

	<h1>Child Safe Policy</h1>
<b>Version No.</b>	Version 2.1 - March 2021
<b>Endorsement</b>	Executive – 1 April 2021 Policy Review Panel – 18 May 2021
<b>Authorisation</b>	Council – 7 June 2021
<b>Review Date</b>	31 March 2026
<b>Responsible Officer</b>	General Manager Community Services
<b>Policy Owner</b>	Chief Executive Officer

## 1. Purpose

To set out a clear policy in relation to Melton City Council's commitment to child safety and to the seven Victorian Child Safe Standards (CSS) as made and gazetted by the Minister pursuant to the *Child Wellbeing and Safety Act 2005* (the Act) and the National Principles for Child Safe Organisations.

## 2. Scope

Melton City Council is committed to and required to abide by the Victorian Child Safe Standards and is committed to alignment with the National Principles for Child Safe Organisations. This policy explains Council's commitment to meet the Victorian Child Safe Standards, and should be read in conjunction with Council's Child Safe Procedure which details the practical application of the Child Safe standards.

This policy is compatible with the Charter of Human Rights and Responsibilities, in particular the principle of *Protection of families and children*.

All Councillors, staff, volunteers and labour hire contractors are bound by both the policy and procedure. Furthermore, Council will take reasonable steps to ensure third party providers are committed to child safety.

Individual Departments, business units, and/or staff within Council may have additional mandatory and/or operational requirements to ensure a child safe organisation. These are outside of the scope of this policy.

## 3. Definitions

Word/Term	Definition
<b>Child Safety Culture</b>	Melton City Council takes deliberate steps to directly and indirectly create a culture in which everyone – Councillors, staff, volunteers, and labour hire contractors – feels confident, enabled and supported to provide a safe place for children and to effectively and safely disclose and address child safety concerns.
<b>Child / Young Person</b>	A person under eighteen (18) years of age

Word/Term	Definition
<b>Child Abuse</b>	<p>Is defined in the Act as follows:</p> <p><i>child abuse includes—</i></p> <p>(a) <i>any act committed against a child involving—</i></p> <p style="padding-left: 40px;">(i) <i>a sexual offence; or</i></p> <p style="padding-left: 40px;">(ii) <i>an offence under section 49M(1) of the Crimes Act 1958;</i></p> <p style="padding-left: 40px;"><i>and</i></p> <p>(b) <i>the infliction, on a child, of—</i></p> <p style="padding-left: 40px;">(i) <i>physical violence; or</i></p> <p style="padding-left: 40px;">(ii) <i>serious emotional or psychological harm; and</i></p> <p>(c) <i>the serious neglect of a child.</i></p> <p>Please see other definitions of sexual abuse, emotional or psychological abuse, grooming offence, neglect, and physical abuse.</p>
<b>Child Related Work</b>	<p>Specific definition as per section 7 of the <i>Worker Screening Act 2020</i>.</p> <p>Child-related work is work at or for a service, body or place, or that involves an activity and that usually involves direct contact with a child.</p> <p>For the purposes of this Act, work is not child-related work by reason only of occasional direct contact with children that is incidental to the work.</p>
<b>Child Safe Organisation</b>	<p>An organisation that takes deliberate steps to protect children from physical, sexual, emotional and psychological abuse, and neglect.</p>
<b>Child Safe Standards Code of Conduct</b>	<p>Council’s Child Safe Code of Conduct outlines the standards of behaviour expected when engaging with children.</p>
<b>Child Safe Standards (Victorian)</b>	<p>A set of seven compulsory standards introduced by the Victorian government under the <i>Child Wellbeing and Safety Act 2005</i> to protect children from harm. The standards are compulsory for all organisations providing services to children.</p> <p>The standards are:</p> <ol style="list-style-type: none"> <li>1. Embed a culture of child safety</li> <li>2. Adopt a child safe policy</li> <li>3. Adopt a code of conduct for appropriate behaviour with children</li> <li>4. Screen, supervise and train staff</li> <li>5. Process for responding to and reporting abuse</li> <li>6. Identify child abuse risks and ways to reduce these risks</li> <li>7. Empower Children to share feedback and experiences</li> </ol>
<b>Commission for Children and Young People</b>	<p>The Commission for Children and Young People (CCYP) is an independent statutory body that promotes improvement in policies and practices affecting the safety and wellbeing of</p>

Word/Term	Definition
	<p>Victorian children and young people. The CCYP focuses on vulnerable children and young people.</p> <p>The CCYP has various functions and powers in relation to the oversight and enforcement of the Child Safe Standards.</p> <p>The CCYP is also administering and overseeing the reportable conduct scheme.</p>
<p><b>Cultural Safety for Aboriginal children and culturally and / or linguistically diverse backgrounds</b></p>	<p>The positive recognition and celebration of cultures is more than just the absence of racism or discrimination, and more than cultural awareness and cultural sensitivity.</p> <p>A child or young person who identifies as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion preferred language or language spoken at home or because of their parents identification on a similar basis.</p>
<p><b>Emotional and Psychological Abuse</b></p>	<p>Occurs when a child does not receive the appropriate love, affection or attention they need for healthy, emotional, psychological and social development. Such abuse may involve repeated threats to a child, constant criticism, teasing, ignoring, threatening, yelling, scapegoating, ridicule and rejections or continual coldness. These behaviours continue to an extent that it results in significant damage to the child's physical, intellectual or emotional wellbeing and development.</p>
<p><b>Failure to disclose offence</b></p>	<p>Any adult who forms a reasonable belief that sexual offence has been committed by an adult against a child under 16 years of age has an obligation to report that information to police. Failure to disclose the information to police is a criminal offence.</p>
<p><b>Failure to protect offence</b></p>	<p>This offence applies to people within organisations who knew of a risk of child sexual abuse by someone in the organisation and had the authority to reduce or remove the risk, but did not act to protect the child.</p>
<p><b>Grooming offence</b></p>	<p>A term used to describe what happens when a perpetrator of abuse builds a relationship and rapport with a child with a view to abusing them at some stage in the future.</p> <p>Grooming can also be used to describe the process that a perpetrator goes through when building rapport and a relationship with guardians of children, or people with the responsibility for the care of children and young people.</p> <p>Grooming can occur over any length of time, in a variety of settings where a relationship can be formed, such as leisure</p>

Word/Term	Definition
	<p>facilities, childcare, music, religious and sporting activities, Internet chat rooms and social media or by SMS.</p> <p>The grooming offence applies where a person over 18 years of age communicates, by words or conduct, online or face-to-face, with a child under the age of 16 years or with a person who has care supervision or authority for a child, with the intention of later sexual activity with a child.</p>
<b>Incident</b>	Any disclosure or harm to a child or young person; allegation, suspicion or observation of abuse or harm to a child or young person; or a breach of the Child Safe Code of Conduct.
<b>Labour Hire Contractor</b>	A person employed through an external agency to work at Council to provide specific labour services, typically for a finite period of time. Labour Hire Contractors are bound by this policy in the same way as staff.
<b>National Principles for Child Safe Organisations</b>	<p>The National Principles are underpinned by a child rights, strengths-based approach. They are designed to allow for flexibility in implementation across all sectors engaging with children and young people, and in organisations of various sizes. They align with existing child safe approaches at the state and territory level.</p> <p>The Principles are:</p> <ol style="list-style-type: none"> <li>1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.</li> <li>2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.</li> <li>3. Families and communities are informed and involved in promoting child safety and wellbeing.</li> <li>4. Equity is upheld and diverse needs respected in policy and practice.</li> <li>5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.</li> <li>6. Processes for complaints and concerns are child focused.</li> <li>7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.</li> <li>8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.</li> <li>9. Implementation of the national child safe principles is regularly reviewed and improved.</li> <li>10. Policies and procedures document how the organisation is safe for children and young people.</li> </ol>

<b>Word/Term</b>	<b>Definition</b>
<b>Neglect</b>	Is the persistent failure or deliberate denial to provide with the basic necessities of life such neglect includes failure to provide adequate food, clothing, shelter, supervision, water, medical attention or supervision for the appropriate physical or psychological development.
<b>Physical Abuse</b>	Occurs when a person subjects another to non-accidental acts of physical aggression. The abuse may inflict injury intentionally or inadvertently as a result of physical punishment or aggressive treatment. Physically abusive behaviour includes (but not limited to) shoving, hitting, slapping, shaking, throwing, punching, biting, burning and kicking. It also includes the provision of harmful substances such as drugs, alcohol or poison.
<b>Sexual Abuse</b>	A child is sexually abused when any person uses their authority over the child to involve the child in sexual activity. Child sexual abuse involves a wide range of sexual activity including fondling genitals, masturbation, vaginal or anal penetration by a finger, penis or any other object, voyeurism and exhibitionism.

#### **4. Policy**

Melton City Council is dedicated to:

- the safety of children being paramount
- Compliance with the Victorian Child Safe Standards
- Compliance with the National Principles for Child Safe Organisations
- Compliance under Child Information Scheme (CIS) and Family Violence Information Scheme (FVISS)

#### **5. Statement of Commitment**

Melton City Council is committed to:

- The welfare of children in our care will always be our highest priority and we have a zero tolerance to child abuse
- Putting in place strategies that recognise that children in its care have the right to safety, participation and empowerment.
- Preventing child abuse and identifying risks early, and removing and reducing these risks.
- Maintaining recruitment practices that consistently select staff, volunteers and labour hire contractors who do not pose a risk to children's safety.
- Training and educating our staff and volunteers about child safety and child abuse so that they are aware of their obligations.
- Treating allegations of child safety concerns seriously and responding appropriately;
- Contacting authorities when there are reasonable concerns about a child's safety.
- The cultural safety of all children, including Aboriginal children, children from a culturally or linguistically diverse background and children with a disability.

- Putting in place and adhering to specific policies and procedures to deliver on these commitments.

Council has legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.

## 6. Reporting Child Abuse

All parties in scope at Council who form a reasonable belief, that abuse against a child or young person has been committed by an adult, have an obligation to report that information to police and/or to the Child Safe Officers and Child Safety Deputies, for full list please refer to **Appendix 1**. Please refer to the Child Safe Procedure.

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

## 7. Failure to Disclose and Failure to Protect

All parties in scope at Council who form a reasonable belief, that abuse against a child or young person has been committed by an adult, have an obligation to report that information to police. Failure to disclose the information to police may be a criminal offence.

The failure to protect offence applies to those who knew of a risk of child sexual abuse by someone in the organisation and had the authority to reduce or remove the risk, but did not act to protect that child.

## 8. References and links to legislation and other documents

Name	Location
Charter of Human Rights and Responsibilities Act 2006	Available via <a href="http://www.legislation.vic.gov.au">www.legislation.vic.gov.au</a>
Child Safe Conduct of Conduct	Melton City Council
Child Wellbeing and Safety Act 2005	Available via <a href="http://www.legislation.vic.gov.au">www.legislation.vic.gov.au</a>
Children, Youth and Families Act 2005	Available via <a href="http://www.legislation.vic.gov.au">www.legislation.vic.gov.au</a>
Commission for Children and Young People Act 2012	Available via <a href="http://www.legislation.vic.gov.au">www.legislation.vic.gov.au</a>
Crimes Act 1958	Available via <a href="http://www.legislation.vic.gov.au">www.legislation.vic.gov.au</a>
Disability Act 2006	Available via <a href="http://www.legislation.vic.gov.au">www.legislation.vic.gov.au</a>
Employee Code of Conduct	Melton City Council
Family Violence Protection Act 2008	Available via <a href="http://www.legislation.vic.gov.au">www.legislation.vic.gov.au</a>
Information Sharing Schemes Policy	Melton City Council
Local Government Act 2020	Available via <a href="http://www.legislation.vic.gov.au">www.legislation.vic.gov.au</a>
Protected Disclosure Act 2012	Available via <a href="http://www.legislation.vic.gov.au">www.legislation.vic.gov.au</a>
Responding to Family Violence	Melton City Council
Sex Offenders Register Act 2004	Available via <a href="http://www.legislation.vic.gov.au">www.legislation.vic.gov.au</a>

Name	Location
Worker Screening Act 2020	Available via <a href="http://www.legislation.vic.gov.au">www.legislation.vic.gov.au</a>
Worker Screening Regulations 2021	Available via <a href="http://www.legislation.vic.gov.au">www.legislation.vic.gov.au</a>

**9. Attachments**

Appendix 1 (List of Child Safety Officers and Child Safety Deputies)

## **Appendix 1– Child Safe Officers and Deputies**

### **Child Safe Officers**

- Manager Families and Children Services
- Manager Community Planning
- Manager Youth and Recreation Services
- Early Childhood Coordinator

### **Deputy Child Safe Officers**

- Coordinator Maternal and Child Health
- Coordinator Early Years Partnerships
- Coordinator Family Services
- Coordinator Housing Services
- Coordinator Wellness and Engagement
- Coordinator Neighbourhood Participation
- Coordinator Recreation
- Coordinator Leisure Centres
- Coordinator Library Activation and Engagement
- Coordinator Young Communities
- Early Years Team Leader