
CHILD SAFE MANAGEMENT SYSTEM - CHILD SAFE POLICY



PURPOSE

This policy recognises the importance of child safety in the provision of quality community services. It contributes to public value through enacting our commitment to safeguarding children under the age of 18 while enabling their participation in services and activities as valued members of our community.

SCOPE

This policy applies to all people elected to, employed by, and working within Wyndham City Council: Councillors, Advisory Committee Members, Staff (including temporary and contracted) and Volunteers (registered and student).

POLICY STATEMENT

Wyndham City Council has no tolerance for child abuse and harm. We are committed to creating a child safe environment, embedding a culture of safety within council and its operations.

We believe that prevention involves identifying risks early to keep all children safe from harm, whether the source of the suspected occurrence is due to:

- child abuse perpetrated by an adult;
- child sexually harmful behaviour committed by another child;
- exposure to family violence; or
- behaviours of concern, including grooming, cumulative harm or potential neglect.

We will enable children to contribute to their safety by removing and reducing risks, supporting, respecting, and empowering all children. All allegations and safety concerns will be treated very seriously and consistently in line with our policies and procedures. We have legal and moral obligations to contact authorities when we are concerned about a child's safety.

We will work to continuously improve our child safe culture through ongoing development of our implementation of the 11 Victorian Child Safe Standards:

- Strategies to embed an organisational culture of child safety, including through effective leadership and governance arrangements
- A Child Safe Policy or Statement of Commitment to Child Safety
- A Code of Conduct that establishes clear expectations for appropriate behaviour with children
- Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel.
- Processes for responding to and reporting suspected child abuse
- Strategies to identify and reduce or remove risks of child abuse in physical and online spaces
- Strategies to promote the participation and empowerment of children
- Strategies to inform and involve families and communities in our safeguarding approach

The Child Safe Standards require organisations to consider the cultural needs of Aboriginal and Torres Strait Islander children and young people as well as those from culturally and linguistically diverse backgrounds, LGBTIQ+ children and young people, those with a disability and children and young people who cannot live at home. These groups of children and young people can be more vulnerable to harm and abuse and may require alternate and/or additional strategies for protection.

Strategies and plans will include actions focusing on these groups, who may be particularly at risk of being victimised and may face additional challenges in reporting an incident of abuse.

POLICY OBJECTIVES

1. Wyndham City Council will maintain an environment that minimises the risk of harm to children, promoting their safety, in line with community expectations and compliant with legislation.
2. Wyndham City Council will foster and actively promote a culture where our people advocate for child safety and we empower children, respecting their rights and hearing their voice.
3. Wyndham City Council will embed practices which apply the 11 Victorian Child Safe Standards at all levels of the organisation to deliver procedural fairness and facilitate natural justice.
4. Wyndham City Council will require our people to act with integrity and respect for child safety in the performance of their roles and promptly report any misconduct, risks or concerns related to child safety.

Role Accountabilities & Responsibilities

Audit and Risk Committee	Monitor management systems in place to obtain sufficient assurance that Wyndham City Council is operating in compliance with applicable legislation and regulation.
Executive Leadership Team	Endorse and support the Child Safe Policy and ensure child safety is prioritised at a strategic and operational level. Ensure adequate human and financial resources are allocated to child safety management. Champion child safety, demonstrating leadership and accountability for child safe practices at all levels of the organisation, including duty of care and mandatory reporting. Advocating for a child safe culture by encouraging reporting and supporting prompt and proportionate response to allegations of reportable conduct.
Ethics and Integrity Committee	Provide oversight of incident management to assure procedural fairness, timeliness of action to investigate and resolve, equity of outcome, appropriate provision of welfare support and compliance with the requirements and directives of external authorities (including the Commission for Children and Young People, the Police and the Department of Families, Fairness and Housing).
Child Safe Officer(s)	<p>Holders of this role are named within the Instrument Delegations and on the Child Safe Management System intranet page. Officer(s) must receive and review disclosures, undertaking the following actions, as required:</p> <ul style="list-style-type: none"> • conduct an initial assessment to determine the incident notification and management requirements; • refer criminal conduct directly to Victoria Police; • refer potential reportable conduct to the Commission for Children and Young People; • refer disclosures which are not reportable conduct to the relevant Manager to enact the internal disciplinary process, in consultation with People and Capability as appropriate; • refer allegations which are not made about Wyndham people to the Department of Families, Fairness and Housing; • ensure support is offered to the child and their parents/carers, to the person making the report and the person who is the subject of allegations; and provided where accepted; • engage external investigators from our legal panel, as required; • manage the resolution of disclosures related to child safety incidents in accordance with council processes; and • report to the Ethics & Integrity Committee as required.

Risk Team	<p>The Risk Team are responsible for the implementation and continuous improvement of the Child Safe management system, they must:</p> <ul style="list-style-type: none"> • champion child safe practices; • provide communication, information, advice and support in relation to the management of allegations, internally and externally in line with legal requirements; • ensure there are processes and systems in place to enable anyone to raise concerns or make allegations related to potential reportable conduct, including about the head of the organisation; • provide communication, information, advice and support in relation to the management of allegations to be provided internally and externally in line with legal requirements; • provide opportunities for training, supervision, ongoing support for those responsible for child safe practices; • maintain secure information management systems for the receipt, storage, assessment and notification of potential allegations of reportable conduct; • continuously improve the Child Safe Management System, building the capability of our people to manage meet their responsibilities; and • monitor, manage and continually improve the organisation’s child safe strategies.
Child Safe Working Group	<p>Convened by the Risk Team, members representing services engaging with children and related enabling service areas, are responsible for championing the implementation of actions to improve child safety, which are relevant to their business areas.</p>
Managers and Coordinators	<p>Responsible for ensuring business processes, activities and functions within their area have effective controls in place to meet the organisations expectations in relation to child safety.</p> <p>Ensure children and young people who engage with Wyndham City Council are consulted and empowered to share their views about issues which impact them.</p>
All People Managers	<p>Responsible for acting as an advocate for child safety, including a reporting channel for their staff and referring any potential reportable allegation to the Child Safe Officer(s) and maintaining confidentiality about such situations. Ensure their staff are aware of their child safety obligations and are enabled to meet them.</p>
All people	<p>All people covered by the scope of this policy are responsible for:</p> <ul style="list-style-type: none"> • creating a child safe environment and prioritising the safety of children they interact with in the performance of their role; • understanding the signs of child abuse, child harm and neglect and knowing how to respond should an incident occur; • maintaining an awareness of child safety in community situations and reporting conduct of concern; and • reporting conduct which does not meet the standard specified in our Child Safe Code of Conduct; • following organisational reporting processes, when a concern, allegation or disclosure of child abuse arises. <p>In addition, people who engage, manage and monitor contractor agreements for the provision of goods or services; are required to ensure that contractor performance meets the organisations expectations in relation to child safety.</p> <p>If you have reason to believe that a child’s safety is in immediate danger contact 000.</p>

DEFINITIONS

Child Safe Management System – the system of planning, organising, leading and controlling activity; in order to direct and control the organisation with regard to the implementation of child safety practices.

Child – any person under the age of 18.

Child Safety – Encompasses matters related to protecting all children from child abuse and neglect, intervening early where concerns arise, preventing abuse where possible, managing the risk of child abuse, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse.

- **Emotional Abuse** – Emotional abuse occurs when a child’s parent, caregiver or any other adult repeatedly rejects the child or uses threats to frighten the child. This may involve being repeatedly rejected, name called or being put down; being frightened by threats; continual coldness to the extent that it significantly damages the child’s physical, social, intellectual, or emotional development; or repeated exposure to family violence.
- **Physical Abuse** – This occurs when a child suffers or is likely to suffer significant harm from an injury inflicted by another adult. The injury may be inflicted intentionally or may be the inadvertent consequence of physical punishment or physically aggressive treatment of a child. This may take the form of punching, beating, shaking, or otherwise harming a child.
- **Sexual Abuse** – This occurs when a person uses power, force, or authority to involve a child in any form of sexual activity. Behaviours sex offenders engage in may include touching or fondling, obscene or suggestive phone calls/texts, exhibitionism and or voyeurism, pornographic images, or penetration. Note that sexual abuse includes both contact and non-contact behaviours.

Child Sexually Harmful Behaviour – refers to harmful behaviour perpetrated by a child (17 years of age or younger) to another child. Harmful behaviours in children are often an indicator that they have experienced abuse or neglect. Where sexually harmful behaviour occurs, organisations have a duty of care to both children. Note that in children under 10 years of age, such behaviour is usually referred to as sexually problematic behaviour.

Cumulative Harm – Cumulative harm refers to the effects of multiple adverse or harmful circumstances and events in a child’s life. Cumulative harm may be caused by an accumulation of a single recurring adverse circumstance or even (such as unrelenting low-level care); or by multiple circumstances or events (such as persistent verbal abuse and denigration, inconsistent or harsh disciplines and/or exposure to family violence.)

Disclosure – refers to the communication of a child safety incident, it includes a child telling someone (through words, drawings or actions) they feel unsafe or have been harmed.

Exposure to Family Violence – Family violence is behaviour by a person towards a family member that is:

- physically or sexually abusive;
- emotionally (psychologically) abusive
- coercive or any way controls or dominates the family member and causes that family member to fear for their safety or wellbeing or the that of another family member;
- behaviour by a person that causes a child to hear or witness or otherwise be exposed to the effects of, behaviour referred to above;

or exposure to family violence includes children seeing, hearing or experiencing the violence in a number of ways.

DEFINITIONS

Grooming – Many perpetrators of sexual offences against children purposely create relationships with children and young people, their families, and carers in order to create a situation where abuse could occur. Grooming concerns predatory conduct undertaken to prepare a child for sexual activity. This may include:

- spending special time with a child e.g. in private settings, away from the organisation, online;
- isolating the children or young person from family and peers;
- giving gifts to a child;
- showing favouritism;
- allowing the child to step out of boundaries or rules;
- touching the child;

testing and breaking professional boundaries.

LGBTQI+ – lesbian, gay, bisexual, transgender, queer (or questioning), and intersex

Neglect – Neglect is the failure to provide for the child's basic needs for life: food, clothing, shelter, medical attention and supervision or care. Neglect occurs when a person does not meet their obligations and responsibilities to keep a child safe and well to the extent that the child's health and development are, or are likely to be, placed at risk.



REFERENCES

External reference material:

Legislation and Regulation

[Australian Human Right Commission Act 1986](#)

[Crimes Act 1958 \(VIC\)](#)

[Crimes Amendment \(Grooming\) Act 2014 \(VIC\)](#)

[Crimes Amendment \(Protection of Children\) Act 2014 \(VIC\)](#)

[Children Legislation Amendment \(Reportable Conduct\) Act 2017](#)

[Children Legislation Amendment \(Information Sharing\) Act 2018 \(VIC\)](#)

[Child Wellbeing and Safety Act 2005](#)

[Child Wellbeing and Safety Amendment \(Child Safe Standards\) Act 2015](#)

[Child Wellbeing and Safety Regulations 2017](#)

[Privacy and Data Protection Act 2014 \(VIC\)](#)

[Worker Screening Act 2020 \(VIC\)](#)

[Working with Children Regulations 2016](#)

[Wrongs Amendment \(Organisational Child Abuse\) Act 2017 \(VIC\)](#)

Government Guidance

[The Commission for Children and Young People](#)

[Working with Children Victoria](#)

Wyndham City Council reference material:

[Child Safe Management System WYNi](#) (intranet page) collates relevant Child Safe Management System information including this policy and the Reportable Conduct Policy, Child Safe Code of Conduct, Child Safe Compliance Plan, Child Safe Management Guide, and the Working with Children Check Policy

[Staff Code of Conduct](#) & [Councillor Code of Conduct](#)

[Performance Management Policy](#)

Wyndham City Council Website, [Child Safe Organisation](#) webpage