures that aim to ensure children and young people's safety and wellbeing across all areas of the organisation.

## 3. Scope

This Policy applies to all Council employees, volunteers, students and Councillors, and their conduct both within and outside of work, irrespective of whether they work with or have direct contact with children or young people.

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

Children are defined in this Policy as anyone aged under 18 years old.

## 4. Relationship to the Maroondah 2040 Community Vision

<i>Community Outcome:</i>	A safe, healthy and active community An inclusive and diverse community A well governed and empowered community
<i>Key Directions:</i>	1.5 Advocate and support initiatives for the prevention of violence against women, children, seniors, and vulnerable community members  7.1 Support people of all ages, abilities and backgrounds to be connected, valued and empowered within their local community through accessible and inclusive services, programming and facilities  8.1 Provide community inspired governance that is transparent, accessible, inclusive and accountable  8.8 Ensure that all community members have access to, and are informed on, matters that affect them, including tailored information for under-represented and hard-to-reach groups  8.9 Undertake inclusive engagement and consultation using accessible and tailored approaches to consider the needs and aspirations of people of all ages, abilities and backgrounds  8.10 Create opportunities for shared decision making through active community participation

## 5. Alignment with Council's Mission and Values

### Organisational vision:

We will foster a prosperous, healthy and sustainable community

### Our mission:

We are dynamic and innovative leaders, working in partnership to enhance community wellbeing

### Our values:

- We are ACCOUNTABLE to each other and our community
- We collaborate in an adaptable and SUPPORTIVE workplace
- We PERFORM at our best
- We are open honest, INCLUSIVE and act with integrity
- We ensure every voice is heard, valued and RESPECTED
- We are brave, bold and aspire to EXCELLENCE

This Policy supports Council's organisational vision, mission and values by ensuring that Council acts in accordance with the Victorian Child Safe Standards to prevent child abuse and harm, and to prioritise the safety and wellbeing of children and young people.

## 6. The Victorian Child Safe Standards

Council is required by law to implement the [Victorian Child Safe Standards](#) to protect children and young people from harm and abuse.

The Child Safe Standards are a compulsory framework for Victorian organisations that provide services and facilities specifically for children and young people aged 0 to 18 years. The Standards apply to the whole organisation, not just those areas that work directly with children or young people.

The Standards aim to:

- promote the safety of children
- prevent child abuse
- ensure organisations and businesses have effective processes in place to respond to and report all allegations of child abuse.<sup>1</sup>

The eleven Victorian Child Safe Standards:

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

## 7. Child Abuse and Harm

Child abuse can be defined in many ways. The term is often used broadly to cover behaviour by people in a position of responsibility, trust or power that results in a child being harmed physically or emotionally.<sup>2</sup>

The *Child Wellbeing and Safety Act 2005 (Vic)* defines 'child abuse' as:

- a sexual offence committed against a child
- grooming for sexual conduct with a child under the age of 16 under section 49M(1) of the *Crimes Act 1958 (Vic)*
- physical violence against a child
- causing serious emotional or psychological harm to a child
- serious neglect of a child

This definition of child abuse is deliberately broad. It allows for a wide range of harmful behaviour and conduct towards a child to be covered by the definition, even if it is not expressly listed.<sup>3</sup>

'Harm' is damage to the health, safety or wellbeing of a child, including as a result of child abuse by adults or the conduct of other children. It includes physical, sexual, emotional and psychological harm. Harm can arise from a single act or event. It can also be cumulative, that is, arising as a result of a series of acts or events over a period of time.<sup>4</sup>

Child abuse and harm can be caused by adults AND by other children.

### Types of Child Abuse and Harm<sup>5</sup>

<b>Physical violence</b>	<p>Physical violence can occur when a person intentionally or recklessly uses physical force against, with or in the presence of a child without their consent, which causes, or could cause, the child harm.</p> <p>Physical violence can also occur when someone intentionally or recklessly causes a child to believe that physical force is about to be used against them without their consent.</p> <p>Physical violence can include hitting, punching, kicking, pushing or throwing something that strikes a child. It also includes the use of words or gestures that cause a child to believe that they are about to suffer physical violence.</p> <p>In some cases, physical contact with a child may be necessary, such as to physically restrain them from hurting another child or themselves, but the use of physical contact must be reasonable and no more force should be used than is absolutely necessary.</p>
<b>Sexual abuse</b>	<p>Child sexual abuse is when a person uses power or authority over a child to involve them in sexual activity.<sup>6</sup> It includes a broad range of behaviours involving a sexual element that are committed against, with or in the presence of a child.</p> <p>Child sexual abuse does not always involve force. In some circumstances, a child may be manipulated into believing that they have brought the abuse on themselves, or that the abuse is an expression of love.<sup>7</sup></p> <p>Sexual offences may involve contact, like touching or penetration. They also include acts that do not involve physical contact like 'flashing', possessing child abuse material or grooming. A full list of relevant child sexual offences is included in clause 1 of schedule 1 to the <i>Sentencing Act 1991 (Vic)</i>.</p> <p>While a child sexual offence will generally include any sexual encounter by an adult that involves a child, in some circumstances conduct by children aged ten years or over can also constitute a sexual offence.<sup>1</sup></p>

<sup>1</sup> Under Victorian law children between 12 to 15 can only consent to sexual activity with another child no more than two years older. Therefore, sexual contact by a child with a child outside of this age range may involve a sexual offence.

<b>Grooming</b>	<p>Grooming behaviour can involve the use of a variety of manipulative and controlling techniques used to build trust or normalise sexually harmful behaviour. Grooming is often described as the 'preparation' phase of child sexual abuse, undertaken by the perpetrator to gain the trust of a child, and to establish secrecy and silence.<sup>8</sup> Perpetrators may groom to gain access to a child, initiate and maintain sexual abuse of that child, and to conceal the sexual abuse from others who may identify it.<sup>9</sup></p> <p>Grooming can include communicating or attempting to befriend or purposely establishing a relationship or other emotional connection with a child, their family or organisations they are engaged with. At first people may be tricked into thinking the relationship with the perpetrator is safe and normal. Children may not understand that what is happening is grooming or may feel they have no choice but to be abused.<sup>10</sup></p> <p>Grooming behaviours and tactics are often complex and gradual. They can involve a range of subtle, drawn out, calculated, controlling and premeditated behaviours.<sup>11</sup> Grooming can involve behaviour in person and activities on social media, email or phone. Some perpetrators may use their power and authority in an organisation to create the impression that they are trustworthy and to pressure children to prevent disclosure. Perpetrators often isolate the child or alienate them from others, creating a barrier between the child and adults they might otherwise talk to about the abuse or who might see that something is wrong. Perpetrators often blame the child for the abuse or create a shared sense of responsibility with the child.<sup>12</sup></p> <p>Some types of grooming are captured by the criminal offence of grooming.<sup>13</sup> This offence targets predatory conduct by an adult designed to facilitate later sexual activity with a child under 16 years of age.<sup>ii</sup> Other grooming behaviours, while not a criminal offence, may still come within the definition of child abuse.</p>
<b>Sexual misconduct</b>	<p>Sexual misconduct includes a variety of sexualised behaviours against, with or in the presence of a child. These behaviours may not meet the threshold for a sexual offence but can still pose a significant risk to children. Behaviours could include inappropriate conversations of a sexual nature, comments that express a desire to act in a sexual manner, or in some cases, behaviour that crosses a professional boundary, such as having or seeking to establish an inappropriate or overly personal or intimate relationship with a child.<sup>iii</sup></p>
<b>Emotional or psychological harm</b>	<p>Emotional and psychological harm can arise as a result of experiencing a sexual offence, sexual misconduct, physical violence or neglect. Emotional and psychological harm may also arise in circumstances that involve persistent verbal abuse, coercive or manipulative behaviour, hostility towards a child, humiliation, belittling or scapegoating, conveying to a child that they are worthless, unloved, inadequate or rejected, or causing a child to frequently feel frightened or in danger. Serious emotional or psychological harm often decreases a child's sense of identity, dignity and self-worth, and the impact can be chronic and debilitating.</p> <p>'Emotional harm' is expressed in a tangible or visible way. For example, a child may show signs of distress, withdrawal, fear, anxiety, anger or despair. Emotional harm may have an impact on emotional health and development, the ability to show emotions and the ability to sustain and develop healthy relationships.</p> <p>'Psychological harm' has a longer-term cognitive impact which may affect a child's conscious and unconscious mind. Psychological harm may not become clear for days, weeks or years after an event. Psychological harm may negatively affect and delay a</p>

<sup>ii</sup> For more information refer to the Victorian Government, Department of Justice and Community Safety (DJCS), *Betrayal of Trust: Factsheet - The 'grooming' offence*, [https://files.justice.vic.gov.au/2021-06/grooming\\_betrayal\\_of\\_trust\\_factsheet\\_2017.pdf](https://files.justice.vic.gov.au/2021-06/grooming_betrayal_of_trust_factsheet_2017.pdf)

<sup>iii</sup> Organisations subject to the Reportable Conduct Scheme have an obligation under s 16K of the *Child Wellbeing and Safety Act 2005* (Vic) to have a system for preventing the commission of reportable conduct by an employee of the organisation within the course of the person's employment. The definition of reportable conduct includes sexual misconduct.



	<p>child's cognitive development. Psychological harm often takes the form of a diagnosable psychological disorder.</p> <p>Cultural abuse can cause emotional and psychological harm. Cultural abuse occurs when the culture of a people is ignored, denigrated or intentionally attacked. It can be overt or covert, for example, a lack of cultural sensitivity or absence of positive images about another culture. Cultural abuse is especially harmful for children 'because it strikes their sense of identity, self-esteem and connectedness to family and community'.<sup>14</sup></p> <p>Discrimination can have negative impacts on children. It can cause emotional or psychological harm or constitute neglect of a child. Being treated unfairly because of who you are or what you like can have a negative effect on mental health.<sup>15</sup> Experiencing discrimination can also increase a child's vulnerability to abuse and harm and can mean that children are less likely to ask for help or speak up if they have a concern.</p> <p>For emotional or psychological harm to be <i>serious</i>, it must involve an act (or the cumulative effect of many acts) resulting in harm that is more than significant, being either substantial and protracted, or that endangers life.<sup>iv</sup></p>
<b>Neglect</b>	<p>Neglect is a failure to meet the basic needs of a child (such as their wellbeing and safety). Neglect can arise as a result of a single event or a combination of different events. Some neglectful behaviours that can occur in organisations include:</p> <ul style="list-style-type: none"> <li>• supervisory neglect (failure to appropriately exercise adequate supervision or control of a child)</li> <li>• physical neglect (failure to meet a child's physical needs including the provision of adequate and appropriate food, clothing, shelter or physical hygiene)</li> <li>• educational neglect (failure to ensure that a child's formal educational needs are being met)</li> <li>• emotional neglect (failure to provide adequate nurturing, encouragement and support to a child).<sup>16</sup></li> </ul> <p>For neglect to be <i>serious</i>, it must involve a failure to meet the basic needs of a child that is more than significant, being either substantial and protracted, or that endangers life. 'Serious' refers to the quality of the failure to meet the basic needs of a child, not to the outcome of the neglect. It is not necessary that a child suffered any harm as a result of the neglect.<sup>iv</sup></p>

<sup>iv</sup> Section 3(1) of the *Child Wellbeing and Safety Act 2005* (Vic) defines 'significant', in relation to emotional or psychological harm or neglect, to be something that is more than trivial or insignificant, but need not be as high as serious, and need not have a lasting or permanent effect. This definition is utilised by the Reportable Conduct Scheme to define types of reportable conduct.

## 8. Council's Commitment to Child Safety

Maroondah City Council is committed to ensuring the safety and wellbeing of children and young people. We have a zero-tolerance approach to child abuse. We are committed to creating and maintaining a child-safe and child-friendly organisation where all children and young people are valued and protected from abuse.

All children and young people regardless of their age, gender identity, sexual orientation, ethnicity, religious beliefs, ability and family background have the right to be protected from harm and to be treated with dignity and respect. We are an inclusive organisation that recognises and respects diversity, and we are committed to proactively supporting and building the cultural safety and inclusion of all children and young people in Maroondah.

We recognise the distinctive history and experience of Aboriginal and Torres Strait Islander people, and respect and observe their cultural rights. We are committed to creating a culturally safe and inclusive environment in which the diverse and unique identities, experiences and cultural rights of Aboriginal and Torres Strait Islander children and young people are respected and valued.

As a child safe organisation, we are committed to providing welcoming, safe and accessible environments where all children and young people feel valued, are listened to, and are genuinely considered and involved in decisions that affect their lives.

The wellbeing and safety of the children and young people in our care will always be our priority. We have specific policies, procedures and practices in place to support our people to achieve these commitments.

**Council will publicly display our Commitment to Child Safety (or a shorter adaptation of it) via:**

- All Council websites
- All Council job advertisements
- All Council employee position descriptions
- All Council volunteer task descriptions
- Relevant Council promotional material



## 9. Equity and Inclusion

Council is dedicated to promoting equity and inclusion throughout the organisation, believes in the importance of acknowledging and respecting the diverse needs of all children and young people, and strives to create an environment that is inclusive and supportive.

To ensure the needs of all children and young people are taken into consideration, Council provides avenues to identify their specific requirements. Culturally safe, accessible, and easily understandable access to information, support, and complaints processes are offered and the importance of ensuring that all children and young people, regardless of their background, have access to the necessary resources and assistance they require is recognised. Council takes proactive measures to prevent child abuse and harm resulting from discrimination and is committed to preventing discrimination based on disability, race, ethnicity, religion, sex, intersex status, gender identity, or sexual orientation.

## 10. Child Safety Risk Assessment and Management

Council is committed to identifying and managing risks in the physical and online environments to ensure the safety and wellbeing of children and young people. This risk approach is supported by Council's child safe risk assessment and management processes:

- Risk assessment and management plans are developed and regularly reviewed to address risks posed by the organisational setting, activities, and physical environment.
- Staff, volunteers, parents, carers, children, and young people are provided with information and support regarding online safety, including awareness of risks such as online grooming, cyberbullying, and sexting.
- Procurement processes are in place to ensure the safety of children and young people when Council contracts facilities and services from third parties, including processes to assess and mitigate the risks of child abuse and harm posed by third-party contractors. If necessary, Council will terminate contracts or take other appropriate actions to protect children if risks of child abuse and harm posed by third-party contractors cannot be adequately managed.

## 11. Working With Children (WWC) Checks

Council personnel are legally required to obtain a WWC Check under the *Worker Screening Act 2020* (the Act) if they meet ALL 5 of the following conditions:

1. They are an adult (i.e. aged 18 years and over) engaged in child-related work within the meaning of the Act, including engaging in voluntary work and providing practical training as well as paid employment;
2. They are working at or for one of the services, places or bodies, or in one of the activities listed in the Act
3. Their work usually involves direct contact with a child or children. **Direct contact** means physical or face-to-face contact, or written (including postal), oral or electronic communication.
4. The contact they have with children is not occasional direct contact and is not incidental to their work; and
5. They are not otherwise exempt from needing a Check under the Act.<sup>17</sup>

**Child-related work** is defined as work in any of the occupational fields specified in subsection (3) of the Act (referred to in the Act as services, bodies, places or activities), which usually involves direct contact with a child. It excludes any infrequent direct contact with children that's incidental to the work. For a list of these occupational fields, see <https://www.vic.gov.au/do-i-need-check>.

However, if any of the following points apply, they do not require a WWC Check under the Act:

- If they qualify for an exemption under the Act – for a list of exemptions, see <https://www.vic.gov.au/do-i-need-check>
- If they have a private or domestic arrangement for family and friends (unless they are a kinship carer) which is unpaid
- They are supervising a student in practical training that's been organised by their educational institution
- They are taking part in an activity with a child in the same way that a child participates, such as other players in a chess team.

### Council will:

- Require all active Council personnel (i.e. employees, volunteers, contractors, students/trainees and Councillors) to hold a current and valid WWC Check throughout the duration of their work with Council if they meet any of the following three criteria as part of their role with Council:
  1. Legally required to obtain a WWC Check under the Worker Screening Act 2020 (Victoria); or
  2. Expected to come into direct contact (i.e. face-to-face, physical, verbal, written or electronic) with, or handle the personal information of, children or young people aged 0 to 18 years; or
  3. Required to work with or visit a child, youth or community-based service or facility; or undertake home or site visits where children or young people aged 0 to 18 years may be present.
- Ensure that all active Council personnel who meet the above criteria and are exempt from requiring a WWC Check because they hold a current registration with Victorian Institute of Teaching (to hold a current and valid registration throughout the duration of their work with Council, and notify Working With Children Check Victoria of any child-related work they do outside of their teaching in a school or early childhood service (whether paid or voluntary).

### Council will not:

- Permit Council personnel who do not hold a current WWC Check to be in unsupervised direct contact with children or young people in the course of their work / tasks (whether paid or voluntary) at Council, or whilst representing Council.
- Engage or continue to engage anyone in child-related work who doesn't have a valid WWC Check, unless they are exempt under the Act or have lodged an application for a WWC Check that's currently being assessed (subject to the below).

- Engage or continue to engage anyone who would otherwise be exempt from holding a valid WWC Check, if they have received a WWC Check Exclusion and not subsequently received a WWC Check.
- Engage or continue to engage anyone in child-related work who is subject to obligations or orders specified in clause 1 of Schedule 5 of the Act.
- Allow people who are charged with, convicted or found guilty of sexual, violent or drug offences specified in clause 2 of Schedule 5 of the Act to work with or care for children while their application is processed or their WWC Check reassessed.
- Offer the services of any person who doesn't have a WWC Check to another organisation if the work to be undertaken with that organisation is child-related work.

## Working With Children Check Procedures

### Managing WWC Checks

- If an individual requires a WWC Check under this Policy and does not hold a current and valid one:
  1. The individual is required to apply for a WWC Check before they commence work with Council at <https://www.service.vic.gov.au/services/working-with-children>.
  2. Council will then use the WWC Check status checker (<https://www.service.vic.gov.au/services/working-with-children-check-status-checker/home>) to check if they are allowed to work with children while their WWC Check application is processed.
  3. Council will not issue a letter of offer until evidence of a current and valid WWC Check is provided.
- If an individual requires a WWC Check under this Policy and already has one, Council will use the WWC Check status checker to check if they:
  1. Have a valid WWC Check
  2. If they are doing paid work, have an Employee WWC Check
  3. If they are doing voluntary work, have a Volunteer WWC Check
- All individuals who require a WWC Check under this Policy must notify the WWC Check issuing authority (Department of Justice and Community Safety) of their connection to Council as soon as they commence work with Council by updating their details at <https://www.service.vic.gov.au/services/working-with-children-check-update-details/home>.
- Council will keep a record of the following WWC Check details for all individuals who require a WWC Check under this Policy:
  1. Application receipt (if the individual has applied for a WWC Check)
  2. Card number
  3. Expiry date
  4. Card type ('E' for paid employees or 'V' for volunteers)
- Individuals who hold a WWC Check must notify the issuing authority whenever their personal and contact details change, within 21 days of becoming aware of the change.
- Individuals are responsible for ensuring their WWC Check is current by renewing it as required at <https://www.service.vic.gov.au/find-services/work-and-volunteering/working-with-children-check/renew-your-working-with-children-check>.
- Council will regularly review the WWC Check status of all individuals who require a WWC Check under this Policy annually and will follow up immediately regarding any individual whose WWC Check status is not current / valid. The individual won't be able to legally undertake child-related work for Council whilst the WWC Check status is not current / valid.

## Revoked or suspended WWC Checks

- If an individual's WWC Check is suspended or revoked, they won't be able to legally undertake child-related work for Council. The issuing authority will advise on the next steps Council and the individual will need to take.

## Receiving a WWC Exclusion

- If an individual receives a WWC Exclusion, by law they must notify Council in writing within seven days of the date they are given the Exclusion. Once issued, the individual is not allowed to do any child-related work effective from the date listed on the Exclusion.

## Appealing a decision by the WWC Check issuing authority

- An individual may appeal a decision of the WWC Check in accordance with Victorian legal appeal avenues. The decision to appeal rests with the individual and as such, they are responsible for all associated costs.
- If the individual appeals the issuing authority's decision during the appeal period, Council will consider options including but not limited to:
  1. re-deploying the individual to an area of work that does not provide or otherwise allow any access to children; or
  2. if a paid employee, placing the employee on special leave with pay for a period of not more than 6 months. If after 6 months the employee has not obtained an appeal decision, the employee will be placed on special leave without pay (unless the employee has annual leave or long service leave available that they wish to access).
- In considering the most appropriate course of action, Council will have due regard to all available evidence, including the prospects of the employee's appeal being successful.
- If the employee's appeal is successful, the employee's employment with Council will continue.
- If the employee's appeal is not successful, Council may, in its absolute discretion, consider permanently re-deploying the employee to a work area that does not involve contact with children.
- If the employee cannot reasonably be permanently redeployed, or if Council no longer has trust and confidence in the employee, the employee's employment may be terminated by reason of the employee being unable to satisfy the inherent requirements of their position.

## 12. Child Safe Code of Conduct

All Council personnel (i.e. employees, contractors, volunteers, students and Councillors) are required to meet the expectations of appropriate behaviour towards, and in the company of, children and young people as outlined in this Child Safe Code of Conduct (the Code) at all times while working for Council.

Children are defined in this Code as anyone aged under 18 years old.

*This Child Safe Code of Conduct is to be referenced in Council's Employee and Councillor Codes of Conduct.*

### **Council personnel will:**

- ✓ Be observant and alert to potential harm and take all reasonable steps to protect children from abuse.
- ✓ Treat all children with respect, equity and dignity.
- ✓ Listen to and treat the safety concerns of children seriously, particularly if they tell you that they or another child has been or is at risk of being abused.
- ✓ Place the interests of any child being abused, or at risk of being abused, above the interests of the organisation or other individuals within it.
- ✓ Provide welcoming, safe and accessible environments that protect children from violence, bullying, teasing, threatening behaviour, and discrimination.
- ✓ Manage relationships and situations where a prior relationship exists with a child or family appropriately.
- ✓ Uphold the rights and best interests of children in planning and decision-making.
- ✓ Respect and promote the cultural safety of Aboriginal and Torres Strait Islander children; culturally and/or linguistically diverse children; and the safety of children with a disability.
- ✓ Demonstrate a zero-tolerance approach to racism and other forms of discrimination, and act on any incidents of this from either adults or other children and young people.
- ✓ Be a positive role model by supporting children to learn protective behaviours, empowering children to speak up if they have concerns for their safety or wellbeing, and ensuring children are aware of their rights (including their cultural rights) and have access to this information.
- ✓ Provide opportunities that reflect the diverse needs of children and empower them to fully participate in the community, including our services and programs.
- ✓ Recognise children as active citizens, agents in their own lives and encourage them to 'have a say' on issues that directly affect them.
- ✓ Adhere to risk prevention and management strategies and safe work practices (identified by and relevant to your work area) when interacting with children.
- ✓ Complete relevant training and other professional development activities as required.
- ✓ Treat all concerns or allegations of child abuse seriously and respond consistently with the procedures outlined in the Child Safety and Wellbeing Policy.
- ✓ Ensure the immediate safety of a child if an allegation of abuse is made/abuse has occurred.
- ✓ Report any breach of the Code of Conduct by a Council officer to your Supervisor (or next level Manager where the concern involves your Supervisor) immediately.
- ✓ Adhere to appropriate 'safe touch' that is considered appropriate to your role, or where otherwise necessary (i.e. comforting a child in distress, administering first aid).

## **Appropriate safe touch with a child must:**

- ✓ Be appropriate to the developmental needs of the child.
- ✓ Be strictly in line with the types of child contact necessary to perform your duties.
- ✓ Be open, non-secretive and culturally sensitive.
- ✓ Be at the initiation or with the consent of the child.

It is important to be attuned to the child's cues and what they are comfortable with. Where possible or age appropriate, seek consent first, e.g. ask a child in distress if it is ok to give them a hug; when performing first aid or duties of a personal nature tell the child where you need to touch them, why, and ask if it is ok.

## **Council personnel will not:**

- ✗ Show favouritism or preference to one child over others, e.g. by offering a child gifts or special treatment
- ✗ Exhibit behaviours with children which may be construed as unnecessarily physical.
- ✗ Hit, physically assault, or engage in inappropriately rough play with a child.
- ✗ Speak to a child in an angry, intimidating or threatening manner.
- ✗ Engage in open discussions of a mature or adult nature with or in the presence of children.
- ✗ Condone or make self-disclosures about past or present participation in illegal or unsafe behaviours when speaking to or in the presence of a child.
- ✗ Smoke, vape, take illicit drugs, or be affected by alcohol or other substances when in the workplace
- ✗ Touch intimate areas or have any other physical contact with a child (i.e. kiss, hold, cuddle) not deemed to be appropriate to your role, or necessary safe touch.
- ✗ Do things of a personal nature (i.e. toileting or changing clothes) that you could reasonably expect a child to do for themselves, unless performing personal care duties as part of your role, or in unavoidable situations (i.e. preventing an accident or administering first aid).
- ✗ Use inappropriate, discriminatory, harassing, abusive, sexually explicit, demeaning or culturally insensitive language when speaking to, or in the presence of a child.
- ✗ Discriminate against any child on the basis of age, gender, race, culture, religion, disability, vulnerability, sexuality or other protected attributes, **OR** express personal views on such attributes when speaking to or in the presence of a child.
- ✗ Purposefully establish or maintain a relationship with a child and/or their family outside of work for an inappropriate purpose.
- ✗ Solicit, conduct or accept requests from children and/or their families for private services (i.e. babysitting, non-authorised home visits, or private lessons) delivered outside of your work.
- ✗ Provide personal contact details (i.e. phone number, home address, email/social media addresses) to children and the parents of children you interact with at work.
- ✗ Use social media/online platforms to solicit or befriend a child or have online contact with a child that is not transparent to Council and part of an approved program or activity.
- ✗ Take, use or publish unauthorised images of children in Council's programs and activities.
- ✗ Use personal devices to take images of children.
- ✗ Ignore or disregard any suspected or disclosed child abuse.
- ✗ Put a child at risk of abuse or harm either through negligence or inaction.



## Child Safe Code of Conduct Procedures

### Council personnel (excluding contractors) are required to:

1. Review and acknowledge their acceptance of the Policy (including the Code) during their induction period
2. Review and acknowledge their acceptance of the Code yearly as part of their required annual e-learning
3. For positions where contact with children is probable, read the Code before they commence any duties that involve direct contact with children
4. Raise any queries about the Code with their Supervisor immediately.
5. Act in accordance with the Code at all times while working for Council.
6. Suspected or alleged breaches of this Code will be investigated on a case by case basis in accordance with Council's Discipline Policy.
7. Any behaviour that constitutes a criminal offence under the *Crimes Act 1958* will be treated as a criminal matter and reported to Victoria Police. This applies to all known criminal offences involving a child irrespective of whether or not it occurred while undertaking Council business.
8. Incidences of 'reportable conduct' will be investigated and those that meet the criteria will be reported to the Commission for Children and Young People. This includes: sexual offences, sexual misconduct, and physical violence against, with, or in the presence of a child. It also includes any behaviour that is likely to cause significant emotional or psychological harm to a child, and significant neglect.

### Council contractors are required to:

1. Review and acknowledge their acceptance of the Policy (including the Code) during the contractor induction process
2. Raise any queries about the Code with their Council contract manager immediately.
3. Act in accordance with the Code at all times while working for Council.
4. Suspected or alleged breaches of this Code will be investigated on a case by case basis and may result in termination of the contract.
5. Any behaviour that constitutes a criminal offence under the *Crimes Act 1958* will be treated as a criminal matter and reported to Victoria Police. This applies to all known criminal offences involving a child irrespective of whether or not it occurred while undertaking Council business.



## 13. Child Safety Concerns and Complaints

As a child safe organisation, Council is committed to the appropriate reporting of concerns about the safety of children and young people, responding to complaints promptly, thoroughly and fairly, and taking immediate action to protect children and young people at risk.

### Definitions:

A **child safety concern** refers to any issue that has or could impact negatively on the safety and wellbeing of children and young people.

A **child safety complaint** is an expression of dissatisfaction to an organisation related to one or more of the points outlined in the Child Safety Complaints Process table.

Within this Policy, a **Child Safety Incident** is defined as:

- Any child safety concern where Council personnel, in the course of their work, form a reasonable belief that a child or young person has suffered, or is likely to suffer, abuse or harm - whether caused by an adult OR by another child.
- Any child safety complaint against Maroondah City Council, including any allegation of Reportable Conduct made against Council personnel, either within work or outside of work.
- Any breach of Council's Child Safety and Wellbeing Policy, including the Child Safe Code of Conduct included within.

The main objectives of Council's approach to dealing with Child Safety Incidents are ensuring that:

- risks to children's safety are minimised
- incidents where child abuse is either suspected or has occurred are appropriately dealt with on a case-by-case basis by making sure that organisational procedures are followed as per this Policy
- all legislative requirements and Council processes regarding reporting are met as soon as possible
- Council's practices, processes and culture are consistent with legislation, the Child Safe Standards, and the objective of being a child safe organisation.

Council will take a trauma-informed approach to Child Safety Incidents, that:

- recognises that emotional, physical or sexual abuse and other negative life experiences such as racism or violence constitute a trauma
- understands that the impact of abuse on children can be profound, especially when it occurs at developmentally vulnerable times of their life
- uses strategies to help children participate in complaints processes without causing further trauma.<sup>18</sup>

## Creating a Child-Focused Complaints Culture

Making a complaint and raising safety concerns is not easy, particularly for children and young people.

To ensure an organisation has a child-focused complaints culture, it must have a focus on children and their safety reflected in the design and implementation of their complaint handling system as well as being embedded in policies, procedures, communication strategies and training.<sup>19</sup>

A child-focused complaint handling system depends on organisations also having a positive complaints culture. In organisations with a positive complaints culture:

- organisations demonstrate a practical commitment to children exercising their right to speak up
- organisations ensure that children not only are safe, but also feel safe
- leaders actively communicate that complaints are welcome from anyone, are taken seriously and are a valuable source of information which can help improve the organisation
- when a complaint is raised, the organisation deals with it promptly
- the positive complaints culture is actively fostered with staff and volunteers at each level of the organisation.<sup>20</sup>

Council's *Customer Service Strategy* and *Guide to Service Standards and Complaints Handling* will be updated to support a positive complaints culture and the creation of an organisation wide child-focused complaints culture at Council.

## Council personnel will support anyone wishing to make a child safety complaint about Council by:

- Providing publicly available information about how they can raise child safety complaints about Council, and how those concerns will be responded to and investigated, that is child-friendly, accessible, age-appropriate, and in a range of language and formats as needed
- Welcoming and encouraging them to make a complaint, without judgement or dispute.
- Explaining the different ways that they can submit a complaint, either through Council and/or external authorities, and supporting them to access their preferred avenue.
- Supporting them to complete the **Child Safety Complaints Process** on the next page - e.g. by:
  - providing interpreters or translations
  - assisting them to complete documentation (hard-copy or electronic)
  - explaining that they can remain anonymous if they wish
  - providing a supported handover or referral (where possible / appropriate) when needing to involve another Council employee or an external authority in the complaints process.

## Child Safety Complaints Process

**WHO** can  
make a  
complaint?

Child or  
young person

Parent or  
carer

Council  
personnel

Others in the  
community

**WHAT** can it  
be about?

### Any child safety complaints about Council or its personnel, including:

- the organisation's services or dealings with individuals
- allegations of abuse or misconduct by a Council employee, contractor, volunteer, placement student, Councillor, or other individual associated with Council
- disclosures of abuse or harm made by a child
- the conduct of a child at the organisation
- the inadequate handling of a prior concern
- general concerns about the safety of a group of children or activity.

**Call 000 without delay if child is in immediate danger**

**HOW** can a  
complaint  
be made?

### A choice of...

- Face-to-face verbal report at any Council service or facility
- Council feedback or complaints form (hard copy or online):  
<https://www.maroondah.vic.gov.au/Customer-service/Issues-and-requests>
- Email: to [childsafety@maroondah.vic.gov.au](mailto:childsafety@maroondah.vic.gov.au)
- Letter: to PO Box 156, Ringwood VIC 3134
- Phone call: on 1300 88 22 33 or (03) 9298 4598
- Directly to the Commission for Children and Young People:  
<https://ccyp.vic.gov.au/report-an-allegation/>

**WHAT**  
happens  
next?

### Council personnel will:

- Offer support to the child or young person, the parents or carers, the person who reports, and the accused Council personnel and make a report to the police if considered alleged or suspected criminal conduct.
- Initiate internal processes by completing and submitting a Child Safety Incident Report on Donesafe or (email [childsafety@maroondah.vic.gov.au](mailto:childsafety@maroondah.vic.gov.au) if they do not have access to Donesafe) - no later than 24 hours after the incident.
  - For Customer Service staff, enter the complaint into Pathway as per the usual complaints process - the Customer Service leadership team will then complete and submit the Child Safety Incident Report Form
- In accordance with the **Reporting Obligations and Procedures** in Council's Child Safety and Wellbeing Policy, assess whether the matter should/must be reported to any external authorities, and make the report/s as soon as possible if required.

### Outcomes:

- Investigation completed; outcome decided; relevant Council personnel, parents, carers and child notified of outcome of investigation; disciplinary action taken if required; policies and procedures reviewed and updated where necessary.

## Child Safety Incident Procedures

The four steps that all Council personnel (i.e. employees, contractors, volunteers, students and Councillors) must follow regarding **any Child Safety Incident** (including child safety complaints about Council) are:



### 1. Recognise

Council personnel may become aware of an incident, allegation or suspicion of child abuse or harm (either by adults or by other children) in a number of ways, such as:

- a complaint is made through Council's customer complaints process;
- a child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves);
- behaviour consistent with that of an abuse victim is observed;
- someone else has raised a suspicion of abuse but is unwilling to report it;
- observing suspicious behaviour; and/or

### Signs that may indicate a child is being abused <sup>21</sup>

Sometimes a child may tell us if they are being harmed, and at other times we will need to look out for signs that may indicate a child is being abused, such as changes in behaviour, emotions or physical appearance.

Common behavioural indicators / signs across the different types of child abuse and harm include:

- unusual or regressive changes in behaviour, like a sudden decline in academic performance, anxiety, withdrawal, hyperactivity, bedwetting, sleep disturbances, drug or alcohol misuse
- concerning behaviours that may be harmful to themselves or others
- being extremely sensitive and alert to their surroundings (hypervigilance)
- absences from school without reasonable explanation
- frequent headaches or stomach pains
- drawings or writing which depict violence or abuse
- raising a concern about a friend or someone they know
- attempted suicide or self-harm
- unexplained or inconsistent, vague, or unlikely explanations for an injury
- unexplained bruising, fractures or other physical injuries
- unusual fear of physical contact
- harm to others or animals
- wariness or fear of someone including a parent, carer, other adult or child
- trying to protect friends or other family members from someone
- reluctance to go home
- the child is assessed as having experienced a significant delay in their emotional or intellectual development or that their functioning has been impaired
- taking on a caring or parental role with siblings prematurely.

Watch for any changes in the child's general mood. The child may become anxious, irritable, depressed, angry, or show a combination of emotions. However, do not assume that just because you see these signs the child is being abused - these signs can apply to a child under stress and may not be related to abuse.

## 2. Respond

Children and young people raising complaints and safety concerns or disclose abuse should be treated with sensitivity and given support.

### **Council personnel will prevent or reduce further harm to those impacted by the incident by:**

- Calling Emergency Services on 000 if a child is at immediate risk of harm
- Making the surroundings safe to prevent immediate recurrence of the incident, for example:
  1. removing potentially harmful person(s)
  2. increasing supervision of children and young people
  3. moving uninvolved children and young people away from the incident
  4. move to a safe place
  5. alerting others to risks that extend beyond the local environment, e.g. other Council service areas
- Providing immediate care and support to the child/young person and others involved in the incident by addressing:
  1. physical wellbeing e.g. providing first aid
  2. emotional/psychological wellbeing e.g. arranging for coverage of duties and supervision
  3. facilitating access to counselling for Council personnel e.g. Employee Assistance Program (EAP)

### **If a child or young person raises a child safety complaint or concern, including disclosing abuse, Council personnel will:**

- Let them child talk about their concerns in their own time and in their own words. Give them full attention, time and a quiet space in which to do this
- Listen to the allegation or disclosure supportively, without judgement or dispute
- Maintain a calm appearance and do not be afraid of saying the 'wrong' thing
- Be supportive, reassuring and comforting if they are upset
- Tell them you believe them, it is not their fault and that they were right to tell you
- Ask open-ended questions to clarify the basic details, without seeking detailed information or asking suggestive or leading questions
- Let them know you will act on this information, that you may need to let other people know, and explain why that is the case. Do not promise to keep any information a secret.
- Do not make promises you cannot keep
- Write down what the child told you as soon as you can, using their words as best as you can remember.
- Take note of their behaviour and appearance at the time
- Take notes of physical evidence, for example, bruising if the child shows you
- Help the child and their family to get appropriate support, such as counselling
- Thank or commend them for raising the concern and tell them that Council will take immediate action in response to the disclosure / allegation
- Report the matter as per the Reporting Obligations and Procedures outlined next in this Policy.

In your responses you will need to consider the specific needs of the child or young person. Consider the unique qualities of the child including, for example, whether the child is, or may be Aboriginal or Torres Strait Islander, has a disability, identifies as LGBTIQ+, has a culturally and linguistically diverse background and/or is unable to live at home.

## 3. Report

Once the immediate response is completed, Council personnel will report Child Safety Incidents by:

1. Following the **Child Safety Incident Reporting Process for Council Personnel** on page 43; and
2. Fulfilling the relevant **Reporting Obligations and Procedures** detailed below.

## Reporting Obligations and Procedures

Council personnel must report Child Safety Incidents in accordance with the relevant reporting obligations and procedures outlined below, each time they become aware of any further grounds for the reasonable belief of abuse or harm.

### Internal Reporting

Council personnel must report **ALL Child Safety Incidents** internally, by:

- notifying their Supervisor or Manager\* verbally as soon as possible;
- completing and submitting a **Child Safety Incident Report** on Donesafe (or email [childsafety@maroondah.vic.gov.au](mailto:childsafety@maroondah.vic.gov.au) if they do not have access to Donesafe), as soon as possible - no later than 24 hours after the incident.

If Council personnel become aware of a Child Safety Incident via **Council's Customer Complaints Process or any other complaints process**, they must transfer the information contained within the complaint and any other relevant information available and report it as a Child Safety Incident on Donesafe.

*\*If the incident involves your Supervisor or Manager, please notify the Manager Workplace People and Culture, or if you wish to remain anonymous, you can notify via the Maroondah Whistleblower process.*

### External Reporting

Council personnel are subject to legal obligations regarding reporting child abuse, harm or other child-related misconduct to external authorities, which are outlined below. The external reporting obligations for each Child Safety Incident will depend on the nature and circumstances of that incident.

Sometimes it may not be a legal requirement for Council to report a complaint or concern to external authorities, but it may still be advisable to report so the safety of children can be prioritised. At all times, child safety must be Council's main consideration when considering reporting to external authorities.

If unsure about what external reporting is required, contact **Council's Child Safety and Inclusion Advisor** for advice and guidance.

### **Alleged or suspected criminal conduct**

Physical or sexual abuse, including grooming, of children is a crime and should be reported to the police.

Family violence, regardless of if a child has been physically or sexually abused, is serious, affects children in the family and often involves criminal behaviour. If a concern relates to family violence it should be reported to the police.

If anyone is in imminent or immediate danger, call 000 immediately.

### **Failure to disclose a sexual offence**

If an adult reasonably believes a sexual offence has been committed by an adult against a child under the age of 16, they must report it to Victoria Police by calling 000 or going to their local police station.

Failure to disclose the information may be a criminal offence. The offence applies to all adults in Victoria, not just professionals who work with children, unless they have a 'reasonable excuse' or are exempt.

## Child Protection - Department of Fairness, Families and Housing

A child may be in need of protection if they have experienced or are at risk of significant harm, and their parents/carers have not protected them, or are unlikely to protect them, from that harm. Significant harm may relate to:

- physical injury
- sexual abuse
- emotional or intellectual development
- physical development or health
- abandonment or parental incapacity.<sup>22</sup>

To make a report to Child Protection a person needs to have formed a reasonable belief that a child has suffered or is likely to suffer significant harm as a result of abuse or neglect, and that their parent has not protected or is unlikely to protect the child from harm of that type.<sup>23</sup> Any individual who believes on reasonable grounds that a child needs protection can make a report to Child Protection at any time.<sup>24</sup>

In Victoria, those people who have a **mandatory reporting** obligation under the *Children, Youth and Families Act 2005* must:

- make a report to Child Protection if, in the course of practising their profession or carrying out duties of their office, position or employment, they form a belief on reasonable grounds that a child is in need of protection from physical injury or sexual abuse
- make the report as soon as practicable after forming a belief
- make a report each time they become aware of any further grounds for the belief.<sup>25</sup>

Those individuals who are required by law to report are:

- people in religious ministry
- registered medical practitioners
- nurses and midwives
- registered psychologists
- registered teachers, school principals, school counsellors
- early childhood teachers and workers
- approved providers and nominated supervisors of education and care and children's services
- police officers
- out-of-home-care workers (excluding voluntary foster and kinship carers)
- youth justice workers.<sup>26</sup>

It may be a criminal offence for people in these groups not to report to Child Protection. The obligation to report is a personal one, meaning it cannot be delegated - it is that individual's responsibility to make sure that the report to Child Protection has been made.

Mandatory reporters are required to report in relation to significant harm as a result of physical injury or sexual abuse. They may choose, as can anyone, to report in relation to other types of significant harm.<sup>27</sup>

Reports can be made to **Child Protection** by contacting either:

- Child Protection East Division Intake - **1300 360 391 (business hours)**
- Child Protection Emergency Service - **13 12 78 (after hours)**

## Child in need of therapeutic treatment

Any person who believes on reasonable grounds that a child aged over 10 but under 18 years has been exhibiting sexually abusive behaviours and may need therapeutic treatment may make a report to Child Protection (via the same contact details as above).



## The Orange Door

The Orange Door is an easily accessible, community-based point of entry for children, young people and families needing support. The Orange Door is available to assist families with the wellbeing and development of their children acting as a referral intake point for other specialist services.

Referrals to Orange Door can be made by contacting:

- The Orange Door Croydon - 1800 271 150

## Reportable Conduct Scheme

Council must comply with reporting obligations under Victoria's Reportable Conduct Scheme (the Scheme).

The Scheme requires heads of organisations to respond to reportable allegations of child abuse and other child-related misconduct made against their organisation's workers, volunteers or contractors (including those supplied by an external labour hire agency, company or other provider, and secondees), and notify the Commission for Children and Young People within three days of becoming aware of the allegation.

The Child Safety Incident Reporting Process must be followed for all reportable conduct incidents. These must be reported as a Child Safety Incident through Donesafe.

The organisation must also investigate these allegations (after receiving clearance by Victoria Police) and report its findings together with any actions taken to the Commission.

Council's **Child Safety Internal Response Team** will determine whether allegations meet the criteria for Reportable Conduct under the Scheme by assessing submitted Child Safety Incident Reports. If an allegation does meet this criteria, this Team will forward the report to the CEO immediately and support the CEO to fulfill their obligations under the Reportable Conduct Scheme, including their reporting obligations to the Commission for Children and Young People. These reporting obligations must be undertaken by the CEO, not other Council personnel.

For details on what constitutes Reportable Conduct and how to notify the Commission about a reportable allegation, see <https://ccyp.vic.gov.au/reportable-conduct-scheme>.

## Other reporting obligations

Council may also have additional reporting requirements to other regulators, such as:

- early childhood services regulated by the Department of Education and Training
- schools and early childhood services that employ teachers registered with the Victorian Institute of Teaching
- disability services regulated by the NDIS Quality and Safeguards Commission
- some organisations that employ disability workers who must report to the Victorian Disability Worker Commission
- some organisations engaging health practitioners who must report to the Australian Health Practitioner Regulation Agency.

## Child Safety Incident Reporting Process for Council Personnel

**WHO** must  
report?

Employees

Contractors

Volunteers

Students

Councillors



**WHAT** to  
report?

**Any Child Safety Incident (i.e. all child safety concerns or complaints), including:**

- Direct or indirect disclosure of child abuse or harm (i.e. sexual, physical, emotional, psychological, neglect, grooming or exposure to family violence) against a child or young person aged 0 - 18 years.
- Allegation, suspicion or observation of child abuse or harm
- Breach of Council's Child Safety and Wellbeing Policy, including the Child Safe Code of Conduct.
- Child safety complaints against Council or its personnel (ie. employees, contractors, volunteers, students and Councillors).
- Environmental risks that could increase the likelihood of abuse occurring.



**Call 000 without delay if child is in immediate danger**



**HOW** to  
report?

**Notify your Supervisor or Manager\* verbally as soon as possible to:**

1. Determine what **immediate action** needs to take place to protect the child or young person from harm (or further harm), including whether the Police or Child Protection need to be contacted ASAP;
2. Decide if further advice is needed about how to proceed. If further advice is needed during business hours, contact one of **Council's Child Safety Contact Officers**, who are suitably trained and experienced staff that can provide advice on child safety matters and reporting requirements. If the matter is after hours, contact your manager or another appropriate senior manager.
3. Report the incident to all required external authorities - **Except for Reportable Conduct** notifications to the Commission for Children and Young People, which must be done by the CEO. If unsure about what external reporting is required, contact **Council's Child Safety and Inclusion Advisor** for advice.
4. Complete and submit a Child Safety Incident Report on Donesafe (or email [childsafety@maroondah.vic.gov.au](mailto:childsafety@maroondah.vic.gov.au) if you do not have access to Donesafe) - no later than 24 hours after incident.

*\*If the incident involves your Supervisor or Manager, please notify the Manager Workplace People and Culture, or if you wish to remain anonymous, you can notify via the Maroondah Whistleblower process.*

## 4. Support

Council will provide appropriate post-incident support to those impacted by the incident, such as:

- The child / young person and their family (this includes any specific support needs for those who are Aboriginal and Torres Strait Islander; Culturally and Linguistically Diverse; LGBTIQ+; have a disability; or are unable to live at home)
- Other children or young people who witnessed the incident
- Any Council personnel who witnessed and/or reported the incident, or are otherwise impacted by the incident
- Any Council personnel against whom a complaint is made.

Post-incident support options include:

- Facilitating a referral to appropriate community support services for any children, young people or family members involved in or impacted by the incident, such as:
  - Orange Door ([www.orangedoor.vic.gov.au](http://www.orangedoor.vic.gov.au)), formerly Child FIRST, which is the new access point for women, children and young people who are experiencing family violence, and families who need assistance regarding the care and wellbeing of their children or young people
  - Specialist services to ensure that culturally appropriate supports are put in place once a report is made, including services such as Aboriginal Child and Family Welfare Organisations, CALD Support or Advocacy Services, Disability Support Services and Victims of Crime Support Services.
- Facilitating access to incident debriefing or counselling for Council personnel who report (or are impacted by) Child Safety Incidents, via the Employee Assistance Program (EAP) or other appropriate organisations if desired.

Council personnel who are aware of the incident will be reminded that:

- Any allegation does not mean the person is guilty, and that the allegation will be properly investigated and will include the right to 'procedural fairness'; and
- They are not to discuss the matter with any person, except as directed by police, child protection authorities and/or Council's Child Safety Internal Response Team, or unless required or authorised to do so by law, and only in direct relation to investigation of the allegation.

## 14. Roles and Responsibilities

Safeguarding children and young people is a shared responsibility within our organisation.

A **Child Safety Steering Group** will oversee and be accountable for the ongoing implementation and monitoring of the Child Safety and Wellbeing Policy, and Council's ongoing compliance with the Victorian Child Safe Standards.

A **Child Safety Internal Response Team** will be responsible for reviewing all submitted Child Safety Incident Reports, and for providing rapid response, oversight and management of all potential incidents of Reportable Conduct.

The **Child Safety and Inclusion Advisor** is responsible for ensuring that the safety, wellbeing and inclusion of children and young people is considered a shared responsibility by undertaking initiatives that ensure Maroondah City Council is a Child Safe Organisation where all children and young people are respected, and their voices are valued and heard.

**Child Safety Contact Officers** are suitably trained and experienced Council staff that can provide advice on child safety matters and reporting requirements.

It is the responsibility of all Council, employees, volunteers, students, contractors and Councillors to create and maintain a child safe culture. Specific responsibilities for each role are outlined in the table below.

Role	Responsibilities
Councillors	<ul style="list-style-type: none"> <li>Be aware of and comply with their obligations and responsibilities in relation to child safety and wellbeing under the relevant legislation, the Councillor Code of Conduct and this Child Safety and Wellbeing Policy (including the Child Safe Code of Conduct within)</li> <li>Upon election to Council and then annually, undertake training/education in relation to child safety and wellbeing, including identifying, preventing and reporting child abuse and harm</li> <li>May choose to obtain a volunteer WWC Check or may be exempt on the basis of being a teacher with the Victorian Institute of Teaching or a Victorian or Australian Federal Police Officer</li> <li>Direct officers to provide an environment in facilities and activities which Council directly operates and provides activities where children and young people feel safe, empowered and can participate</li> <li>Report all child safety concerns to Council's Chief Executive Officer and provide such assistance as the Chief Executive Officer might require to comply with Council's legislative obligations.</li> <li>All Councillors are required to report child abuse whether it has or is suspected to have taken place in the home, community or a Council service</li> <li>Where a child is in immediate danger call 000 or where the danger is not immediate call Child Protection Eastern Region on 1300 360 391.</li> </ul>
Corporate Management Team (CMT)	<ul style="list-style-type: none"> <li>Strengthen and model Council's child safe culture</li> <li>Ensure appropriate governance structures and resources are in place to fulfil Council's obligations under the Child Safe Standards</li> <li>Ensure regular communication and discussions take place with staff on child safety to build a sense of child safety being everyone's responsibility</li> <li>Ensure the organisation has appropriate policies and procedures in place for the prevention and reporting of child abuse</li> <li>Ensure allegations of child abuse are reported and fully investigated</li> <li>Ensure support is provided for all of Council in undertaking their child safety and wellbeing obligations</li> </ul>

	<p><b>Additionally:</b></p> <p>The <b>Chief Executive Officer (CEO)</b> is also responsible for meeting specific legal obligations under the Reportable Conduct Scheme, including:</p> <ul style="list-style-type: none"> <li>• Notifying the Commission for Children and Young People within three working days of becoming aware of an allegation</li> <li>• Investigating any allegations (subject to Police clearance on criminal matters) and notifying the Commission who is undertaking the investigation.</li> <li>• Managing any risks to children and young people</li> <li>• Updating the Commission within 30 calendar days, providing information on the reportable allegation and any action taken</li> <li>• Notifying the Commission of investigation findings and any disciplinary actions (or why no action was taken).</li> </ul> <p>The CEO may also receive reports of suspected incidents of child abuse from Councillors in line with this Policy's Reporting Obligations and Procedures</p>
Child Safety Steering Group	<ul style="list-style-type: none"> <li>• Oversee the implementation of the Child Safety and Wellbeing Policy</li> <li>• Oversee and be accountable for Council's compliance with the Victorian Child Safe Standards</li> <li>• Ensure a child safe culture is a key focus and commitment across the organisation</li> <li>• Provide leadership and guidance pertaining to any potential breaches of the Child Safety and Wellbeing Policy</li> <li>• Review organisational practice and develop recommendations arising out of any breaches to the Child Safety and Wellbeing Policy</li> <li>• Action findings from child safety reviews or investigations and facilitate changes to relevant Council policies where appropriate</li> </ul>
Child Safety Internal Response Team	<ul style="list-style-type: none"> <li>• Review each submitted Child Safety Incident Report Form to ensure that the following steps have been completed, and direct the original reporter to complete anything that has been missed or, if not possible/appropriate, do this on their behalf: <ul style="list-style-type: none"> <li>○ All reasonable steps have been taken to protect the child/young person from harm, or further harm</li> <li>○ Appropriate care and support has been provided to the child/young person and others involved in the incident</li> <li>○ All required information is included on the form</li> <li>○ All legislative requirements and Council processes regarding reporting have been met</li> </ul> </li> <li>• Provide rapid response, and oversight and management of, all potential incidents of Reportable Conduct, including: <ul style="list-style-type: none"> <li>○ Determining if the allegation meets the criteria for Reportable Conduct under the Reportable Conduct Scheme, and if so, forwarding the report to the CEO immediately.</li> <li>○ Managing the investigation of all allegations of Reportable Conduct</li> <li>○ Supporting the CEO to fulfill their obligations under the Reportable Conduct Scheme, including reporting obligations</li> </ul> </li> <li>• Review child safety incidents and investigations, and recommend changes to relevant Council policies where appropriate</li> </ul>
Child Safety and Inclusion Advisor	<ul style="list-style-type: none"> <li>• Ensure that all complaints or allegations of abuse or harm and misconduct involving children and/or young people are acted upon.</li> <li>• Investigations are conducted, and relevant authorities notified, including through the coordination and convening of Council's Internal Response Team.</li> <li>• Work in partnership across the organisation to facilitate the implementation of, and compliance with the Child Safe Standards.</li> </ul>

	<ul style="list-style-type: none"> <li>• Identify strategies and implement initiatives to successfully embed Child Safe Standards.</li> <li>• Work with key stakeholders to develop and update key policies, procedures and plans to meet legislative requirements in relation to the Child Safe Standards.</li> <li>• Build capacity and educate council personnel, and other stakeholders on the Child Safe Standards and our internal processes.</li> </ul>
Child Safety Contact Officers	<ul style="list-style-type: none"> <li>• Provide advice to Council personnel on child safety matters and reporting requirements</li> <li>• Support the notification of child safety concerns or allegations to relevant authorities</li> <li>• Assist alleged victims and their families to access counselling and support services</li> <li>• Provide support to Council personnel who report (or are impacted by) Child Safety Incidents, including offering support via the Employee Assistance Program or other appropriate organisations if desired</li> </ul>
People and Culture	<p><b>Additionally:</b></p> <p><i>Recruitment</i></p> <ul style="list-style-type: none"> <li>• Ensure recruitment practices are conducted in line with requirements under the Victorian Child Safe Standards</li> <li>• Place Council's public Commitment to Child Safety (or a shorter version of it) in all job advertisements, employee position descriptions, and volunteer task descriptions</li> <li>• Ensure appropriate child safety checks and screening processes are undertaken prior to offering positions, including National Police Checks and robust referee checks</li> <li>• Ensure all Council personnel required to have Working With Children Checks under this Policy have a valid / current / appropriate Check upon commencement</li> <li>• Ensure new Council personnel have access to and are aware of this Child Safety and Wellbeing Policy</li> <li>• Ensure that new Council personnel are provided with training/education in relation to child safety and wellbeing, including identifying, preventing and reporting child abuse and harm, as part of their induction on commencement</li> </ul> <p><i>Training</i></p> <ul style="list-style-type: none"> <li>• Ensure that all Council personnel are provided with this Child Safety and Wellbeing Policy to inform them of Council's expectations, practices and approach in relation child safety</li> <li>• Ensure that all Council employees, volunteers and students are provided with annual training/education in relation to child safety and wellbeing, including identifying, preventing and reporting child abuse and harm</li> <li>• Keep records of the completion of child safety training by Council personnel</li> <li>• Reflect a culture of child safety in organisational development activities.</li> <li>• Support staff to build resilience and cope with child abuse incidences, e.g. through Council's Employee Assistance Program (EAP) counselling service</li> <li>• Provide support to Council personnel who report (or are impacted by) Child Safety Incidents, including offering support via the Employee Assistance Program or other appropriate organisations if desired</li> </ul> <p><i>Disciplinary Procedures</i></p> <ul style="list-style-type: none"> <li>• Manage Council's disciplinary procedures as they apply to the Child Safety and Wellbeing Policy.</li> </ul>



Council employees, volunteers and students	<ul style="list-style-type: none"> <li>• Be aware of and comply with their obligations and responsibilities in relation to child safety and wellbeing under the relevant legislation and this Child Safety and Wellbeing Policy (including the Child Safe Code of Conduct within)</li> <li>• If required under this Policy, ensure that they hold a valid / current / appropriate Working With Children Check and that their details are up to date</li> <li>• Upon commencement with Council and then annually, undertake training/education in relation to child safety and wellbeing, including identifying, preventing and reporting child abuse and harm</li> <li>• Report all concerns and reasonable beliefs in relation to a child or young person being abused or at risk of being abused in accordance with this Policy.</li> <li>• Provide an environment where children and young people feel safe, empowered and can participate</li> <li>• Take reasonable steps to identify and remove or minimise any potential risks to child safety and wellbeing within their work area</li> </ul>
Supervisors (Team Leaders, Coordinators, Managers)	<p><b>Additionally:</b></p> <ul style="list-style-type: none"> <li>• Promote regular discussion on child safety as being everyone's responsibility</li> <li>• Ensure Council personnel have access to and are aware of their obligations and responsibilities in relation to child safety and wellbeing under the relevant legislation and this Child Safety and Wellbeing Policy</li> <li>• Ensure risk assessment and management processes and plans address risks of child abuse and harm, with particular attention to higher-risk activities</li> <li>• Take reasonable steps to identify and remove or minimise any potential risks to child safety and wellbeing within their work area</li> <li>• Ensure that all Council staff, volunteers and contractors receive and undertake regular training/education in relation to child safety and wellbeing, including identifying, preventing and reporting child abuse and harm</li> <li>• Provide guidance and support to Council personnel who report (or are impacted by) Child Safety Incidents, including offering support via the Employee Assistance Program or other appropriate organisations if desired</li> <li>• Ensure that confidentiality and privacy of all personal information is maintained in line with relevant legislation and Council policies</li> </ul>
Contract managers	<p><b>Additionally:</b></p> <ul style="list-style-type: none"> <li>• All Council personnel with the responsibility for managing contracts where third parties are engaged to provide services to or on behalf of Council are responsible for ensuring those contractors they are responsible for are: <ul style="list-style-type: none"> <li>○ Provided with this Child Safety and Wellbeing Policy</li> <li>○ Compliant with this Policy as part of their contractual agreements with Council - with the exception of items pertaining to the Reportable Conduct Scheme (not applicable to contractors)</li> </ul> </li> </ul>
Contractors and agency / labour hire workers	<ul style="list-style-type: none"> <li>• Be aware of and comply with this Child Safety and Wellbeing Policy (including the Child Safe Code of Conduct detailed within) as part of their contractual agreement with Council – except for matters pertaining to the Reportable Conduct Scheme, as individuals employed by contracted organisations are not considered Council employees under the Scheme</li> <li>• Keep records regarding Working With Children Checks for relevant workers</li> </ul>
Licence/ lease holders	<ul style="list-style-type: none"> <li>• Lessees / licensees of Council facilities are obligated under the lease / licence to conduct their activities at Council venues in accordance with the Child Safe Standards and keep records of Working With Children Checks for relevant workers and/or volunteers</li> </ul>



Funded organisations (e.g. Council grant recipients)	<ul style="list-style-type: none"><li>• Be aware of and comply with this Child Safety and Wellbeing Policy (including the Child Safe Code of Conduct detailed within) as part of their funding agreement with Council – except for matters pertaining to the Reportable Conduct Scheme, as individuals employed by funded organisations are not considered Council employees under the Scheme</li></ul>
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## 15. Record Management

Council is committed to creating and keeping full and accurate records about all child-related complaints or safety concerns, including the outcome of any investigations and the resolution of any complaints. This includes findings made, reasons for decisions and actions taken. Donesafe is Council's electronic system as the single point for reporting incidents.

All electronic records pertaining to child-safety concerns and complaints will be stored securely as attachments to the Donesafe incident report.

Any hard copy documentation will be stored securely (in a locked filing cabinet or similar) until it is digitised and stored electronically in Donesafe, at which point the hard copy will be archived or destroyed according to legislative requirements.

Council is committed to protecting individuals' privacy and will manage all child-safety records as prescribed by the *Privacy & Data Protection Act 2014* and the *Health Records Act 2001*.

Any access to the information, amendments that may be required or any privacy enquiries may be directed to Council's Privacy Officer & Health Records Officer on 9298 4211 or email to [privacy@maroondah.vic.gov.au](mailto:privacy@maroondah.vic.gov.au).

## 16. Information Sharing

Council will keep information about child safety concerns and complaints confidential, except where it is necessary to share information to respond properly to a complaint or to prioritise child safety. Council will not disclose an individual's personal information to any external party without their consent unless Council is required or authorised to do so by law.

The law requires or allows, in certain circumstances, some organisations to share confidential or sensitive information about a person with each other, often to support safety or wellbeing. Council may therefore share relevant information about child safety concerns and complaints in accordance with its information sharing obligations (including those within the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme), to promote the safety and wellbeing of children, where it is appropriate and in their best interests.

Council may also need to share information about incidents or complaints with external authorities or organisations to comply with legislative requirements or to prioritise safety.

When responding to and investigating Child Safety Incidents, Council will keep children and families informed where appropriate and safe to do so, whilst balancing confidentiality and risks to children. The safety of children will be prioritised throughout these processes.

## 17. Regular Review

The Child Safety Internal Response Team will regularly review child safety incidents and investigations and recommend changes to relevant Council policies where appropriate.

The Child Safety Steering Group will action findings from child safety reviews or investigations and facilitate changes to relevant Council policies where appropriate.

The Child Safety Steering Group will review and update this Policy and associated processes at least 4-yearly or as changes are required. Feedback from children, young people and families will be sought and considered as part of the review process, including our local Aboriginal communities, culturally and/or linguistically diverse communities, LGBTIQ+ communities, children who can't live at home and people with a disability.

Updates or changes to this Policy will be communicated to all Council personnel.

## 18. Consequences of Breaching this Policy

Council views any breach of this Policy, including failing to report instances, allegations or concerns in relation to abuse or neglect of a child or young person (by personnel within our organisation or by others), as a serious matter that, depending on the circumstances, may result in disciplinary action or be grounds for dismissal.

Failure to report incidents of abuse, neglect and harm of a child or young person may also be classed as a criminal offence under law.

## 19. Complaints

For complaints concerning the administration of this Policy please contact:

People and Culture

Maroondah City Council

Mail: PO Box 156, Ringwood 3134

Telephone: 1300 88 22 33 or (03) 9298 4598

Email: [maroondah@maroondah.vic.gov.au](mailto:maroondah@maroondah.vic.gov.au)

## 20. Related Council Policies, Strategies, Procedures and Guidelines

*Acknowledgment of Country Protocol*

*Children in the Workplace Procedure*

*Community Engagement Policy and Toolkit*

*Community Grants Policy*

*Complaints Policy*

*Contract Management Guidelines*

*Councillor Code of Conduct*

*Customer Service Strategy*

*Discipline Policy*

*Electronic Communications and Internet Use Policy*

*Employee Code of Conduct*

*Equal Opportunity Policy*

*Events Held on Council Land Policy*

*Financial Hardship Policy*

*Guide to Service Standards and Complaints Handling*

*Hoarding and Squalor Policy*

*Homelessness Protocol*

*Induction Policy*

*Performance Management Policy*

*Personal Emergency Assistance Policy (Family Violence)*

*Privacy Policy*

*Procurement Guidelines*

*Procurement Policy*

*Public Interest Disclosure Policy and Procedure*

*Recruitment and Selection Policy*

*Risk Management Policy*

*Student Placement Policy*

*Volunteer Policy and Handbook*

## 21. Related Legislation and Protocols

*Australian Human Rights Commission National Principles for Child Safe Organisations*

*Charter of Human Rights and Responsibilities Act 2006 (Vic)*

*Child Information Sharing Scheme Ministerial Guidelines*

*Child Wellbeing and Safety Act 2005 (Vic)*

*Children, Youth, and Families Act 2005 (Vic)*

*Commission for Children and Young People Act 2012 (Vic)*

*Crimes Act 1958 (Vic)*

*Education and Care Services National Law Act (2010) (Vic)*

*Equal Opportunity Act 2010 (Vic)*

*Family Law Act 1975 (Cth)*

*Family Violence Information Sharing Scheme Ministerial Guidelines*

*Family Violence Protection Act 2008 (Vic)*

*Health Records Act 2001 (Vic)*

*Privacy Act 1988 Act (Cth) (including the Australian Privacy Principles)*

*Privacy and Data Protection Act 2014 (Vic) (including the Victorian Information Privacy Principles)*

*Public Interest Disclosures Act 2012 (Vic)*

*Public Records Act 1973 (Vic)*

*United Nations Convention on the Rights of the Child*

*Victorian Child Safe Standards*

*Victorian Reportable Conduct Scheme*

*Worker Screening Act 2020 (Vic)*

*Wrongs Act 1958 (Vic) (specifically, Part XIII – Organisational liability for child abuse)*

## 22. Glossary of Terms

### Child/ren

In this Policy the term child or children includes both children and young people under the age of 18 years.

### Child abuse

Child abuse is defined in the *Child Wellbeing and Safety Act 2005 (Vic)* as including:

- a sexual offence committed against a child
- an offence committed against a child under section 49M(1) of the Crimes Act 1958 (Vic), such as grooming
- physical violence against a child
- causing serious emotional or psychological harm to a child
- serious neglect of a child.

Further explanation of these types of abuse is provided in the section 'Types of Child Abuse' on pages 3-5.

### Child-related work

Under the *Worker Screening Act 2005*, 'child-related work' is work in either a voluntary or paid capacity, that usually involves direct contact with a child, at a place or involving an activity listed in the Act.

Full definitions of these are provided at the [Working with Children Check Victoria website](#).

### Child safe organisation

A child safe organisation is one that creates a culture, adopts strategies and takes action to promote child wellbeing and prevent harm to children and young people.<sup>28</sup>

A child safe organisation consciously and systematically:

- Creates an environment where children's safety and wellbeing is at the centre of thought, values and actions.
- Places emphasis on genuine engagement with and valuing of children and young people.
- Creates conditions that reduce the likelihood of harm to children and young people.
- Creates conditions that increase the likelihood of identifying any harm.
- Responds to any concerns, disclosures, allegations or suspicions of harm.<sup>29</sup>

### Child Safe Standards

The Victorian Child Safe Standards are a compulsory framework that support organisations to promote the safety of children by requiring them to implement policies to prevent, respond to and report allegations of child abuse and harm. New updated Standards were released by the Victorian Government in 2021 and apply from 1 July 2022.<sup>30</sup>

### Child safety

In the context of the Child Safe Standards, 'child safety' means measures to protect a child from child abuse or harm.

### Council personnel

Includes Council employees (ongoing and casual), volunteers, students on placement with Council, contractors and agency staff engaged by Council, and Councillors.

## Cultural rights

Cultural rights are the rights of each child (either individually or as part of a group of people) to develop and express their background, customs, social behaviour, language, religion or spirituality, beliefs and way of living.

Aboriginal people have distinct cultural rights to enjoy their identity and culture; maintain the use of their language; maintain their kinship ties; and maintain their relationship with the land, waters and other resources with which they have a connection under traditional laws and customs.<sup>31</sup>

## Cultural safety

Cultural safety is the positive recognition and celebration of cultures. It is more than just the absence of racism or discrimination and more than 'cultural awareness' and 'cultural sensitivity'. It empowers people and allows them to contribute and feel safe to be themselves.<sup>32</sup>

## Culturally and linguistically diverse

Culturally and linguistically diverse is a broad and inclusive term for communities with diverse language, ethnic background, nationality, dress, traditions, food, societal structures, art and religion characteristics.<sup>33</sup>

Culturally and linguistically diverse does not usually include Aboriginal communities and people because of their distinct history and experience as Australia's First Nations people. For the purposes of the Standards there are specific considerations for Aboriginal children, however, we also acknowledge the cultural and linguistic diversity of Aboriginal communities.

## Direct contact

Any contact between a person and a child that involves:

- physical contact; or
- face to face contact; or
- contact by post or other written communication; or
- contact by telephone or other oral communication; or
- contact by email or other electronic communication.

## Disability

Disability means:

- the total or partial loss of a body part or a bodily function (such as mobility, sight or hearing)
- the presence in the body of organisms that may cause disease
- malformation or disfigurement
- a mental or psychological disease or disorder
- learning difficulties.<sup>34</sup>

Disability may be permanent, non-permanent or an increased chance of developing a disability in future. Disability also includes behaviour that may be a symptom or expression of disability even if that disability is not formally diagnosed.<sup>35</sup>

## Disclosure

A disclosure in the context of child safety is the process by which a child conveys or attempts to convey that they are being, or have been, abused. Disclosure can be verbal, non-verbal or indicated through behaviour. A disclosure may be accidental or intentional, partial or complete and victims may disclose in different ways to different people throughout their lives.<sup>36</sup>

Adults may also convey that they were abused as a child or that they may have perpetrated abuse.



## Families

Families means people who make up the family unit for a child. Families may be made up of a wide variety of relationships, including those who are related by blood, marriage, adoption, kinship structures or other extended family structures. Families may include people who share in the daily tasks of living or share a very close, personal relationship.<sup>37</sup>

## Harm

Harm is damage to the health, safety or wellbeing of a child, including as a result of child abuse by adults or the conduct of other children. It includes physical, emotional, sexual and psychological harm. Harm can arise from a single act or event and can also be cumulative, that is, arising as a result of a series of acts or events over a period of time.<sup>38</sup>

## Human rights

Human rights refer to all the rights of children, including those in the Universal Declaration of Human Rights, the *United Nations Convention on the Rights of the Child* and the *Charter of Human Rights and Responsibilities Act 2006* (Vic). Rights include a child's right to safety, information and participation in an organisation.<sup>39</sup>

## Mandatory reporting

In accordance with the *Children Youth and Families Act*, the legal obligation of certain groups of people to report a reasonable belief of child physical or sexual abuse to child protection authorities.

## Online environments

Online environments are any technological platforms which an organisation uses or controls, such as computers, phones, websites, intranet, social media and video conference facilities regardless of where such platforms may be accessed by children.<sup>40</sup>

## Physical environments

Physical environments are the physical places where an organisation operates or conducts activities, such as a building, facility or space and includes physical environments operated by third parties.<sup>41</sup>

## Reasonable belief

A belief is considered 'reasonable' if a reasonable person, doing the same work, would have formed the same belief on those grounds. Grounds for forming a belief are matters of which you have become aware, and any opinions in relation to those matters.<sup>42</sup>

Factors contributing to reasonable belief may be as follows:

- a child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves);
- behaviour consistent with that of an abuse victim is observed;
- someone else has raised a suspicion of abuse but is unwilling to report it; and/or
- observing suspicious behaviour.

## Reportable Conduct

In accordance with the definition in the *Child Wellbeing and Safety Act*, one or more of the following:

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

## Risk

In the context of the Child Safe Standards, risk is exposure to the chance for harm or abuse of a child to occur in connection with an organisation.<sup>43</sup>

## Supervisor

Employees with supervisory responsibilities - the person to whom another employee reports (according to the reporting employee's position description). The Supervisor can be any position responsible for supervising employees, however titled.

## Volunteer

Volunteer means any person engaged by or a part of an organisation who provides a service without receiving a financial benefit, regardless of whether their role relates to children. There is no minimum period of engagement to be considered a volunteer.<sup>44</sup>

## Wellbeing

Wellbeing is a positive state of physical, mental and emotional health. It generally means feeling safe, happy and healthy more than momentarily.<sup>45</sup>

## 23. References

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- <sup>1</sup> Commission for Children and Young People, *Being a child safe organisation* (website page), <https://ccyp.vic.gov.au/child-safe-standards/being-a-child-safe-organisation/>
- <sup>2</sup> Commonwealth of Australia, 2017, *Royal Commission into Institutional Responses to Child Sexual Abuse - Final report: Preface and executive summary* - as per Commission for Children and Young People, 2022, *A guide for creating a Child Safe Organisation*, p.11
- <sup>3</sup> Commission for Children and Young People, 2022, *A guide for creating a Child Safe Organisation (Version 5.0)*
- <sup>4</sup> Commission for Children and Young People, 2022, *A guide for creating a Child Safe Organisation (Version 5.0)*
- <sup>5</sup> Commission for Children and Young People, 2022, *A guide for creating a Child Safe Organisation (Version 5.0)*
- <sup>6</sup> Victorian Government, Department of Education and Training, *Identify child abuse* (website page), <https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/identify.aspx>
- <sup>7</sup> Victorian Government, Department of Education and Training, *Identify child abuse* (website page), <https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/identify.aspx>
- <sup>8</sup> Bravehearts, *What is grooming?* (website page) <https://bravehearts.org.au/what-is-grooming/>
- <sup>9</sup> Commonwealth of Australia, 2017, *Royal Commission into Institutional Responses to Child Sexual Abuse - Final report: Volume 4, Identifying and disclosing child sexual abuse*, <https://www.childabuseroyalcommission.gov.au/identifying-and-disclosing-child-sexual-abuse>
- <sup>10</sup> Adapted from Victorian Government, Department of Education and Training, 2022, *Child sexual exploitation and grooming* (website page), <https://www.education.vic.gov.au/school/teachers/health/childprotection/Pages/expolitationgrooming.aspx>
- <sup>11</sup> Commonwealth of Australia, 2017, *Royal Commission into Institutional Responses to Child Sexual Abuse - Final report: Volume 4, Identifying and disclosing child sexual abuse*, <https://www.childabuseroyalcommission.gov.au/identifying-and-disclosing-child-sexual-abuse>
- <sup>12</sup> Commonwealth of Australia, 2017, *Royal Commission into Institutional Responses to Child Sexual Abuse - Final report: Volume 4, Identifying and disclosing child sexual abuse*, <https://www.childabuseroyalcommission.gov.au/identifying-and-disclosing-child-sexual-abuse>
- <sup>13</sup> *Crimes Act 1958* (Vic), s 49M
- <sup>14</sup> Secretariat of National Aboriginal and Islander Child Care (SNAICC), with the help of Victorian Aboriginal Child Care Agency (VACCA), in partnership with the National Office for Child Safety created: Commonwealth of Australia, Department of the Prime Minister and Cabinet, 2021, *Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations*, <https://www.snaicc.org.au/policy-and-research/child-safety-and-wellbeing/keeping-our-kids-safe/>
- <sup>15</sup> Beyond Blue, *Multicultural People* (website page), <https://www.beyondblue.org.au/who-does-it-affect/multicultural-people>
- <sup>16</sup> Commission for Children and Young People, *Information Sheet 11: Significant neglect under the Reportable Conduct Scheme*, <https://ccyp.vic.gov.au/resources/reportable-conduct-scheme/reportable-conduct-scheme-information-sheets/#TOC-12>
- <sup>17</sup> Victorian Government, Department of Justice and Community Safety, Working with Children Check Victoria website, *When you need a Check* (website page), <https://www.workingwithchildren.vic.gov.au/about-the-check/when-you-need-a-check>
- <sup>18</sup> Adapted from Commission for Children and Young People, 2019, *Guide for including children and young people in reportable conduct investigations*, <https://ccyp.vic.gov.au/resources/reportable-conduct-scheme/including-children-and-young-people-in-reportable-conduct-investigations/#TOC-1>

<sup>19</sup> Commission for Children and Young People, 2022, *A guide for creating a Child Safe Organisation (Version 5.0)*

<sup>20</sup> Adapted from Commonwealth of Australia, Department of the Prime Minister and Cabinet - National Office for Child Safety, 2019, *Complaint handling guide: upholding the rights of children and young people*, <https://childsafety.pmc.gov.au/resources/complaint-handling-guide-upholding-rights-children-and-young-people>

<sup>21</sup> Adapted from Government of Western Australia, Department of Communities, *Recognising child abuse*; Victorian Government; Department of Education and Training, *Spotting the warning signs of child abuse for school staff*; Victorian Government, Department of Families, Fairness and Housing, *Indicators of abuse - Child Safe Standards toolkit resource 4B*; Victorian Government, Department of Families Fairness and Housing, Better Health Channel, September 2018, *Recognising when a child is at risk* (website page), <https://www.betterhealth.vic.gov.au/health/servicesandsupport/recognising-when-a-child-is-at-risk#bhc-content> - as per Commission for Children and Young People, 2022, *A guide for creating a Child Safe Organisation (Version 5.0)*, p.15

<sup>22</sup> Victorian Government, Department of Fairness, Families and Housing, *Mandatory reporting* (website page), <https://providers.dffh.vic.gov.au/mandatory-reporting>

<sup>23</sup> Victorian Government, Department of Fairness, Families and Housing, *Reporting child abuse* (website page), <https://services.dffh.vic.gov.au/reporting-child-abuse>

<sup>24</sup> Victorian Government, Department of Fairness, Families and Housing, *Child protection* (website page), <https://services.dffh.vic.gov.au/child-protection>

<sup>25</sup> Victorian Government, Department of Fairness, Families and Housing, *Mandatory reporting* (website page), <https://providers.dffh.vic.gov.au/mandatory-reporting>

<sup>26</sup> Commission for Children and Young People, 2022, *A guide for creating a Child Safe Organisation (Version 5.0)*

<sup>27</sup> Victorian Government, Department of Fairness, Families and Housing, *Mandatory reporting* (website page), <https://providers.dffh.vic.gov.au/mandatory-reporting>

<sup>28</sup> Australian Human Rights Commission, Child Safe Organisations website, *What is a child safe organisation?* (website page), <https://childsafe.humanrights.gov.au/about/what-child-safe-organisation>

<sup>29</sup> Australian Human Rights Commission, Child Safe Organisations website, *What is a child safe organisation?* (website page), <https://childsafe.humanrights.gov.au/about/what-child-safe-organisation>

<sup>30</sup> Commission for Children and Young People, 2022, *A guide for creating a Child Safe Organisation (Version 5.0)*

<sup>31</sup> Adapted from *Charter of Human Rights and Responsibilities Act 2006 (Vic)*.

<sup>32</sup> Secretariat of National Aboriginal and Islander Child Care (SNAICC), with the help of Victorian Aboriginal Child Care Agency (VACCA), in partnership with the National Office for Child Safety created: Commonwealth of Australia, Department of the Prime Minister and Cabinet, 2021, *Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations*, <https://www.snaicc.org.au/policy-and-research/child-safety-and-wellbeing/keeping-our-kids-safe/>.

<sup>33</sup> Ethnic Communities' Council of Victoria, 2012, *ECCV Glossary of Terms*, <https://eccv.org.au/glossary-of-terms/>

<sup>34</sup> Commission for Children and Young People, 2022, *A guide for creating a Child Safe Organisation (Version 5.0)*

<sup>35</sup> Commission for Children and Young People, 2022, *A guide for creating a Child Safe Organisation (Version 5.0)*

<sup>36</sup> Adapted from Commonwealth of Australia, 2017, *Royal Commission into Institutional Responses to Child Sexual Abuse - Final report: Volume 4, Identifying and disclosing child sexual abuse*, <https://www.childabuseroyalcommission.gov.au/identifying-and-disclosing-child-sexual-abuse>

<sup>37</sup> Commission for Children and Young People, 2022, *A guide for creating a Child Safe Organisation (Version 5.0)*

<sup>38</sup> Commission for Children and Young People, 2022, *A guide for creating a Child Safe Organisation (Version 5.0)*

<sup>39</sup> Commission for Children and Young People, 2022, *A guide for creating a Child Safe Organisation (Version 5.0)*

<sup>40</sup> Commission for Children and Young People, 2022, *A guide for creating a Child Safe Organisation (Version 5.0)*

<sup>41</sup> Commission for Children and Young People, 2022, *A guide for creating a Child Safe Organisation (Version 5.0)*

<sup>42</sup> Victorian Government, Department of Fairness, Families and Housing, *Mandatory reporting* (website page), <https://providers.dffh.vic.gov.au/mandatory-reporting>

<sup>43</sup> Adapted from Macquarie Dictionary definition.

<sup>44</sup> Commission for Children and Young People, 2022, *A guide for creating a Child Safe Organisation (Version 5.0)*

<sup>45</sup> Commission for Children and Young People, 2022, *A guide for creating a Child Safe Organisation (Version 5.0)*