

Strategic Policy ST21

Child Safe



All policies can be reviewed or revoked by a resolution of Council, at any time.

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1 OVERVIEW

Commitment

1.1 As a Child Safe organisation we create cultures, adopt strategies and act to prevent harm to children. Systematically we:

- Create conditions to reduce the likelihood of children being harmed
- Creates conditions that increase the likelihood of identifying and reporting harm
- Respond appropriately to disclosures, allegations and suspicions of harm.

Purpose

The objectives of this policy to:

- 1.2 Provide child safe environments for children and young people whilst on Council premises and using Council services.
- 1.3 To promote the health, safety, welfare and wellbeing of children and young people.
- 1.4 Adopts the Child Safe Standards.
- 1.5 Compile and implement best practice approaches to child protection and adhere to NSW child protection legislation.
- 1.6 Clarify and identify professional and legal obligations of Council and their employees in relation to child protection.
- 1.7 Implement clear procedures for prompt and confidential processes for any allegations against employees, volunteers, students and contractors/suppliers.
- 1.8 Implement clear procedure and guidelines relating to mandatory reporting obligations.
- 1.9 To outline and clarify the process when an employee brings their child/ren into the workplace.

Applicability

1.10 This policy applies to all Council employees, Councillors, (elected members), contractors, apprentices, work experience participants, Family Day Care Educators, volunteers and facility hirers and leases.

2 STANDARDS

2.1 This policy and associated procedures are designed to assist with Council's commitment to meeting the *Child Safe Standards* identified by the Royal Commission (2017), that is:

- a) Child safety is embedded in institutional leadership, governance and culture.
- b) Children participate in decisions affecting them and are taken seriously.
- c) Families and communities are informed and involved.
- d) Equity is upheld and diverse needs are taken into account.
- e) People working with children are suitable and supported.
- f) Processes to respond to complaints of child sexual abuse are child focused.
- g) Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.
- h) Physical and online environments minimise the opportunity for abuse to occur.
- i) Implementation of the Child Safe Standards is continuously reviewed and improved.
- j) Policies and procedures document how the institution is child safe.

3 GUIDELINES

3.1 Council's Operational Policy – Child Safe outlines detailed guidelines and instructions, however, the following overarching policy provisions apply.

Children's Participation

3.2 Council supports the active participation of children in the programs, activities and services we offer. We provide a range of ways to allow children to provide feedback or raise concerns. We listen to their views, respect what they say and involve them when we make decisions, especially about matters that will directly affect them.

Use of Council Facilities

3.3 All children **UNDER 12** must be accompanied by a guardian or parent whilst utilising a Council facility (i.e. Aquatic Centre, Gallery, Museum and Libraries). However, this excludes child care services and activity programs that are specifically designed for children.

Activity Programs

3.4 All Council activity programs for children, where the child is not accompanied by a guardian or parent, will require the parents to complete an enrolment form that will include the following information:

- Relevant medical, health and dietary information
- Authorisation of whether or not pictures can be taken of their child
- Clear instructions on who is authorised to pick up and drop off their child as well as contact details.

3.5 If an enrolment form is not completed, this may limit the ability of Council to accept the enrolment.

Recruitment

3.6 Orange City Council has implemented a risk based approach on all pre-employment screening checks as part of the Recruitment and Selection Policy and Procedure.

3.7 The risk based approach has the level of risk identified and the requirements for when a Criminal Records Check and Working with Children Checks need to be completed.

3.8 All employees of Orange City Council are required to have a basic identity check and any additional requirements (such as a Criminal Records Check and Working with Children Check) are listed within their Position Descriptions and within the Job Advertisement.

3.9 If any concerns are highlighted as part of the employment screening process, People & Culture will consider the information in consultation with the Hiring Manager.

3.10 Volunteers, work experience students and contractors in designated areas are responsible for maintaining their own Working with Children Checks and providing it as part of their screening processes prior to their applications being accepted by Council.

Complaints Management and Reporting

3.11 All complaints from children, parents or members of the public will be managed in accordance with Council's Complaint Management Policy and Council's operational procedures.

3.12 Designated Child Safety Officers will be identified and trained to support the workforce with compliance to this Policy, and guide, monitor and review the Council processes.

Training and Support

3.13 Employees are provided with both online and face to face training on child safe practices. The level of training provided will depend on the position.

3.14 Workers are encouraged to ask questions and contribute to the continuous improvement of child safe policies, procedures and practices in the workplace.

3.15 We promote respect, fairness and consideration for all workers.

3.16 This policy and procedure will be available online so that it is accessible to employees and the public.

Communication

3.17 We will hold regular information sessions to promote child safe practices.

3.18 Our policy will be provided during induction to all employees.

3.19 Kids and parents joining our program/s will receive have access to a copy of this policy.

Records

3.20 All records are to be accurately maintained and stored in accordance with Council's Records Management Policy and Procedure.

4 LEGAL CONSIDERATIONS

Children’s Guardian Act 2019

4.1 This Act outlines that the Office of the Children’s Guardian will be responsible for the Reportable Conduct Scheme. The scheme oversees how organisations investigate and report on certain conduct (known as 'reportable allegations' and 'reportable convictions') made against their employees, volunteers or certain contractors who provide services to children. This includes the need to notify the Office of the Children’s Guardian within 7 days about any reportable allegations and a Final Entity Report must be provided to the Children’s Guardian within 30 calendar days.

Children and Young Persons (Care and Protection) Act 1998

4.2 Under this Act, there is a mandatory reporting requirement for any Council employee who delivers health care, welfare, education, children’s services, residential services or law enforcement, wholly or in part to children and has reasonable grounds to suspect that a child is “at risk of harm” to report, as soon as practicable a description of the child and the grounds for suspecting that the child is “at risk of harm” to the NSW Department of Community Services (DoCS). For the purposes of this Act a child is a ‘person who is under the age of 16 years’ and a young person is a ‘person who is aged 16 years or above who is under the age of 18 years’.

Child Protection (Working with Children) Act 2012

4.3 Under this Act, Council must organise “Working With Children Checks” for all prospective staff who are looking to be employed in child related employment and have these checks screened by an approved screening agency. The key agency for this Act is the NSW Office of the Children’s Guardian (the Guardian). For the purpose of this Act a child means ‘a person who is under the age of 18’.

Ombudsman Act 1974

4.4 This Act requires heads of agencies to report to the NSW Ombudsman, within 30 days of becoming aware, any reportable allegations or convictions against employees. Heads of agencies are also required to conduct investigations into reportable allegations or convictions, including allegations which are exempted from notification and to take appropriate action as a result.

5 PROCEDURE

A procedure is available outlining Council’s guidelines and processes that are required to be followed in order to meet the objectives of this policy.

ST21 – Strategic Policy – Child Safe		
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