



# CHILD SAFETY AND WELLBEING POLICY

EFFECTIVE DATE	26th July 2022
REVIEW DATE	30th June 2026
AUTHOR	Manager People and Culture Child Safe Business Partner
DIRECTORATE	Corporate Services

## Version Control

Version:	3
Approved by Council:	26 <sup>th</sup> July 2022
Responsible Officer:	Manager People and Culture
Contact Officer:	Child Safe Business Partner

## Revision History

Version	Date	Summary of revisions
3	06.07.22	Updated to include new Victorian Child Safe Standards and Councillors in scope.

*We respectfully acknowledge the Traditional Owners, the Wurundjeri People as the Custodians of this land. We also pay respects to all Aboriginal Community Elders, past present and emerging, who have resided in the area and have been an integral part of the history of this region.*

## Table of Contents

1. Introduction .....	4
2. Scope.....	5
3. Cultural Safety of Indigenous Children/Young People .....	5
4. Equity and Inclusion - Respecting diverse needs.....	6
5. Child, Family and Community Participation .....	6
6. Child Safe Commitment Statement.....	6
7. Yarra Ranges Culture and Leadership .....	6
8. Risk Management .....	7
9. Child Safe Workforce - Code of Conduct, Recruitment, Training .....	7
10. Child Safety Concerns - Responding, Reporting, Recording.....	10
11. Third Party Processes - Contracts, Community Grants, Partnerships and Labour Hire. ....	12
12. Monitoring and Review .....	12
13. Compliance and Enforcement .....	13
14. References and Related documents.....	14
15. Definitions .....	15
Appendix 1 Child Safe Standards of Behaviour .....	17
Acceptable behaviours .....	17
Unacceptable behaviours .....	18
Appendix 3 Key Roles and Responsibilities.....	20
Appendix 4 Child Safe Reporting Process.....	23

# 1. Introduction

Yarra Ranges Council (YRC) has a zero-tolerance approach to child abuse and neglect and is committed to embedding measures to ensure it is a strong child safe organisation.

This will be achieved through increasing the awareness and capacity of the workforce and community, including families and children, to prevent and respond to the risks of child abuse and harm.

Council's Child Safety & Wellbeing Policy (v3) incorporates the 2022 Victorian Child Safe Standards which align with the National Principles, endorsed in 2018 by the Council of Australian Governments (COAG). Council recognises that the 11 Child Safe Standards have created national harmonisation with the National Child Safe Framework and a stronger legislative platform for safeguarding children across Victoria.

This is an important step in strengthening the reach and impact of child safe measures, as well as new compliance enforcement measures by the regulatory authority (the Commission for Children and Young People). Council will comply with the following standards:-

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

Yarra Ranges Council directly undertakes a broad range of activities and delivers a diverse suite of services and facilities for children, young people and their families. In addition, Council leases its buildings to a range of organisations that use them to deliver services for children and young people, procures a range of services delivered by external agencies directly to residents or to support facilities and

provides grants to a range of groups/ organisations to deliver programs/ activities and events.

Council's framework for action includes:-

- Child Safety & Wellbeing Policy and Commitment Statement
- Child Safety and Wellbeing Management Plan
- Child Safety and Wellbeing Standards of Behaviour
- Organisational and Community Training
- Risk Audit and Mitigation Actions
- Child Safe Governance and Monitoring Procedures

## **2. Scope**

This policy applies to the following people appointed by or representing Council:

- People employed directly by Council (whether full time, part time, casual or fixed term).
- Volunteers with Council
- Contractors or consultants engaged by Council (including contractors or consultants engaged through an employment agency)
- Work experience students or graduate placements who perform work for Council
- Councillors

Yarra Ranges Council's Reportable Conduct Scheme applies only to its employee's volunteers and work experience students.

For the purposes of this policy only, where the word "child" or "children" is used exclusively, this is inclusive of all children and young people under the age of 18.

## **3. Cultural Safety of Indigenous Children/Young People**

The Victorian Child Safe Standards, places first the importance of cultural safety of Indigenous children and young people. Council acknowledges that preventing and responding to child abuse and harm involving Indigenous children/ young people must be undertaken in a way that is respectful of their culture, connection to Country and spiritual belief systems. Australia has a history of removing children from their families, based on past racist and discriminatory policies and practice, which has led to generational trauma, loss of trust in service systems and significant impacts on health outcomes.

In complying with Child Safe Standard 1 Council will ensure:

- Our policies, procedures and processes will together create a culturally safe and inclusive environment and meet the needs of Indigenous children, young people and their families.
- A child's ability to express their culture and enjoy their cultural rights is encouraged and actively supported by all staff and volunteers.
- Participation and inclusion by Indigenous children, young people and their families in its services and activities is supported and facilitated.
- Racism within the organisation is identified, addressed, and not tolerated.

## **4. Equity and Inclusion - Respecting diverse needs**

Council will promote and support diversity and inclusion. People from diverse life, religious and cultural backgrounds are welcomed and respected.

Council has a strong focus on ensuring that equity is upheld and the diverse needs of all children and young people are respected in policy and practice. Underpinning organisational workforce are attitudes and actions that are responsive to the diverse backgrounds of children and young people and actively support the provision of inclusive and culturally safe information, service processes and support.

Council pays particular attention to the needs of children and young people of Indigenous heritage, from Culturally and Linguistically Diverse backgrounds, those with a disability, living in out of home care, and LBGQITA+ children and young people.

## **5. Child, Family and Community Participation**

Council acknowledges the importance of empowering children and young people to be active participants in their programs and services, through seeking and taking their voices seriously.

Council also strives to hear children and young people's voices as active community members and service users, by involving them and their parents or carers and families when making complaints and decisions, especially about matters that affect them.

Council embraces its role in promoting children and young people's participation and also in ensuring the whole community understands the importance of promoting safety and preventing abuse and harm.

## **6. Child Safe Commitment Statement**

Yarra Ranges Council has a zero-tolerance approach to harm and abuse and is actively committed to the safety, wellbeing and empowerment of all children and young people .

Council recognises that the abuse of children and young people can have lifelong catastrophic consequences and prioritises responsive and preventative action.

It is committed to actively promoting safety and eliminating factors that lead to children and young people being harmed and abused, to ensure they can grow and thrive in safe and nurturing home and services and child friendly communities.

## **7. Yarra Ranges Culture and Leadership**

Yarra Ranges Council is committed to promoting children and young people's safety through all activity and is committed to implementing compliance with the 11 Victorian Child Safe Standards (2022).

A robust Council-wide governance structure oversees the implementation of the Child Safe Standards and reflects Council's shared commitment to ensuring children and young people's safety. This multi - level collaborative planning approach scaffolds Council's commitment to child safety through support, review and monitoring incidents, process improvements and shared actions and to ensure

compliance. This structure also includes representation from at least one young person under the age of 26 years.

This leadership structure ensures accountability via assessments and periodically reporting to Council's Executive Leadership and Risk & Audit Committee.

## 8. Risk Management

Risk management strategies will be in place to identify, assess and take steps to minimise risks of abuse to children and young people, which include risks posed by physical and online environments.

In Victoria, organisations are required to protect children and young people when a risk is identified. In addition to general occupational health and safety risks, Council will proactively manage risks related to harm and abuse of children and young people.

## 9. Child Safe Workforce

Council recognises that its workforce is highly diverse in terms of the range of roles undertaken and the levels of education, training and experience of employees, representatives and volunteers.

Council is committed to ensuring children and young people who receive Council services are protected from abuse and harm. Council also recognises that some roles require closer interaction or contact with children and young people, such as Maternal and Child Health nurses, early childhood educators and youth workers, and consequently require a more comprehensive level of awareness.

The following framework details how Council will support all employees, representatives and volunteers to be able to protect children and young people.

### a. Corporate Code of Conduct

Council has a Code of Conduct which outlines the expectations and requirements for how all of Council's workforce will behave in relation to children and young people. In addition, some sections of the workforce are also required to adhere to professional Codes of Conduct and/or practice standards<sup>1</sup>.

Council Corporate Code of Conduct <sup>2</sup>	Applies to all staff and provides practical principles and guidelines to help make professional decisions.
Council's Child Safe Standards of Behaviour	Aligns with Corporate Code of Conduct however specifically outlines appropriate behaviour by adults towards children and young people.
Professional Codes of Conduct	Industry standards that define core professional values and standards which in turn guide decision making, actions and behaviour. See examples below.

<sup>1</sup> These include both professional standards for example the Nurse/Midwife Codes of Conducts (Australian Health Practitioner Regulation Agency) and legislated codes of conduct such as the Education and Care Services National Law Act (2010) and Regulations (2011)

<sup>2</sup> [Council's Code of Conduct](#)

## **b. Child Safe Standards of Behaviour**

In addition to Council's Code of Conduct, Child Safe Standards of Behaviour have been developed for all areas of the workforce, which provide detailed guidance on appropriate behaviour and conduct when working with children and young people, their parents or carers and families.

While all workforce participants and representatives are required to comply, it does not replace any legislative or regulatory obligations or other professional or occupational codes of conduct specifically where workforce have direct contact or supervisory roles with children and young people.

These standards aim to protect children and young people and reduce any opportunities for abuse or harm to occur. It also helps the workforce by providing them with guidance on how to best support children and young people and how to avoid or better manage difficult situations.

Council's Child Safety and Wellbeing Standards of Behaviour aims to:

1. Promote children and young people's safety in Council.
2. Set expectations for the workforce regarding working with children and young people including details of acceptable and unacceptable behaviours.
3. Protect the workforce from potential accusations of inappropriate behaviour.

There are some underpinning principles for adult behaviour in undertaking work with children and young people such as:

- The adult/child relationship must always be professional and kept within the boundaries of the respective position description.
- An adult's response to a child or young person's behaviour or circumstance should be appropriate with their age and vulnerability and the adult's responsibility for the care, safety and welfare of the child or young person.
- As far as practicable, an adult should not be alone with a child or young person, unless there is line of sight to other adults.
- An adult should not initiate or seek any contact with a child or young person outside of work.
- A child or young person's permission should be obtained before any necessary physical contact is made.
- That children will be supported to express their culture and have their cultural rights acknowledged and respected.

Please note [Appendix 1](#) provides the full list of the Council's standards of behaviour.

## **c. Workforce Recruitment**

Council will take all reasonable steps to employ skilled people to work with children and young people including:

- Understanding that when recruiting, Council must comply with ethical as well as legislative obligations.
- Developing position descriptions and advertisements which clearly demonstrate Council's commitment to children and young people's safety and an awareness of social and legislative responsibilities.

- Encouraging applications from Aboriginal and Torres Strait Islander peoples, people from Culturally and/or Linguistically Diverse backgrounds, people with a disability and who identify as LGBTQIA+.
- Ensuring Council's workforce who are engaged in child-related work, are required to hold a valid Working with Children Check, provide evidence of this check and link their Working with Child Check to Council as their employer.
- Undertaking reference checks and Police record checks, to ensure that Council recruits suitably qualified, skilled and experienced people. Police record checks are used for the purposes of recruitment and selection, whereby the information provided in the police check is assessed against the requirements of the position. Police checks are discarded after the recruitment process is complete.
- Police checks will be renewed every three or five years depending on the role.
- Retaining records (but not the actual criminal record) of an applicant's criminal history that affected the decision-making process. This will involve giving the applicant an opportunity to provide further information and context, if during the recruitment process their records indicate a criminal history which may contravene the requirements of the position, Council's Code of Conduct, policies and procedures.

#### **d. Training and Supervision**

Training and education are important to ensure that everyone in the organisation understands that children and young people's safety is everyone's responsibility.

Council's commitment is for the entire workforce (in addition to community and children) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns. Relevant workforce areas are trained to identify, assess, and minimise risks of abuse and to recognise respond, report (if required) and record potential signs of abuse to children and young people.

Council's workforce will be appropriately supported by their Line Manager/ Supervisor to ensure that they understand Council's commitment to children and young people's safety and that everyone has an important role in protecting them from abuse. This also includes checking that the workforce participant's behaviour towards children and young people is safe, appropriate and aligned with Council's Code of Conduct and Child Safe Standards of Behaviour.

#### **e. Fair Workforce procedures**

The safety and wellbeing of children is Council's primary concern. Council is also committed to treating all employees fairly and justly. The decisions made when recruiting, assessing incidents, and undertaking any disciplinary action will always be thorough, transparent, and based on evidence.

Council records all allegations of abuse and safety concerns using a securely protected incident reporting form, including investigation updates. All records are securely stored in Council's electronic information management system. Some services are also mandated to record and store information regarding an incident in other databases/systems.

If an allegation of abuse or a concern regarding the safety of a child or young person is raised, Council will provide appropriate updates to children or young people and their parents or carers directly affected, on the progress and any actions which Council takes.



If inappropriate behaviour involves allegations of abuse/ harm of a child/ young person by a Council employee, volunteer or contractor, Council must make a report, under the Victorian Reportable Conduct Scheme<sup>3</sup>. Reporting will be through the Commission of Children and Young People, as well as the Department of Family, Fairness and Housing or Victoria Police. See 10a below.

Any inappropriate behaviour will be reported through appropriate internal channels, including appropriate Council management and the People & Culture department. Inappropriate behaviour that is deemed as misconduct will be investigated as part of Council's Employee Management Policy and Procedure.

## 10. Child Safety Concerns - Responding, Reporting, Recording

### a. Reporting Legislation

Council takes its legal responsibilities seriously, these include:

- **Failure to disclose:** Reporting sexual abuse of a child or young person is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.<sup>4</sup>
- **Failure to protect:** People of authority in Council will commit an offence if they know of a substantial risk of sexual abuse to a child or young person and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.<sup>5</sup>
- **Reportable Conduct Scheme:** Requires some organisations (including Council) to respond to allegations of abuse (and other child-related harm or misconduct) made against their workers and volunteers, and to notify the Commission for Children and Young People of any allegations.<sup>6</sup>
- Any personnel who are **mandatory reporters** must comply with their duties and will be supported to do so.<sup>7</sup>

### b. Reporting and Recording Obligations

Council has implemented information, guidance resources and ongoing training to ensure that its workforce is able to respond and record appropriately to any child safety concern.

---

<sup>3</sup> <http://www.ccp.vic.gov.au/reportableconduct/index.htm>

<sup>4</sup> A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed. Further information about the failure to disclose offence is available on the [Department of Justice and Regulation website](#).

<sup>5</sup> Further information about the failure to protect offence is available on the [Department of Justice and Regulation website](#)

<sup>6</sup> Further information about Reportable Conduct is available on the [Commission for Children and Young People website](#)

<sup>7</sup> Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

Council's workforce will to be regularly trained and in accordance with respective regulatory guidelines, to respond appropriately with allegations and disclosures.

Practices and processes are in place to investigate all allegations thoroughly and quickly and Council will work with the relevant authorities and internal departments to ensure this occurs.

Council's workforce has a responsibility to report and record an allegation of abuse if there is a reasonable belief that an incident took place (see information about failure to disclose above in section 10a).

If an adult is witnessing an incident or has a **reasonable belief** that an incident has occurred, then they must take immediate action and report the incident (see [Appendix 4 Child Safe Reporting Process](#)). Factors contributing to reasonable belief may be:

- A child or young person states they or someone they know has been abused (noting that sometimes they may in fact be referring to themselves).
- Behaviour consistent with that of an abuse victim is observed<sup>8</sup>.
- Someone else has raised a suspicion of abuse but is unwilling to report it.
- Observing suspicious behaviour.

The Child Safety Business Partner and Designated Child Safe Officers have been identified and trained to support the workforce with compliance to this Policy and guide, monitor and review the above processes.

### **c. Timely and Appropriate Support Services**

In addition to ensuring any disclosures or concerns for a child or young person's safety are reported to relevant authorities, where appropriate and in consultation with these authorities, Council will provide information, advice, and referral to support services for children and young people who have experienced abuse, and their parents or carers and families (e.g., Counselling).

On the occasion that Council workforce participants have contact with individuals who have experienced abuse, efforts will be made to ensure that employees and volunteers also receives information and advice or referral to appropriate support services.

### **d. Privacy Legislation<sup>9</sup>**

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be Council's workforce, parents or carers, families and children or young people themselves, unless there is a risk to someone's safety. In accordance with the Commonwealth Privacy and Health Records Act, Council has safeguards and practices in place to ensure any personal information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it.

---

<sup>8</sup> For example, behaviour, please refer to Critical Actions Section of Yarra Ranges Council Child Safe Management Plan.

<sup>9</sup> See [Privacy Legislation](#)

## **e. New Information Sharing Schemes<sup>10</sup>.**

Council will follow new guidelines related to sharing information. In 2021, the Victorian government introduced new reforms through new/ revised legislation<sup>11</sup> that aim to remove barriers to information sharing and enable services and organisations to work together more effectively to reduce family violence and promote child wellbeing or safety. They include the:

- Child Information Sharing Scheme (CISS),
- Family Violence Information Sharing Scheme (FVISS) and
- Family Violence Multi-Agency Risk Assessment and Management (MARAM) Framework

## **11. Third Party Processes – Contracts, Community Grants, Partnerships and Labour Hire.**

Council works with suppliers, non-government organisations, community groups and labour hire agencies, that access or use buildings with children or young people present and/or deliver services for or with children, their parents/carers, and families, through procurement processes, leases, contracts, grant, and partnership agreements.

Council will use appropriate processes to ensure that businesses and organisations that are engaged or funded by Council to deliver services are aware of and compliant with the Victorian Child Safe Standards and practices.

Employees from Labour Hire agencies while delivering services with children and young people or in Council's facilities or services, are bound by Council's Child Safety and Wellbeing Policy.

## **12. Monitoring and Review**

Cross organisation Child Safe Standards governance groups meet quarterly to oversee the continued implementation, monitoring and review of this Child Safety and Wellbeing Policy, Implementation Action Plan, and related processes.

These groups are responsible for the review of all relevant developments in legislation, regulations and guidance involving children and young people's safety and wellbeing. The group monitors relevant organisational data and trends relating to the reporting and investigation of abuse or misconduct and ensures compliance with Child Safe Standards and Reportable Conduct Scheme administered by the Victorian Commission for Children and Young People.

All documentation related to Council's child safe policy, procedures, governance meetings, consultations and incidents is securely stored in accordance with privacy and child safe standards legislation and compliance requirements .

Accountability and transparency of the ongoing work of this governance group will occur through annual reports to Council's Risk and Audit Committee and Executive Leadership Team.

---

<sup>10</sup> [Further information about the DFFH Information Sharing Schemes](#)

<sup>11</sup> The Scheme has been designed to operate within existing privacy obligations under the *Privacy and Data Protection Act 2014* and the *Health Records Act 2001*

### **13. Compliance and Enforcement**

The *Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021* increases the power of the Commission for Children and Young People and other regulatory authorities<sup>12</sup> to monitor and enforce compliance with the new Standards. Council will ensure comprehensive implementation of the new Standards to ensure understanding and compliance, based on our child safe risks as well as continual monitoring and improvement of our approach to keeping children and young people safe.

---

<sup>12</sup> Including the Department of Families, Fairness and Housing and Australian Education and Care Quality Authority (AECQA)

## 14. References and Related documents

<p>Legislation</p>	<ul style="list-style-type: none"> <li>• Charter of Human Rights and Responsibilities Act 2006</li> <li>• Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021</li> <li>• Children, Youth and Families Act 2005 (as amended 2014)</li> <li>• Commission for Children and Young People Act 2012</li> <li>• Commonwealth Privacy Act 1988</li> <li>• Crimes Act 1958             <ul style="list-style-type: none"> <li>- Crimes Amendment (Failure to Protect and Failure to Disclose 2014)</li> <li>- Crimes Amendment (Grooming ) Bill 2013</li> </ul> </li> <li>• Education and Care Services National Law Act (2010) and Regulations (2011)</li> <li>• Equal Opportunity Act 2010</li> <li>• Family Law Act 1975</li> <li>• Privacy &amp; Data Protection Act 2014</li> <li>• Public Records Act 1973</li> <li>• Victorian Working with Children Act 2005 and Amendment 2014</li> </ul>
<p>Policies and/or Procedures (Council and Internal)</p>	<p>Child Safety and Wellbeing Management Plan            Child Safe Standards Action Group</p> <ul style="list-style-type: none"> <li>• Implementation Action Plan</li> <li>• Terms of Reference</li> </ul> <p>Child Safety and Wellbeing Policy (Sherbrooke Family and Children’s Centre)            Children and Young People’s Participation Guide <sup>13</sup>            Keeping People Safe Online - Protocol            Employee Code of Conduct            Employee Performance Management Policy &amp; Procedure            Yarra Ranges Council Diversity and Inclusion Policy            Equal Opportunity Policy and Procedures            Risk Audit and Mitigation Actions            Child Safety Training Needs Analysis</p>
<p>Standards / Other References</p>	<p>Victorian Child Safe Standards (2022)            National Principles for Child Safe Organisations            United Nations Convention on the Rights of the Child            Australian Health Practitioner Regulation Agency            Victorian Institute of Teaching            MCH Victorian Department of Health (Department of Health) Service Guidelines            Nursing and Midwifery Board of Australia (NMBA) Code of Conduct and Practice Standards.            Early Childhood Australia – Code of Ethics</p>

<sup>13</sup> [Children and Young People’s Participation Guide](#)

## 15. Definitions

Abuse	Abuse is an act or acts which endanger a child or young person's health, wellbeing and/or development. This abuse and resulting harms can be from a single event or the cumulative effect of multiple traumatic events occurring over time. It includes: <ul style="list-style-type: none"> <li>• Physical abuse</li> <li>• Sexual abuse</li> <li>• Emotional abuse</li> <li>• Exposure to family violence</li> <li>• Significant Neglect</li> <li>• Grooming</li> <li>• Multi-dimensional harm<sup>14</sup></li> </ul>
Child Safe Standards	The Victorian Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Bill 2021 requires all organisations that provide services or facilities for children to comply with 11 Child Safe Standards, to ensure that the safety of children is promoted, child abuse is prevented, and allegations of child abuse are properly responded to.
Child Safe Organisation	A Child Safe organisation is one that considers not just the risks of abuse but approaches to children and young people's safety and wellbeing holistically and complies with the Child Safe Standards
Children	Any child or young person under the age of 18
Young people	Refers to a child of an older age, generally around 10-18 years
Disclosure	When a child or young person tells someone that he/she/they feels unsafe or has been harmed. A disclosure can also be made by adults including parents and carers or any person in contact with the child or young person, where that person reveals that they believe a child or young person has been harmed or is likely to be harmed.
Duty of Care	Council has a duty of care to take reasonable steps to prevent the abuse of a child or young person while the child or young person is under Council's care or by an individual associated with Council.
Failure to Disclose	The 'failure to disclose' offence, introduced as part of the Crimes Amendment (Protection of Children) Act 2014, requires that any adult (aged 18 and over) who holds a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child or young person must disclose that information to police.
Failure to Protect	The criminal offence for 'failing to protect' a child or young person imposes penalties for a 'person in authority' if they know of the risk of abuse, have the power or responsibility to reduce or remove the risk, but failed to do so.

<sup>14</sup> [Information on types of abuse](#)

Indigenous	The term Indigenous in this policy is inclusive of Aboriginal and Torres Strait Islander peoples
Reportable Conduct <sup>15</sup>	Requires some organisations (including Council) to respond to allegations of abuse (and other child-related harm or misconduct) made against their workers and volunteers, and to notify the Commission for Children and Young People of any allegations.
Mandatory Reporting	In accordance with the Children Youth and Families Act 2005, the legal obligation of certain professionals (including medical practitioners, nurses, teachers, school principals, police officers) to report a child or young person in need of protection.
Reasonable Belief	Factors contributing to reasonable belief may be: <ul style="list-style-type: none"> <li>• a child or young person states they or someone they know has been abused (noting that sometimes they may in fact be referring to themselves)</li> <li>• behaviour consistent with that of an abuse victim is observed</li> <li>• someone else has raised a suspicion of abuse but is unwilling to report it</li> <li>• observing suspicious behaviour.</li> </ul>
Safeguarding children	The process through which an organisation sets out to ensure the safety and wellbeing of all children.
Employees	Includes Council Employees (fulltime, part time, fixed term and casual), Volunteers and Agency Staff engaged by Council

---

<sup>15</sup> Further information about Reportable Conduct is available on the [Commission for Children and Young People website](#)

## **Appendix 1 Child Safe Standards of Behaviour**

In addition to Council's Code of Conduct, Child Safe Standards of Behaviour have been developed for all areas of the workforce that provide detailed guidance on appropriate behaviour and conduct when working with children, young people and their families.

While all workforce participants are required to comply, it does not replace any legislative or regulatory obligations or other professional or occupational codes of conduct specifically where workforce have direct contact or supervisory roles with children or young people.

These standards aim to protect children and young people and reduce any opportunities for abuse or harm to occur. It also helps the workforce by providing them with guidance on how to best support children and young people and how to avoid or better manage difficult situations.

Council's Child Safe Standards of Behaviour aim to:-

1. Promote children and young people's safety in Council.
2. Set expectations for the workforce on how to behave with children and young people including details of acceptable and unacceptable behaviours
3. Protect the workforce from potential accusations of inappropriate behaviour.

There are some underpinning principles for adult behaviour in undertaking work with children and young people, such as:

- The adult/child relationship must always be professional and kept within the boundaries of the respective position description.
- An adult's response to a child or young person's behaviour or circumstance should be appropriate with their age and vulnerability and the adult's level of responsibility for the care, safety and welfare of the child or young person.
- As far as practicable, an adult should not be alone with a child or young person unless there is line of sight to other adults.
- An adult should not initiate or seek any contact with a child or young person outside of the work or volunteer setting.
- Children/ young people will be supported to express their culture and have their cultural rights acknowledged and respected.

### **Acceptable behaviours**

Council's workforce is responsible for supporting the safety of children and young people by:

- Adhering to Council's Child Safety & Wellbeing Policy, Child Safe Recruitment (including screening) requirements and Standards of Behaviour.
- Taking all reasonable steps to protect children and young people from harm and abuse.
- Treating everyone with respect.
- Uphold a zero-tolerance of racism and report/ act on incidents of racism
- Listening and responding to the views and concerns of children and young people, particularly if they are telling you that they or another child or young person has



been abused or that they are concerned about their safety/the safety of another child or young person.

- Ensuring as far as practicable, that adults are not alone with a child or young person.
- Ensuring that communication with children and young people online, including via social media channels and academic collaboration spaces (e.g. Google Docs or virtual classrooms) is done from a shared Council log-in, not a personal account.
- No information (contact details, photographic portrait, online handle name) of a child or young person is to be shared with community groups, or other Council departments without their or their/parents or carer's expressed consent.
- Reporting any allegations of abuse or safety concerns regarding children and young people.
- Understanding and complying with all reporting obligations as they relate to mandatory reporting <sup>16</sup> and reporting under the Crimes Act 1958.
- If an allegation of abuse towards a child or young person is made, ensuring as quickly as possible that the child(ren) or young person(s) are safe and have access to appropriate support services.
- Reporting any charges, committals for trial or convictions in relation to a sexual offence, or certain allegations or concerns about a workforce member.
- Linking Yarra Ranges Council as their employer on the Department of Justice [Working with Children Card Website](#), and/ or [Victorian Institute of Teaching Card](#) within 21 days of commencement of employment.
- Workforce participants who have direct care responsibility must disclose any social relationship (including online) that develops with children or their families that are only known through their engagement/employment within Council.
- Workforce participants who have a direct care responsibility must disclose (before it occurs) any paid or unpaid transaction that is planned with a child, young person or their family outside of the Council work setting.

### **Unacceptable behaviours**

Council's workforce must not:

- Ignore or disregard any suspected or disclosed child abuse or harm.
- Develop any 'special' relationships with children or young people that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children or young people).
- Personally give a gift (unless it is from Council) or accept a significant or valuable gift from child or young person, their parent, carer or family members (See Council's Corporate Code of Conduct).
- Exhibit behaviours with children and young people which may be construed as unnecessarily physical (for example inappropriate sitting on laps). See physical contact below.

---

<sup>16</sup> [Crimes Act 1958 \(Vic\) \(section 327\)](#) & [Children, Youth and Families Act 2005](#),

- Put children or young people at risk of abuse (for example, by locking doors, or posting information about them online).
- Initiate unnecessary physical contact with children or young people or do things of a personal nature that they can do for themselves, such as toileting or changing clothes.
- Engage in open discussions of a mature or adult nature in the presence of children (e.g., personal social activities) or via online forums shared with children and young people
- Use inappropriate language in the presence of children and young people.
- Express personal views on appearance, gender, cultures, religion, race, or sexuality in the presence of children and young people.
- Discriminate against any child or young person, including because of age, gender, race, religion, culture, vulnerability, appearance, sexuality, ethnicity or disability.
- Through the opportunity presented by a role with Council, instigate a personal relationship with a child or young person or their family members outside of work (with the intention of grooming). This includes any kind of personal communication online such as via social media. (See Council's Social Media Policy Clause 4.2 )
- Photograph or video a child or young person without the consent of their parent or carer.
- Work with children and young people whilst under the influence of alcohol or illegal drugs.
- Invite any other adults into online platforms where collaboration with children and young people is occurring (e.g., online classrooms or closed forums).
- Communicate with children and young people online using a personal account.

### **Physical Contact**

As a general rule Council's workforce must avoid physical contact with children and young people.

Physical contact in the following situations is not permitted:

- Without permission from the child or young person.
- Without another staff member or parent/carer present.
- Any sexual (private areas of body) or sexualized contact.
- Any unnecessary and/or repeated contact that does not relate to the needs of the child or young person.

There will be situations<sup>17</sup> that are acceptable to make physical contact as part of fulfilling legitimate work purposes<sup>18</sup> and it is acceptable (if possible, through permission) for the child/young person/parent /carers and Council workforce participant.

---

<sup>17</sup> Roles where it is acceptable to have physical contact with a child include Maternal and Child Health, and Early Childhood Educators.

<sup>18</sup> When physical contact involves reasonable steps to protect a child from immediate danger or harm.

## Appendix 3 Key Roles and Responsibilities

When representing Yarra Ranges Council all employees have a responsibility to understand their important and specific role, individually and collectively, to ensure that the wellbeing and safety of all children is at the forefront of all they do and every decision they make. Key roles and responsibilities have been outlined for the purpose of clarity and understanding as follows:

Key Role	Key Responsibilities
All Workforce participants	<ul style="list-style-type: none"> <li>• Complete the compulsory Induction training on commencement of employment with Yarra Ranges Council.</li> <li>• Conduct work according to the requirements of the Child Safety &amp; Wellbeing Policy and Standards of Behaviour</li> <li>• Promptly report all concerns regarding children and young people's safety or harm to authorities and an appropriate supervisor/line manager.</li> <li>• Where a child or young person is in immediate danger call 000.</li> <li>• Be aware and support the Reportable Conduct Scheme, requirements, involving inappropriate behaviour of staff/ volunteers and contractors .</li> <li>• Workforce participants with direct care or supervisory responsibilities for children and young people must disclose (before it occurs) :               <ul style="list-style-type: none"> <li>• any paid or unpaid transaction that is planned with a child or young person, their carers or family outside of the Council work setting,</li> <li>• any relationship (including online) that develops with children or young people, their carers or family members that are only known through their engagement/employment within Council.</li> </ul> </li> </ul>
Designated Child Safety Officers	<ul style="list-style-type: none"> <li>• Provide guidance to the organisation on child safety concerns, especially supervisors/line managers.</li> <li>• Should staff have a 'reasonable belief' that a child or young person is being or at risk of harm/ abuse, provide support/advice on the correct procedures for reporting to authorities, including DFFH Child Protection and/or the Police for immediate risk</li> <li>• Work with People and Culture department representative (as the first point of call) should there be an allegation of abuse / Reportable Conduct incidents by Council staff, volunteers or contractors.</li> <li>• Provide advice on appropriate specialist services or further sources of information.</li> <li>• Support the implementation of the Child Safety and Wellbeing Policy, Management Plan and Implementation Action Plan.</li> </ul>

	<ul style="list-style-type: none"> <li>• Research and disseminate information and updates regarding Child Safe Standards to People &amp; Culture and all workforce participants (where applicable)</li> <li>• Provide support to reporting staff members in situations where safety/ wellbeing is a concern due to the nature of the report.</li> <li>• Monitor, review and respond to data regarding child safe incidents, identify and recommend organisational process improvements.</li> </ul>
Managers, Executive Officers & Co-ordinators	<ul style="list-style-type: none"> <li>• Receive reports of safety concerns or allegations of abuse against children and young people within Council and support staff to follow correct procedures.</li> <li>• Decide, in accordance with legal requirements and duty of care, whether the matter should/must be reported to the police or/and DFFH Child Protection and make report as soon as possible, if required.</li> <li>• Offer support to the child or young person, their carers and family, the person who reports and the accused staff member or volunteer.</li> <li>• Offer support where safety is a concern for any staff member during a reporting process.</li> <li>• Be responsible for supporting the requirements under the Reportable Conduct Scheme, including reporting as required to the CCYP and which identifies and monitors workplace inappropriate behaviour that has led to child safe incidents/ risks, support the recording and investigation process.</li> <li>• Initiate internal processes to ensure the safety of the child or young person, clarify the nature of the complaint and commence disciplinary process (if required).</li> <li>• Discuss and if appropriate approve outside of work paid/unpaid transactions and personal relationships of workforce participants. (See Standards of Behaviour)</li> <li>• Ensure teams that are directly supervising or interacting with children and young people remain up to date and well versed in Child Safety training and reporting requirements.</li> </ul>
Recruitment Managers	<ul style="list-style-type: none"> <li>• Ensure workforce participants have access to and are aware of the Child Safety &amp; Wellbeing Policy and related procedures.</li> <li>• Ensure that new workforce participants complete compulsory induction training and screening on commencement with Council.</li> <li>• Conduct recruitment practices in line with Council's recruitment, selection and screening requirements for direct or incidental child-related work.</li> </ul>

	<ul style="list-style-type: none"> <li>• Ensure position descriptions accurately reflect employment conditions/requirements</li> </ul>
<p>People and Culture Department</p> <p>Child Safety Business Partner</p>	<ul style="list-style-type: none"> <li>• Provide information (including Standards of Behaviour) relating to the Child Safety and Wellbeing Policy via training/induction and communications material</li> <li>• Lead the development, implementation and monitoring of Council's Child Safe Standards Implementation Action Plan and associated initiatives</li> <li>• Manage Council's investigation and disciplinary procedures as they apply to the Child Safe &amp; Wellbeing Policy, the Reportable Conduct Scheme and in line with Council's Employee Performance Management Policy &amp; Procedure.</li> <li>• Apply relevant recruitment and pre-employment screening processes to select appropriate workforce participants to work with children and young people.</li> <li>• Offer support to staff or volunteers who may be triggered by training/induction material due to personal experience.</li> </ul>

## Appendix 4 Child Safe Reporting Process

