



## Policy 61 – Safeguarding Children and Young People

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Author Administration Manager

Responsible Officer Administration Manager

Statutory Authority *Child and Youth Safe Organisations Act 2023 (Tas)*

### OBJECTIVE

The purpose of the policy is to define Council's commitment to creating and maintaining a Child Safe Organisation. This policy outlines Council's position and responsibilities toward the safeguarding of children and young people in our physical and online environments.

### SCOPE

This policy applies to all Council staff and representatives including:

- Elected members
- All employees including permanent and temporary employees performing work for Council, work experience students, apprentices, interns, and trainees
- Temporary and casual individuals engaged through an agency
- Staff on secondment from another role or another council
- Volunteers
- Contractors, or consultants directly engaged/renumerated by Council

This is irrespective of their involvement in child related work. There are no exclusions to the application of this policy.

### DEFINITIONS

The definitions of terms used in this policy are set out below.

Term	Definition
Abuse	Abuse is an act, or a failure to act, towards or on behalf of a child that may result in harm. It can occur on one occasion or multiple occasions. Sometimes the impact of multiple events leads to harm that becomes cumulative in nature. Types of abuse include physical, emotional, sexual abuse, and neglect.
Child/Children/Young Person	Any child or young person up to the age of 18.

<b>Child Safe</b>	For this policy, child safe means protecting the rights of children and young people to be safe by taking actions that can help prevent harm and abuse.
<b>Child Safe Organisation</b>	<p>Defined in the Royal Commission Final Report as an organisation that:</p> <ul style="list-style-type: none"> <li>• creates an environment where children's safety and wellbeing are at the centre of thought, values, and actions</li> <li>• places emphasis on genuine engagement with and valuing of children and young people</li> <li>• creates conditions that reduce the likelihood of harm to children and young people</li> <li>• creates conditions that increase the likelihood of identifying any harm</li> <li>• responds to any concerns, disclosures, allegations, or suspicions of harm (in the context of local governments, this would involve referring concerns to Independent Regulator and in the case of suspected criminal behaviour then to TAS Police to respond as appropriate).</li> </ul> <p>Implementation of the CYSOF (which mirror the National Principles for Child Safe Organisations) give effect to the above.</p>
<b>CYSOF</b>	Means the Child and Youth Safe Organisations Framework.
<b>Contractor</b>	In the scope of this policy means a person or company used by Council to provide services directly to children and young people, or where the contract's activities will, or are likely to involve contact with children and young people that is a usual part of and more than incidental to, the services.
<b>Council</b>	Means Dorset Council.
<b>Council Facilities</b>	Properties, buildings, and facilities including parks and sporting facilities owned and managed by Council including those used by the public or available for hire.
<b>Harm</b>	Any detrimental effect of a significant nature on the child's wellbeing, whether caused by a single act, omission or circumstance, or a series or combination of acts, omissions, or circumstances.
<b>Independent Regulator</b>	An independent oversight body that exists to help organisations understand how to comply with Tasmania's CYSOF, provide guidance and advice, and monitor compliance.
<b>Safeguarding</b>	Taking the actions necessary to ensure children and young people feel safe and are safe. This also means that if children or young people don't feel safe, steps are taken to restore their safety.
<b>Staff</b>	Includes Council's employees, volunteers, students on placement, contractors, consultants, elected representatives, and visitors, and anyone else who undertakes work on behalf of Council. This is regardless of their work related to children or young people.
<b>The Scheme</b>	Means the Reportable Conduct Scheme which requires leaders of specific organisations to notify the Independent Regulator when concerns are raised about conduct related to child abuse involving an adult worker, and conduct investigations.
<b>The Standards</b>	Means the Child and Youth Safe Standards which are ten standards that specific organisations in Tasmania (including Councils) must put into practice in an ongoing and

	simultaneous manner. These are defined under the legislation and mirror the National Principles for Child Safe Organisations.
<b>Universal Principle for Aboriginal Cultural Safety</b>	This applies across all the Standards and means the right of Aboriginal and Torres Strait Islander children and young people to Cultural Safety must be respected.
<b>Wellbeing</b>	Wellbeing of children and young people includes the care, development, education, health and safety of children and young people.

## STATEMENT OF COMMITMENT

- We are committed to the safety and wellbeing of children and young people while enabling their participation as valued members of our community.
- We have zero tolerance to child abuse and harm. Our people are obligated to prioritise the safety of the children they interact with in the performance of their role and to report conduct of concern.
- We recognise the importance of child safety in the provision of quality community services. All children who attend services, programs, events, and community spaces (including online environments) that are delivered, owned, contracted, or managed by Council, have the right to feel safe, be safe, and be heard.
- We recognise our legal and moral responsibilities in keeping children and young people safe and have robust policies and procedures in place to meet this commitment that are aligned with the National Principles for Child Safe Organisations.
- We want children to thrive, be safe, happy, and empowered, and are dedicated to ensuring their views are listened to and respected, and they are given opportunities to contribute to how we plan and deliver our services that affect them.
- We are committed to being a Child Safe Organisation.

## POLICY

Council is committed to the safety of Children and Young People. We are legally required to comply with the CYSO, which aims to protect children from abuse and harm.

### 1 THE STANDARDS

The Standards outline how an organisation can develop a culture with child safety and wellbeing at its centre. The Standards contribute to preventing abuse and harm. They require organisations to meet a benchmark that ensures children and young people's rights to safety and wellbeing are respected and upheld.

The Standards must be put into practice in accordance with a Universal principle for Aboriginal Cultural Safety. The Universal Principle says organisations must provide an environment that ensures that the right to Cultural Safety of Aboriginal and Torres Strait Islander children is respected.

The Standards mirror the National Principles for Child Safe Organisations which emerged from the work of the Royal Commission into Institutional Responses to Child Sexual Abuse.

The Standards are as follows:

Standard	This means
<b>Standard One</b> Child safety and wellbeing is embedded in organisational leadership, governance and culture.	All people in the organisation care about children and young people's safety and wellbeing above everything else, and make sure they act that way and lead others to act that way.
<b>Standard Two</b> Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.	Children and young people are told about their human rights, have a say in decisions and are taken seriously.
<b>Standard Three</b> Families and communities are informed and involved in promoting child safety and wellbeing.	Families, carers, and communities know about and are involved in the organisation's child and safety and wellbeing activities.
<b>Standard Four</b> Equity is upheld and diverse needs respected in policy and practice.	The rights of every child and young person are being met, and children and young people are treated with dignity, respect, and fairness
<b>Standard Five</b> People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.	People working with children and young people are safe to work with children and young people and are respectful of them. They are taught how to keep children safe and well.
<b>Standard Six</b> Processes to respond to complaints and concerns are child focused.	Children, young people, families, carers, staff, and volunteers are listened to and can share problems and concerns.
<b>Standard Seven</b> Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.	Staff and volunteers keep learning all the time so they know how to keep children and young people safe and well.
<b>Standard Eight</b> Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.	Children and young people are safe in online and physical spaces.
<b>Standard Nine</b> Implementation of the Standards is regularly reviewed and improved.	The organisation keeps reviewing and improving its child safety and wellbeing practices.
<b>Standard Ten</b> Policies and procedures documents how the organisation is safe for children and young people.	The organisation writes down how it keeps children and young people safe and well, and makes sure that everyone can see these documents

## 2 THE SCHEME

The Scheme aligns closely with the Standards. The Scheme aims to improve how organisations respond to allegations of certain types of misconduct involving children/young people, committed by their workers and volunteers.

The Scheme imposes legal obligations on the General Manager as head of the organisation to have systems in place to prevent child abuse, and if child abuse is alleged, to ensure allegations are brought to the attention of the appropriate persons for investigation and response.

Under the Scheme, reportable conduct is broader than suspected criminal behaviour, and includes:

- Sexual offences (against, with or in the presence of, a child)
- Sexual misconduct (against, with or in the presence of, a child)
- Physical violence (against, with or in the presence of, a child)
- Grooming of a child
- Behaviour that causes significant emotional or psychological harm
- Significant neglect
- Relevant offences such as failing to report child abuse.

## 3 ROLES AND RESPONSIBILITIES

Safeguarding children and young people is a shared responsibility across Council.

### 3.1 Working Group

The Working Group will meet as per the established Terms of Reference to provide overall governance and leadership related to the development and implementation of a CYSOF Action Plan.

The Working Group will be led by the Administration Manager and sponsored by the General Manager. The Working Group will consist of staff from across the organisation. The key functions of the Working Group will be to:

- Develop and implement a CYSOF Action Plan and monitor the implementation of this policy and the plan across departments
- Drive and monitor implementation of the CYSOF and this policy across all departments
- Advocate and educate people on the CYSOF and this policy

### 3.2 Roles and Responsibilities across Council

The following people have specific responsibilities in relation to this policy:

Role	Responsibility
Elected Members	<ul style="list-style-type: none"><li>• Model a culture of child safety and wellbeing</li><li>• Understand and comply with their obligations in relation to child safety and wellbeing</li><li>• Participate in training/education to identify, prevent, and report child abuse and harm</li><li>• Report any concerns about child safety and wellbeing</li><li>• Councillors also have a role in helping to promote Council as a Child Safe</li></ul>

	<p>Organisation and to direct community members to appropriate information and resources</p>
<b>General Manager</b>	<ul style="list-style-type: none"> <li>• The 'head of an entity' under the Child and Youth Safe Organisations Act 2023</li> <li>• Has legal obligations (including timeframes) around sharing of reportable conduct information which includes reporting to the Independent Regulator any allegations of misconduct involving children and young people by Council staff</li> <li>• Ensure adequate resources and support to enable Council to effectively deliver the Safeguarding Children and Young People Policy</li> <li>• Be the first point of contact in relation to the Scheme and investigations</li> </ul>
<b>Managers, Supervisors and Team Leaders</b>	<ul style="list-style-type: none"> <li>• Ensure a culture of safeguarding children and young people is embedded among their team</li> <li>• Ensure Safeguarding Children and Young People policies and procedures and any other relevant policies are implemented within the work areas they are responsible for</li> <li>• Provide team members with induction, support, supervision, and access to ongoing professional development around safeguarding children and young people relevant for each team member's role and duties</li> <li>• Conduct risk assessments, taking reasonable steps to identify any potential risks to the safety and wellbeing of children within the work remit of their team/s and remove or minimise the risks</li> </ul>
<b>Administration Manager</b>	<ul style="list-style-type: none"> <li>• Appointed as Council's Child Safety Officer</li> <li>• Ensure all recruitment, selection and on boarding processes meet the requirements of the CYSOF</li> <li>• Ensure appropriate safety and screening checks are undertaken prior to engagement and maintained according to Council HR policies</li> <li>• Ensure induction of new staff includes the provision of the Safeguarding Children and Young People Policy and Procedures and training to support them to understand their roles and responsibilities relating to child safety</li> <li>• Oversee the implementation of child safety training for new staff and refresher training for all staff on an ongoing basis and keep records of training completed</li> <li>• Manage disciplinary procedures as they relate to child safety and wellbeing</li> <li>• Responsible for providing training, capacity building and awareness-raising initiatives to ensure staff are appropriately equipped to recognise, respond to and report child abuse</li> </ul>
<b>Staff</b>	<ul style="list-style-type: none"> <li>• Understand and comply with their roles and responsibilities in keeping children safe</li> <li>• Report any concerns about the safety and wellbeing of a child or young person</li> <li>• Obtain and maintain a Working with Vulnerable People Check where required</li> <li>• Participate in training and education in relation to safeguarding children and</li> </ul>

	<p>young people as required</p> <ul style="list-style-type: none"> <li>• Provide environments for children and young people where they feel safe, empowered, and can participate</li> <li>• Behave safely and appropriately with children and young people</li> </ul>
<b>Contract Managers</b>	<p>The management of contracts includes, but is not limited to, all agreements, leases, licences, grant recipients, funded partners, and labour hire. Anyone managing these contracts will ensure:</p> <ul style="list-style-type: none"> <li>• All third-party operators are provided with a copy of Council's Child Safety Commitment Statement</li> <li>• Contracts contain the relevant child safe clauses, including the requirement for Working with Vulnerable People Checks where relevant and compliance with the CYSOF</li> </ul>

### 3.3 Our Obligations with External Parties

Although Council is not legally responsible for providing oversight of compliance with child safe practices outside of this organisation, Council will take steps as far as reasonably practicable to encourage people who utilise Council's facilities to operate in alignment with this policy.

### 3.4 Our Approach to Royal Commission Recommendation 6.12

The Royal Commission into Institutional Responses to Child Sexual Abuse defined a role for Local Government under Recommendation 6.12 which states:

*"With support from governments at the national, state and territory levels, local governments should designate child safety officer positions from existing staff profiles to carry out the following functions:*

- a) developing child safe messages in local government venues, grounds and facilities*
- b) assisting local institutions to access online child safe resources*
- c) providing child safety information and support to local institutions on a needs basis*
- d) supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds."*

Tasmanian Councils have been working with LGAT to understand how to best implement recommendation 6.12 in the context of the legislation and resourcing constraints. LGAT continues to advocate to the national and state government for more support to Local Government organisations which has yet to be forthcoming.

We acknowledge that we have a leadership role in our community to support relevant organisations to be child safe and promote child safe practices, and will work towards the recommendations made where possible.

Our interim approach to working towards the desired outcomes from Recommendation 6.12 will be to appoint the Administration Manager as the organisation's Child Safety Officer and to manage the workload through the Working Group.

It is anticipated that over time more resources may be made available to us from the State Government, or we may decide to dedicate more resources to this on our own accord in which case this policy should be reviewed and updated.

## RELATED DOCUMENTS

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It is anticipated that this policy and the implementation of a CYSOF Action Plan will have wide ranging impacts on a number of existing policies and procedures, and may result in the development of new policies and procedures. Currently Council recognises the following documents as being related to this document:

- Councillor Code of Conduct
- Operational Employee Conduct Policy
- Operational Disciplinary Policy

## REVIEW

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It is anticipated that this policy will continue to be reviewed and refined over the next 12 months by the Working Group. The Working Group should identify and recommend an appropriate prescribed review period for the policy.

## DOCUMENT INFORMATION

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Version	Doc Ref	Date Reviewed	Author	Comments
V1	DOC/23/15416	18 December 2023	Lauren Tolputt	Policy established