

Child Safety and Wellbeing Policy

Policy Type:	ORGANISATIONAL
Version:	Version 2
Date Adopted:	14 June 2023
Service Unit	Child, Youth and Family Services
Directorate:	Community Strengthening
Review Date:	14 June 2025

1. Purpose

All people working under the auspice of Moorabool Shire Council (MSC) are responsible for the care and protection of children and young people (being anybody under the age of 18), which includes the reporting of any concerns of child abuse. The Child Safety and Wellbeing Policy has been created to ensure all working for MSC have a shared understanding of child safety and of their responsibilities in keeping children and young people safe from abuse

2. Definitions

Act The Child Wellbeing and Safety Act 2005 (as amended from time to time).

Child or Children A person (or persons) under 18 years of age.

Child Abuse Has the same meaning given to that term in the Act.

Child Safe Standards Code of Conduct MSC Child Safe Standards Code of Conduct which outlines the standards of behaviour required of all MSC Staff in relation to the safety and wellbeing of all Children.

Child Safe Officers The Child Safe Officer appointed by MSC as the persons responsible for managing Reportable Conduct reports.

Child Safe Standards The eleven compulsory standards made under section 17 of the Act to prevent child abuse and harm from occurring in an organisation.

MSC Staff Includes employees, volunteers and contractors.

Disability Has the same meaning given to that term in the Disability Act 2006.

Incident An occurrence of Child Abuse or harm to a Child or a breach of the Child Safe Standards Code of Conduct.

Reportable Conduct Has the same meaning given to that term in the Act;

Reportable Conduct Scheme The scheme set out in Part 5A of the Act;

3. Scope

This policy applies to all employees, volunteers, service providers, contractors, representatives, agents and others who act on behalf of MSC. Councillors are not bound by the contents of this policy however are required to abide by the Councillor Code of Conduct which includes a commitment to child safety.

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4. Non-Compliance

Under the Child Wellbeing and Safety Amendment (Child Safe Standards) Act, 2015, all employees, volunteers and contractors of MSC who form a reasonable belief that abuse against a child has been committed by an adult against a child or young person have an obligation to report that information to police. Failure to disclose the information to police is 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.

Under the Children Youth and Families Act 2005 section 182 (1) and 184 staff employed in particular roles and professions are also subject to ‘mandatory reporting requirements’. They have an obligation under law to report to Police and/or the Department Families, Fairness and Housing (Child Protection Services) as soon as practicable any incidences where they have formed a belief on reasonable grounds that a child has suffered, or is likely to suffer, significant harm as a result of physical injury or sexual abuse and the child’s parents/carer have not protected, or are unlikely to protect, the child from harm of that type. This includes staff employed as teachers (including early childhood) and nurses (including Maternal and Child Health nurses).

All employees and volunteers are encouraged and supported in the reporting of all suspected instances of child abuse.

5. Policy

COMMITMENT STATEMENT

MSC is committed to being a child safe organisation and has zero tolerance for child abuse. We recognise our legal and moral responsibilities in keeping all children and young people safe from harm and promoting their best interests. We have specific policies, procedures and training in place to support MSC workers to achieve these commitments.

The Child Safe Standards, and how MSC will achieve compliance with each of them, is as follows:

Child Safe Standard	Compliance Statement
Child Safe Standard 1 - <i>Establishing a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued</i>	MSC will take steps to create a culturally safe environment for Aboriginal Children. MSC will meet this requirement regardless of whether or not we know that there are Aboriginal Children currently using our services or facilities.
Child Safe Standard 2 – <i>Child safety and wellbeing is embedded in MSC’s leadership, governance and culture</i>	MSC places greater emphasis on information sharing, record keeping and governance arrangements to ensure the creation of a Child-safe culture at all levels at MSC. The management of risks to Children will be



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Child Safe Standard	Compliance Statement
	embedded in our leadership, governance, practice and culture.
<p>Child Safe Standard 3 – <i>Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously</i></p>	<p>MSC will have strategies in place to empower Children and promote their participation including (but not limited to):</p> <ul style="list-style-type: none"> • informing Children about their rights; • recognising the importance of friendships and encouraging support from peers to help Children feel safe and connected; • offering Children sexual abuse prevention programs where relevant; <p>and</p> <ul style="list-style-type: none"> • equipping MSC’s Staff to identify the signs of harm to children.
<p>Child Safe Standard 4 – <i>Families and communities are informed, and involved in promoting child safety and wellbeing</i></p>	<p>MSC will inform and involve families and communities in complying with the Child Safe Standards. MSC will ensure that it:</p> <ul style="list-style-type: none"> • seeks input from families and communities in decisions impacting Children; • involves families and communities in the development and review of our Child Safe policies, procedures and practices; • communicates effectively with families and communities about how to raise Child Safety concerns and how it operates; and • take into account the diversity of families and act to reduce barriers to inclusion.
<p>Child Safe Standard 5 – <i>Equity is upheld and diverse needs respected in policy and practice</i></p>	<p>MSC will recognise and respond to diversity and understands that some Children are more vulnerable to abuse than others. To date, this has been expressed through three principles relating to the cultural safety of Aboriginal children, culturally and/or linguistically diverse children and the safety of children with disability. MSC will focus on understanding Children’s diverse circumstances, and give attention to the needs of non-binary and gender diverse Children. This commitment links to MSC obligations to establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued (Child Safe Standard 1).</p>



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Child Safe Standard	Compliance Statement
<p>Child Safe Standard 6 – <i>People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice</i></p>	<p>MSC will have Child safety policies and procedures for recruitment and selection processes, screening, supervision, training, development, and performance monitoring of MSC Staff. Our staff will be made aware of their reporting procedures for Child safety issues. MSC will inform staff about MSC’s record keeping processes in relation to Child safety and wellbeing and information sharing and reporting obligations.</p>
<p>Child Safe Standard 7 – <i>Processes for complaints and concerns are Child-focused</i></p>	<p>MSC will have complaints processes that are Child-focused and can be understood by Children and their families, and MSC Staff. MSC recognises its obligations to take complaints seriously and respond to them promptly and thoroughly, to co-operate with law enforcement, and to meet reporting, privacy and employment law obligations.</p>
<p>Child Safe Standard 8 – <i>Staff and volunteers are equipped with the knowledge, skills and awareness to keep Children safe through ongoing education and training</i></p>	<p>MSC recognises its obligations under the Child Safe Standards to provide training and information for MSC Staff on building safe environments for Children . MSC will train and support staff through ongoing education and training to recognise indicators of harm, and to respond effectively to child safety issues and concerns.</p>
<p>Child Safe Standard 9 – <i>Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed</i></p>	<p>MSC will be mindful of the risks associated with both physical and online environments and to adopt measures to remove risks of Child Abuse. MSC understands its obligations to:</p> <ul style="list-style-type: none"> • consider online environments in addition to physical environments; • identify and mitigate risks in these environments without compromising a Child’s right to privacy, access to information, social connections and learning opportunities; • promote Child safety and wellbeing as well as minimising the opportunity for Children to be harmed; and • have policies and systems in place that ensure the safety of Children if MSC contracts facilities and services from third parties.



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Child Safe Standard	Compliance Statement
<p>Child Safe Standard 10 –<i>Implementation of the Child Safe Standards is regularly reviewed and improved</i></p>	<p>Review and continuous improvement are part of MSC’s response to compliance with the Child Safe Standards. MSC will continue to meet its obligations to consistently review and improve the embedding of the Child Safe Standards through:</p> <ul style="list-style-type: none"> • analysing complaints, concerns and safety Incidents to identify causes and systemic failures to inform continuous improvement; and • report on findings of relevant reviews of Child Safe practices to MSC staff, the community, Children and their families.
<p>Child Safe Standard 11 –<i>Policies and procedures document how the organisation is safe for children and young people</i></p>	<p>MSC acknowledges that the preparation of comprehensive policies and procedures to support implementation of Child Safe practices is mandated by the Child Safe Standards. MSC understands its obligations to:</p> <ul style="list-style-type: none"> • ensure policies and procedures are easy to understand; • use stakeholder consultation and best practice models to inform the development of policies and procedures; and • ensure MSC’s leaders champion and model compliance with policies and procedures.

WHAT PERSONS COVERED BY THIS POLICY MUST DO IF THEY HAVE A REASONABLE BELIEF THAT CHILD ABUSE HAS TAKEN PLACE

MSC Staff must promptly report all suspected or disclosed Child Abuse or harm to their manager, people leader or MSC’s Child Safe Officer.

Managers and people leaders who receive a report of suspected or disclosed Child Abuse must refer the report to MSC’s Child Safe Officer.

MSC’s Child Safe Officer, in collaboration with other child safety experts, will determine if the report is Reportable Conduct.

If the suspected or disclosed Child Abuse report is considered to be Reportable Conduct, MSC will report the Reportable Conduct to The Commission For Children and Young People (CCYP).

THE REPORTABLE CONDUCT SCHEME

The Reportable Conduct Scheme is focussed on worker and volunteer conduct and how organisations investigate and respond to suspected child abuse. The Scheme aims to improve



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organisational responses to suspected child abuse and to facilitate the identification of individuals who pose a risk of harm to children, but do not have a criminal record. The Scheme applies to all organisations that are required to meet the Child Safe Standards and sets out specific obligations that MSC must follow.

The Child Safe Standards and the Reportable Conduct Scheme create distinct sets of responsibilities for MSC but have been designed to complement one another. Together, Child Safe Standards and the Reportable Conduct Scheme strengthen the capacity of MSC to help prevent and respond properly to allegations of child abuse.

RELEVANT CONTACT OFFICER

The Child Safe Officers working in Child Youth and Family Services Team.

MONITORING AND REPORTING

People and Culture and Child Youth and Family Services will monitor and be responsible for this policy.

ADVICE AND ASSISTANCE

People and Culture and Child Youth and Family Services manages the provision of advice to MSC regarding this policy.

6. Related Legislation

Child Wellbeing and Safety Act 2005 (Vic)

7. Council Plan Reference

Be recognised for demonstrating a culture of excellence, creativity, and inclusiveness.

8. Review

As a minimum, this policy will be reviewed every second year.

9. Approval

This policy will come in effect once signed by the CEO.

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Caroline Buisson
Acting Chief Executive Officer

14 June 2023

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Date