

# Child Safe Policy

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# Child Safe Policy

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## Banyule City Council – Council Plan 2021-2025

This policy is in line with Banyule's Council Plan 2021-2025 key directions to:

- Promote an engaged and productive organisation
- Develop, promote, and educate child safety and resilience in our community
- To involve the community in the organisations efforts to keep children & young people safe.

## Legislative Context

*The Child Wellbeing and Safety Act 2005*, requires all Councils to adopt and maintain a **'Child Safe'** policy and comply with compulsory Child Safe Standards.

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 must disclose that information to police.

The criminal offence for 'failing to protect' a child imposes penalties for a 'person in authority' within Council if they know of the risk of abuse, have the power or responsibility to reduce or remove the risk, but failed to do so.

**Failure to disclose:** all staff who have a reasonable belief that an adult has committed a sexual offence against a child under 16 years of age have an obligation to report that information to Victoria Police. If staff fail to report information about a suspected child abuse, they may be charged with a criminal offence.

Mandatory reporting laws aim to identify cases of child abuse and neglect and to assist the individual children in these cases.

**Mandatory reporting:** Any staff who are mandatory reporters (Nurses, teachers, educators, midwives etc) must comply with their duties.

**Failure to protect:** People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.

The reportable conduct scheme is how the organisation investigates and reports on types of conduct 'reportable allegations' or 'reportable convictions' made against their staff who provide services to children.

**Reportable conduct:** The leaders of our organisation must be made aware of any allegations of physical and sexual abuse, sexual misconduct, significant emotional and psychological harm, or significant neglect by staff towards a child. We are also required to notify the Child Safe Officer (Managers), Victoria Police or the Department of Health and Human Services (DHHS).

**Duty of care:** If a child is abused by an individual associated with our organisation, we are presumed to have breached our duty of care, unless it can be proven that "reasonable precautions" were taken to prevent the abuse in question.

## Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, families, or children, unless there is a risk to someone's safety. Everyone is entitled to know how this information is recorded, what will be done with it and who will have access to it. This is intended to protect reporters and to ensure that all members of Banyule City Council are comfortable to disclose any allegations or concerns in relation to child safety without repercussions.

## Victorian Charter of Human Rights and Responsibilities Act

In developing this policy, the subject matter has been considered to determine if it raises any human rights issues. Whether the scope of any human right established under the Victorian Charter of Human Rights and Responsibilities Act 2006 is in any way limited, restricted, or interfered with by the contents of this policy.

A Human rights assessment has been undertaken and it is considered that the Child Safe Policy is consistent with, and advances rights outlined in the Charter.

The human rights most relevant to this policy are:

- Right to recognition and equality before the law (section 8).
- Right to life (section 9).
- Right to privacy and reputation (section 13).
- Right to protection of families and children (section 17).

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## Definitions and key terms used this Policy

<b>Aboriginal &amp; Torres Strait Islander Child</b>	A person under the age of 18 who identifies as Aboriginal and/or Torres Strait Islander
<b>Child</b>	A person who is under the age of 18
<b>Child abuse</b>	<p>For the purposes of the Child Safe Standards, abuse constitutes any act committed against a child involving:</p> <ul style="list-style-type: none"> <li>• Sexual abuse or sexual misconduct</li> <li>• Grooming</li> <li>• Physical abuse or violence</li> <li>• Significant emotional and psychological abuse</li> <li>• Significant neglect</li> </ul> <p>Further explanation of these types of abuse is provided in the section 'What is child abuse?'</p>
<b>Child Focused</b>	<ul style="list-style-type: none"> <li>• Focus on the immediate safety of children,</li> <li>• To help children develop to their highest potential</li> <li>• To uphold the human rights of a child</li> <li>• Focus on children's issues as a matter of priority</li> <li>• Ensure the child is centre of support and intervention plans</li> <li>• Engage parents using a range of communication techniques to establish an understanding of required contact behaviour</li> <li>• Manage parents' inappropriate attempts to exchange information Manage inter-parental disputes and assist parents to recognize the needs of children and young people are separate to that of their own emotional needs</li> <li>• Seek clarification and understanding of court orders to determine legal parameters of any service provision or interventions Reconcile competing ideas on the best interests of the child with the resident and non-resident parent</li> </ul>
<b>Child Safe Officer</b>	<p>Child Safe officers provide guidance, support and advice to the person who witnessed the offence. They ensure that all proper reporting processes are adhered to in relation to any child safety concerns or allegations of abuse within.</p> <p>All Managers at Banyule City Council are child safe officers.</p>
<b>Child safety</b>	In the context of the Child Safe Standards, child safety means measures to protect a child from abuse.
<b>Child Safe Organisation</b>	<p>In the context of the Child Safe Standards, a child safe organisation is one that meets the Child Safe Standards by proactively taking measures to protect children from abuse.</p> <p>An organisation whereby children have access to information, support and complaints processes in ways that are culturally safe, accessible, and easy to understand.</p>
<b>Cultural safety for Aboriginal Children</b>	The positive recognition and celebration of cultures. It is more than just the absence of racism or discrimination, and more than cultural awareness and cultural sensitivity.

<b>Cultural safety for children from culturally and/or linguistically diverse backgrounds</b>	A child who identifies as having 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.
<b>Children with a disability</b>	A disability can be any physical, sensory, neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child's ability to undertake everyday activities. A disability can occur at any time in life. Children can be born with a disability or acquire a disability suddenly through an injury or illness. Some disabilities may be obvious while others are hidden.
<b>Reasonable belief</b>	<p>If an adult has a reasonable belief that an incident has occurred, then they must report the incident. Factors contributing to reasonable belief may be:</p> <ul style="list-style-type: none"> <li>• A reasonable belief is a belief based on facts that would lead a reasonable person to think that reportable conduct may have occurred.</li> </ul> <p>A reasonable belief is more than suspicion. There must be an objective basis for the belief. However, it does not require certainty. For example, a person is likely to have a reasonable belief if they:</p> <ul style="list-style-type: none"> <li>• observed the conduct themselves</li> <li>• heard from a child that the conduct occurred</li> <li>• received information from another source (including another person who witnessed the reportable conduct or misconduct).</li> </ul> <p>The head of the organisation does not need to share the person's reasonable belief regarding the allegation.</p> <p>However, they do not need to notify the Commission about the allegation if it is plainly wrong or had no basis at all.</p>
<b>Staff</b>	Staff in this instance include any person representing Council in its delivery of services including employees, contractors, and volunteers
<b>Councillor</b>	Councillor is an elected member of the Banyule City Council, including the Mayor and Councillors.

## What is child abuse?

Child abuse is any physical or emotional ill-treatment by someone in a position of responsibility, trust or power that harms or could harm a child's health, survival, development, or dignity. There are different types of child abuse, and many children experience more than one type.

This policy acknowledges that there is a continuum of abuse of children. All such events, regardless of whether they are seen as 'harm' or 'abuse' are damaging. Expressing concern regarding behaviour where there is a risk of physical or emotional harm to a child will help in preventing more serious abuse.

<b>Physical</b>	Physical violence occurs when a child suffers or is likely to suffer significant harm from a non-accidental injury or injuries inflicted by another person. Physical violence can be inflicted in many ways including beating, shaking, burning or use of weapons (such as, belts and paddles).
<b>Sexual</b>	Sexual offences occur when a person involves a child in sexual activity or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to his/her age and development. Child sexual abuse

can involve a range of sexual activity including fondling, masturbation, penetration, voyeurism, and exhibitionism. It can also include exposure to or exploitation through pornography or sexual exploitation, as well as grooming behaviour.

**Emotional or Psychological**

Significant emotional or psychological abuse occurs when harm is inflicted on a child through repeated rejection, isolation, or by threats or violence. It can include derogatory name-calling and put-downs, or persistent and deliberate coldness from a person to the extent where the behaviour of the child is disturbed, or their emotional development is at serious risk of being impaired. Serious emotional or psychological abuse could also result from conduct that exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risk behaviours.

**Neglect**

Significant neglect is the continued failure to provide a child with the necessities of life, such as food, clothing, shelter, hygiene, medical attention, or adequate supervision, to the extent that the child's health, safety, and/or development is, or likely to be, jeopardised. Significant neglect can also occur if an adult fails to adequately ensure the safety of a child where the child is exposed to extremely dangerous or life-threatening situations.

**Grooming**

Grooming is when someone builds a relationship, trust and emotional connection with a child or young person so they can manipulate, exploit, and abuse them  
Grooming is an offence which targets communication by an adult, including online communication, with a child or their parents with the intent of committing child sexual abuse.

Reference [Child Wellbeing and Safety Act 2005](#) – fully outlines the definitions of child abuse.

## Potential indicators of child abuse

Staff can help to keep children and young people safe by being alert for the signs or indicators of harm and taking appropriate action early. For additional resources and guides on indicators of child abuse, please refer to the Department of Health and Human Services.

# Policy Scope

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Banyule City Council are committed to the safety and well-being of children and the prevention of child abuse. Reducing and removing the risk of child abuse is at the centre of our decision-making. We are committed to providing an environment where children feel safe, are empowered, valued, and protected. Children will be treated with dignity and respect, regardless of gender identity, sexual orientation, age, disability, ethnicity, and cultural and socio-economic background.

This policy applies to all Council Staff and Resources. For the purposes of this Policy, the definition of staff includes any person representing Council in its delivery of services including employees, contractors, volunteers, and Councillors.

It applies to expansive situations where interactions with children and young people occur or are observed.

# Policy Purpose

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This policy demonstrates the commitment to creating and maintaining a child safe organisation that is consistent with the Child Safe Standards by providing a safe environment, where children and young people are safe and feel safe. Banyule City Council has a zero tolerance of child abuse including zero tolerance to racism.

**The Child Safe Standards** are:

- Standard 1:** 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.
- Standard 2:** Child safety and wellbeing is embedded in organisational leadership, governance, and culture.
- Standard 3:** Children and young people are empowered about their rights, participate in decisions affecting them and taken seriously.
- Standard 4:** Families and communities are informed, involved in promoting child safety & wellbeing.
- Standard 5:** Equity is upheld, and diverse needs respected in policy and practice.
- Standard 6:** People working with children and young people are supported to reflect child safety and wellbeing values in practice.
- Standard 7:** Processes for complaints and concerns are child focused.
- Standard 8:** Staff and Volunteers are equipped with knowledge, skills, and awareness to keep children and young people safe through ongoing education and training.
- Standard 9:** Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
- Standard 10:** Implementation of the Child Safe Standards is regularly reviewed and improved.
- Standard 11:** Policies and procedures document how the organisation is safe for children and young people.

This policy shall be read and implemented in conjunction with Council's associated practices and procedures to guide staff, volunteers, and contractors on requirements to meet Child Safe Standards.

Underpinning this policy are the rights that are outlined in the United Nations Conventions on the rights of the Child (CROC). CROC specifically recognises that children have a right to be protected from physical and mental harm and neglect and be able to enjoy the full range of human rights – civil, cultural, economic, political, and social rights.

# Statement of Commitment

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Banyule City Council is committed to the safety and wellbeing of children and the prevention of child abuse. Reducing and removing the risk of child abuse will be at the centre of our decision-making concerning children in our organisation.

The organisation including staff and volunteers will be supported to understand children and young people's diverse circumstances.

Children and young people have a right to feel safe; their safety and wellbeing is the responsibility of everyone. We all have an obligation to keep children and young people safe from harm and abuse.

Council has zero tolerance for child abuse and racism, all allegations and safety concerns will be treated seriously and acted upon in line with Council's Managing Conduct and Performance policy. Any matters that are substantiated will result in disciplinary action up to and including termination.

As a child safe organisation, we are committed to providing a child safe environment where children feel safe, are empowered, valued, and protected. Council will actively listen to children, ensuring their voices are heard and considered in decisions that affect their lives.

We recognise the distinct history and experience of Aboriginal and Torres Strait Islander children and young people and their families and encourage the expression, enjoyment and sharing of their culture.

Council's approach to children will be consistent with our commitment to strive to ensure our services are accessible and the people we deal with are treated with dignity and respect regardless of gender identity, sexual orientation, age, disability, ethnicity, and cultural and socio-economic background.

## Principles

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This Policy is based on principles that aim to embed a culture of child safety by:

- Understanding our commitment to child safety and the duty of care required to meet the obligations under the Child Safe Standards
- Establishing a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
- Child Safety and wellbeing is embedded in organisational leadership, governance, and culture.
- Families and communities are informed and involved in promoting child safety and wellbeing.
- Promoting a culture of child safety understanding and awareness by informing our staff and sharing information regarding child safety.
- Equity is upheld and diverse needs respected in policy and practice.
- Implementing the processes that assist Council to recruit the best suitable applicants to work with children. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
- Processes for complaints and concerns are child-focused.
- Promoting a preventative, proactive and participatory approach to child safety
- Actively listen to and encourage the empowerment of children to participate in decisions which affect their lives. Children and young people are empowered about their rights, participate in decisions affecting them and taken seriously.
- Fostering a culture of openness that supports all persons (including children) to safely disclose risks of harm to children.

- Respecting diversity in cultures while keeping child safety paramount.
- Understanding that all children & young people are vulnerable, and some children face additional vulnerabilities, ensuring the understanding of the overarching principles:
  - The cultural safety of Aboriginal children and young people.
  - The cultural safety of children and young people from culturally and or linguistically diverse backgrounds.
  - The safety of children/ young people with a disability.
  - The safety of children/ young people who are neurodivergent.
  - The safety of children/ young people that are unable to live at home.
  - The safety of children/ young people who identify as LGBTIQ+.
  - The safety of child abuse in online environments.
- Providing guidance on reporting child safety concerns, suspected abuse, neglect, or mistreatment of children promptly both internally within council and to the appropriate authorities
- Involve carers, families, and communities to keep children and young people safe; and
- Communicating via our Code of Conduct that appropriate conduct and behaviour towards children is always expected.

## Organisational Context

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Significant research into child abuse in organisations has occurred over the last decade. Measures have been identified that reduce the risk of children being exposed to or experiencing harm. As a result, Victoria introduced compulsory minimum standards (Child Safe Standards) applicable to organisations that provide services for children to help ensure their safety. The Child Safe Standards form part of the Victorian Government's response to the Betrayal of Trust Inquiry.

### The Betrayal of Trust report

In April 2012, the Victorian Government initiated an inquiry into the handling of child abuse allegations within religious and other non-government organisations. The inquiry's final report, Betrayal of Trust, made several recommendations that have been acted on by Victorian Governments. These included:

- **Criminal law reform** – offences relating to grooming, failure to protect and failure to disclose.
- **Creating Child Safe organisations** – mandatory Child Safe Standards and a reportable conduct scheme. The standards are compulsory for all organisations working with children. The reportable conduct scheme requires centralised reporting of abuse allegations to an oversight body.
- **Civil law reform** – removal of the time limit on legal action. Legislation removed the previous 12-year timeframe in which victims (including family members) needed to have commenced civil legal action for damages due to wrongful death (brought by dependents of a deceased victim) or personal injury resulting from child abuse. The reform applies to both past and future cases of child abuse.

Under the Child Safe Standards, Councils are grouped as a 'category one' organisation; the first phase of organisations required to comply. As a local government organisation, Banyule City Council is also considered an 'in scope' organisation; regulated and/or funded by government providing services and facilities specifically for children which are supervised by the organisation. However, it is understood that at the centre of compliance, is a broader commitment to cultural change.

A child safe organisation is one that understands if we accept behaviour that is concerning to us without speaking up, we are condoning it. The essence of the Child Safe Standards is a widely understood commitment to saying something if you see something. While it takes many components to build a child safe organisation, the standards primary focus is fostering a common attitude shift from "that behaviour is worrying but it isn't my concern" to "it is my concern".

## Legislative Responsibilities

While this policy focuses on the standards for Council, it is important to remember that every adult who reasonably believes that a child has been abused, whether in an organisation or not, has an obligation to report that belief. Council and its representatives acknowledge and take very seriously its legal responsibilities including:

- **Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. Every adult in Victoria who has a reasonable belief that an adult has committed a sexual offence against a child, must report the information to the police – this applies whether the child is in their organisation or not.
- **Failure to protect:** People in authority in Council will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so (see Risk Management Section).
- **Reportable Conduct Scheme:** In 2017, the Victorian Government introduced legislation that enabled the Reportable Conduct Scheme to be established with oversight by the Commission for Children and Young People. This scheme applies to Council and requires Council:
  - to have in place systems to prevent child abuse and, if child abuse is alleged, to ensure allegations can be brought to the attention of appropriate persons for investigation and response
  - ensure that the Commission for Children and Young People is notified and given updates on the organisation’s response to an allegation.
- **Mandatory Reporting:** Positions such as Nurses, Teachers and Early Childhood Educators carry explicit requirements concerning mandatory reporting. Banyule City Council standards and this policy will apply unless more onerous occupational standards exist.

## Key Roles and Responsibilities

Every person employed with or acting on behalf of Banyule City Council has 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
<b>All Staff - Employees/Contractors/ Volunteers</b>	<ul style="list-style-type: none"> <li>• Complete the mandatory Child Safe Standards training on commencement with Banyule City Council and undertake recertification every two years.</li> <li>• Conduct work according to the requirements of the Banyule Child Safe Policy, procedures, and Staff Code of Conduct.</li> <li>• Report all concerns regarding child safety or harm to a Child Safety Officer.</li> <li>• Be aware of, and participate in, ongoing risks assessments.</li> <li>• Where a child is in immediate danger call 000.</li> <li>• Employees can also call Child Protection Crisis Line available 24/7 on 13 12 78 or Child Protection Northern Division 1300 664 977 for additional support.</li> </ul>
<b>All Councillors</b>	<ul style="list-style-type: none"> <li>• Complete the mandatory Child Safe Standards training on commencement of their election with Banyule City Council and undertake recertification every two years.</li> <li>• Conduct work according to the requirements of the Banyule Child Safe Policy, procedures, and Councillor Code of Conduct.</li> </ul>

	<ul style="list-style-type: none"> <li>• Report all concerns regarding child safety or harm to a child to a Child Safety Officer and/or CEO.</li> </ul>
<b>Supervisory staff</b>	<ul style="list-style-type: none"> <li>• Receive reports of child safety concerns or allegations of abuse within council.</li> <li>• Where required, offer support to the child, the parents, the person who reports and the accused staff member or volunteer.</li> <li>• Initiate internal processes to ensure the safety of the child, clarify the nature of the complaint and commence disciplinary process (if required).</li> <li>• Where applicable, decide, in accordance with legal requirements and duty of care, whether the matter should/must be reported to the police or Child Protection and make a report as soon as possible if required.</li> <li>• Ensure child safety concerns are reported in accordance with Council's Child Safe Reporting Process.</li> </ul>
<b>Hiring Managers</b>	<ul style="list-style-type: none"> <li>• Conduct recruitment practices in line with Council's recruitment and selection guideline requirements for child related work.</li> <li>• Ensure appropriate child safety checks and screening is undertaken prior to offering positions.</li> <li>• Ensure staff have access to and are aware of the Child Safe Policy and procedures.</li> <li>• Ensure that new workers complete compulsory Induction on commencement with Council.</li> </ul>
<b>Child Safety Officers (All Senior Managers are Child Safety Officers)</b>	<ul style="list-style-type: none"> <li>• Act as the first point of contact for child safety concerns or allegations of abuse within Council and provide support to other personnel.</li> <li>• Oversee the implementation of Child Safe policies and procedures.</li> <li>• Engage the assistance of expert advice as required when the nature of the child safety issue is beyond experience, knowledge, or qualifications.</li> <li>• Ensure child safety concerns are reported in accordance with Council's Child Safe Reporting Process.</li> </ul>
<b>People and Culture</b>	<ul style="list-style-type: none"> <li>• Provide information (including Staff Code of Conduct) relating to the Child Safe Standards and Policy via training / induction material and make available to all people leaders for dissemination.</li> <li>• Manage Council's Child Safe Policy.</li> <li>• Manage Council's disciplinary procedures as they apply to the Child Safe Standards and policy.</li> <li>• Support the application of relevant recruitment and pre-employment screening processes to select appropriate staff to work with children.</li> <li>• Support staff to build resilience and cope with child abuse incidences, for example through resilience training, and Council's Employee Assistance Program (EAP) counselling service.</li> <li>• Reflect a culture of child safety in Organisational Development activities.</li> </ul>

# Supporting Processes

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## Training

Training and education are important to ensure that everyone understands that child safety is everyone's responsibility within our organisation. All Staff will be made aware of their obligations and expectations of working in a Child Safe Organisation via Council's Code of Conduct, new employee induction, awareness, and training sessions. All staff are required to undertake mandatory Child Safe Training.

## Risk Management

Identifying and mitigating child safety-related risks is a core component of being a child safe organisation. Child safety risks come in many forms, including environmental, operational, and cultural risks. The level and type of risk varies across each entity and can change over time. Annually reviewing child safety risks is critical to promote a culture of continuous improvement and to identify new risks and support ongoing, appropriate management of existing child safety risks.

For all Council activities, staff should ascertain:

1. whether the activity involves direct contact with children by Council or another party connected to, or funded by, Council and/or
2. whether there are any other identifiable child safety risks.

Where the answer is **yes** to either of the above questions – a Child Safety Risk Assessment D23/63567 should be undertaken in line with Council's Risk Management Framework and Risk Management Policy. The prime responsibility for this rests with the Manager or relevant People Leader.

Several controls may need to be implemented to manage any identified risks – with some control measures being more effective than others. As outlined in Council's Risk Management Framework, Council has adopted the following ranking system to assess each control and their level of protection against a risk. Each identified control should be assessed in line with the below table to ensure that it effectively manages the risks identified.

Criticality	Descriptor
5	The control is critical to the management and reduction of the risk. If this control is ineffective or partially effective, the likelihood and/or consequence of the risk will increase significantly (i.e., increases likelihood or consequence by 3 or more levels)
4	The control is very important to the management and reduction of the risk. If this control is ineffective or partially effective, the likelihood and/or consequence of the risk will increase (i.e., increases likelihood or consequence by 2 levels)
3	The control is important to the management and reduction of the risk. If this control is ineffective or partially effective, the likelihood and/or consequence of the risk will increase (i.e., increases likelihood or consequence by 1 level)
2	The control has some consequence on the management and reduction of the risk. Depending on the criticality of the other controls, an analysis should be undertaken to determine the necessity of this control.
1	The control has little to no consequence on the management and reduction of the risk. It is unlikely this control is required.

## Recruitment

Our commitment to child safety will be further demonstrated in careful selection of people that we work with both through employment and in the provision of services to council. The engagement of staff will be subject to robust reference checking, interviews, and where appropriate psychometric testing, working with children checks and police checks.

The child safety requirements of each new role at Council are to be assessed before recruitment of new staff and volunteers. Prior to recruitment or engagement of services and in conjunction with People and Culture, an assessment shall be completed by the Hiring Manager for any newly created positions to determine whether a Working with Children Check is required. This assessment should be completed in line with the guidelines recorded at <https://www.workingwithchildren.vic.gov.au/>.

Working with Children Checks and other registrations or ongoing screening checks are regularly reviewed for changes and to ensure that they are still valid.

## Retention of Records

All records will be retained in accordance with Council's record-keeping requirements under the Public Records Act 1973 and privacy requirements under the Privacy & Data Protection Act 2014 and Council's Privacy Policy.

Council will ensure the securing and safe handling of sensitive information is maintained in accordance with our Privacy Policy.

## Compliance

All Staff and volunteers must adhere to this policy. Non-compliance may also constitute a breach of employment or contractual obligations, misconduct, harassment, discrimination, or some other contravention of the law. Failure to comply with the requirements under the Child Safe Standards or this policy may be dealt with in accordance with Council's disciplinary procedures, where applicable.

Council will ensure the securing and safe handling of sensitive information is maintained in accordance with our Privacy Policy.

## Reporting a child safety concern or complaint

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Child Safety Officers (CSO) have specific responsibility for initial support and education and awareness of employees to respond to any complaints made by staff, parents, children, or community members. In addition, staff be trained to successfully execute relevant components of this policy so that CSO can action complaints accordingly.

Council's concerns and complaints processes are outlined in our Child Safety Reporting procedure which can be referred to by any employee, volunteer, or contractor. Some departments will utilise alternative processes that meet additional department requirements where they are already subjected to more onerous or stringent requirements as part of their role.

Please note that you do not need to be certain that abuse has occurred to report. If you suspect a child is at risk of harm, there are several options and resources available.

# Child safety reporting process

## Child Safety Reporting Process



Banyule City Council is a child safe organisation. Protecting children and preventing and responding to child abuse is part of the everyday practice of all councillors, employees, contractors and volunteers; this is regardless of whether they work directly with children or not.

### WHO CAN REPORT?

Anyone can report - councillors, employees, contractors and volunteers.

### WHAT TO REPORT?

Any child safety concerns, including:

- Breach of Code of Conduct
- Environmental safety issues
- Disclosure of abuse or harm
- Allegation, suspicion or observation
- Reasonable belief
- Reportable conduct

**Before making a report** in regard to abuse, harm or neglect, a 'reasonable belief' must be formed that a child is in need of protection of their safety or their wellbeing is at risk.

### HOW TO REPORT?



If a child is in immediate danger or harm call the Police on **000**

- **Meet face-to-face** with a Child Safe Officer or a People & Culture member. All Managers at Banyule are Child Safe Officers.
- **Email** via [ChildSafeReport@banyule.vic.gov.au](mailto:ChildSafeReport@banyule.vic.gov.au).
- **Complete a Child Safe Incident Report Form** in Elumina on The Loop.
- **Additional Contacts:** Police 000 or the Department of Health and Human Services Northern on 1300 664 977 (after hours) 13 12 788.

### WHAT MUST HAPPEN NEXT?

Council will gather more information and the matter may be referred to the Commission for Children and Young People through the Victorian Reportable Conduct Scheme.

### WHERE CAN I GET SUPPORT?

Discussing child abuse can cause distress. If you need support, speak to your supervisor, Contact Officer, or the Employee Assistance Program (EAP) AccessEAP on 1800 81 87 28.

### OUTCOME

Relevant person notified of outcome of investigation.

Investigation completed.

Disciplinary action will be taken with relevant person.

Policies and procedures reviewed and updated where necessary.

For more information on the Child Safe Standards visit [www.ccyp.vic.gov.au](http://www.ccyp.vic.gov.au)

# Contacts

Reporting authority	Further services / information	Contact details
<a href="#">Department of Human Services</a> (link is external)	<p>The Child Protection Service is specifically targeted to those children and young people at risk of significant harm.</p> <p>For information about child protection and mandatory reporting requirements in Victoria, refer to the department's <a href="#">Families, Fairness and Housing</a> (link is external) webpage.</p>	<p>Child Protection Crisis Line (urgent concerns) Ph: 13 12 78 24 hours 7 days a week, toll free For a list of regional and metropolitan phone numbers, go to: <a href="#">Child Protection Contacts</a></p>

## Regular review

This policy will be reviewed every two years and following significant legislative changes if they occur. We also undertake to seek views, comments and suggestions from families, children, parents, staff to take active steps to work with local Aboriginal communities, LBGTIQA+ communities and culturally and/or linguistically diverse communities and people with a disability.

Legislation / Regulations Reference Documents Includes the following:

- Equal Opportunity Act 2010
- Charter of Human Rights and Responsibilities Act 2006
- Child Wellbeing and Safety Act 2005
- Children, Youth and Families Act 2005
- Commission for Children and Young People Act 2012
- Crimes Act 1958
- Privacy & Data Protection Act 2014
- Public Records Act 1973
- Working with Children Act 2005
- Banyule City Council Inclusion Access and Equity Framework
- Banyule City Council Child Safe Framework
- Child Safety Reporting Guidelines
- Councillor Code of Conduct CD06176
- Staff Code of Conduct CD15753
- Managing Conduct and Performance Policy
- Recruitment and Selection Guidelines CD16203
- Risk Management Framework D21/169413
- Risk Management Policy D21/169399
- Child Safe Risk Assessment D23/63567
- Privacy Policy CD16435
- Gender Equality Act 2020
- Fair Work Act 2009