

LIVERPOOL CITY COUNCIL

Child Safe Policy

Adopted: XX.XX.XXXX

TRIM 226024.2020



Child Safe Policy

1. LEGISLATIVE REQUIREMENTS

The Children's Guardian Act 2019.

2. PURPOSE/OBJECTIVES

- 2.1 This Policy is to be read in conjunction with the Behavioural Standards for Keeping Children Safe.
- 2.2 In accordance with the Children's Guardian Act 2019 (the Act), councils are required to adopt a Child Safe Policy (Policy) to demonstrate commitment to children's safety.
- 2.3 The overarching purpose of this Policy is to ensure Liverpool City Council (Council) protects, respects and promotes the health, welfare, wellbeing and safety of children. In addition, the Policy will:
- Enable Council to become a Child Safe Organisation;
 - Guide Council in implementing best practice approaches to child protection;
 - Ensure providing a safe environment for children and young people when they are on Council premises and utilising Council services;
 - Ensure Council is compliant with NSW child protection legislation, including mandatory reporting, recruitment and selection, and responding to allegations against staff involving children and young people;
 - Guide Council to comply with recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse (2017) that affect local government; and
 - Ensure Council is compliant with the Children's Guardian Act 2019.

3. DEFINITIONS

Unless the context permits otherwise, these terms have the following definition:

Child / Children: Anyone under 18 years of age. For the purposes of this Policy, references to "young people" or "young person" will be taken to be a reference to a Child.

Child Abuse / Abuse: A term used to refer to different types of harm or maltreatment. In this Policy it refers to types of harm or maltreatment that children experience, including physical harm, sexual assault, exposure to domestic violence, psychological harm and prenatal risks.

Child Safe Organisation: An organisation in which child safety is embedded in planning, policy and practices and where the voices of children are valued and actioned.

Child Safe Standards: The Child Safe Standards recommended by the Royal Commission to make organisations across the country safe for children (also known as the National Principles for Child Safe Organisations).

Children's Services: Has the same meaning given to it in section 27(4) of the *Children and Young Persons (Care and Protection) Act 1998* (NSW).

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Mandatory Reporters: Persons to which section 27 of the *Children and Young Persons (Care and Protection) Act 1998* (NSW) applies. Mandatory Reporters are persons who, in the course of their professional work or other paid employment deliver health care, welfare, education, children's services, residential services, or law enforcement, wholly or partly, to children. It also includes people who hold a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children's services, residential services, or law enforcement, wholly or partly, to children.

Neglect: A term used to refer to a pattern characterised when a parent or caregiver cannot regularly provide a child the basic requirements for his or her own growth and development such as food, clothing, shelter, medical and dental care, adequate supervision and adequate parenting and care.

Risk of Significant Harm (ROSH): Concern/s about a child that is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent. It is something that is not minor or trivial and that may be reasonably expected to produce a substantial and demonstrably adverse impact on the child's safety, welfare or wellbeing. In addition, it can result from a single act or omission or an accumulation of these. Risk of Significant Harm is the NSW threshold to report child protection concerns to Department of Communities and Justice (DCJ) Child Protection Helpline. Helpline (see section 23 of the *Children and Young Persons (Care and Protection) Act 1998* (NSW)).

Royal Commission: Means the Royal Commission into Institutional Responses to Sexual Abuse (2017). In 2012, Australian Government announced the establishment of the Royal Commission. The report made several recommendations to government and non-government organisations to keep children safe.

UN Convention on the Rights of the Child: A human rights treaty ratified in 1989 by the UN General Assembly of which Australia is a signatory, espousing its committed to keeping children everywhere safe, happy and healthy.

WWCC: Working with Children Check clearance issued by the Children's Guardian under the *Child Protection (Working with Children) Act 2012* (NSW). A WWCC is a requirement for anyone who works or volunteers in child-related work in NSW. The clearance check provides either clearance to work with children for 5 years, or prohibits people who pose an unacceptable risk from working with children.

4. POLICY STATEMENT

Council is committed to creating a city that is child safe and child friendly. Council supports and acknowledges the capacity and agency of children and aims to build on their existing strengths to achieve change. Council values and supports the rights of children and is committed to support all children living in its jurisdiction to reach their full potential. Safeguarding children is everyone's business, including elected members, Executive and management team, Council staff, volunteers, students, contractors and sub-contractors.

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4. INTRODUCTION

- 4.1 This Policy guides Council staff (paid and volunteer) on how to behave when interacting and engaging with children in the workplace. The Policy focuses on ways in which Council can build and maintain a child safe environment which is inclusive, transparent and promotes meaningful participation for children.
- 4.2 Council is committed to supporting the rights of children and to their care and protection. In NSW, the safety of children is the shared responsibility of parents and families, the community, government and non-government organisations. Council staff, volunteers, partners, students, contractors and sub-contractors share a commitment to the awareness, prevention and response to the suspected Risk of Significant Harm to a child.
- 4.3 Council adopts the Child Safe Standards from the NSW Office of the Children's Guardian and the Royal Commission Final Report Recommendations (2017) relevant to local government.

5. CHILD SAFE STANDARDS

Council is committed to keeping children safe by putting in place procedures and practices to meet the following Child Safe Standards:

1. Child safety is embedded in institutional leadership, governance and culture.
2. Children participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved.
4. Equity is upheld, and diverse needs are taken in to account.
5. People working with children are suitable and supported.
6. Processes to respond to complaints of child sexual abuse are child focused.
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.
8. Physical and online environments minimise the opportunity for abuse to occur.
9. Implementation of the Child Safe Standards is continuously reviewed and improved.
10. Policies and procedures document how the institution is child safe.

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6. CHILDREN'S PARTICIPATION

6.1 Council supports active participation of children in the programs, activities and services that Council offers. Council encourages and engages children through a number of mechanisms including:

- 2168 Children's Parliament;
- Liverpool Youth Council;
- Casula Powerhouse Arts Centre Youth Committee;
- Library Services;
- Community facilities;
- Recreation and leisure centres;
- The Way Out West (WOW) Festival; and
- Early Childhood Services.

6.2 These mechanisms encourage children to participate in decisions affecting their lives. Through Children's Parliament and Youth Council, children are able to raise concerns about matters of importance to them and advocate for change to Council, National Children's Commissioner, Federal Member for Werriwa and NSW Advocate for Children and Young People. Council promotes the importance of children's voice through mechanisms such as Liverpool/Fairfield Child and Family Interagency, Liverpool Listens and Liverpool District Forums.

7 RECRUITMENT

7.1 Council will maintain a rigorous and consistent recruitment, screening and selection process.

7.2 To maintain a Child Safe Organisation, Council is committed to build the capability of staff through support, induction, on-boarding, professional development and supervision. This will include all new employees and volunteers to participate in a comprehensive induction and orientation process to child safe policies, procedures and practices. The Child Safe Policy and Behavioural Standards for Keeping Children Safe will be included in the induction pack for training new employees.

7.3 Managers will support and ensure relevant employees and volunteers complete mandatory training in child protection and child safe practices as required for all new staff.

7.4 Council will meet legal requirements to ensure that staff who are engaged with children have valid a Working With Children Checks (WWCC). The WWCC is an essential part of Council's recruitment process to prevent risk to the safety of a child. All staff are required to update licences and Working with Children Check through payroll system. Staff will receive reminders through email to renew licences and Working with Children Check before they expire.

7.5 People and Organisational Development (POD) manage all selection and recruitment related to the WWCC. This is consistent with the *Child Protection (Working with Children) Act 2012 (NSW)* and the *Child Protection (Working with Children) Regulation 2013 (NSW)*.

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8 MANDATORY REPORTING RISK OF SIGNIFICANT HARM

- 8.1 Where there are concerns that a child is suspected to be at Risk of Significant Harm (ROSH), Council staff who are Mandatory Reporters are required to report these concerns to the Department of Communities and Justice (DCJ) Child Protection Helpline. The Mandatory Reporter Guide (MRG) is used to help determine when and what should be reported.
- 8.2 Council staff who are not Mandatory Reporters, as well as members of the community, can also report the suspected Risk of Significant harm to the DCJ Child Protection Helpline. The DCJ Child Protection Helpline receives reports via either telephone on PH: 132 111 or via E-Reporting.
- 8.3 Mandatory reporting responsibilities are stipulated in the *Children and Young Persons (Care and Protection) Act 1998* (NSW).

9 EQUITY AND DIVERSITY

- 9.1 Council is committed to ensuring that all children are free from Abuse and Neglect and will enact this commitment through the implementation and monitoring of the Child Safe Standards.
- 9.2 This Policy details Council's commitment to ensuring all children are protected from harm and outlines key strategies to identify and support the specific vulnerabilities of children in Liverpool with zero tolerance for child abuse.
- 9.3 Council is committed to being a child Safe Organisation and it acknowledges its important role in protecting children in their interactions with Council staff, facilities and services.
- 9.4 Liverpool's diverse population includes Culturally Diverse communities, people living with a disability and a higher-than-average proportion of residents of Aboriginal and Torres Strait Islander people.
- 9.5 Council acknowledges that all children are vulnerable, however, factors such as age, disability, culture and socioeconomic status can contribute to increased vulnerability for many children. As the local government authority, it is vital that Council both celebrate this diversity and acknowledge the challenges that it presents, particularly in relation to child safety.

10 COMPLAINTS MANAGEMENT AND REPORTING

- 10.1 Council will take all allegations seriously, respond appropriately and report concerns to the relevant authorities. All complaints and allegations against staff, elected members, contractors and sub-contractors, work experience participants, students on placement, volunteers, facilities hirers, and lessees involving a child will be handled in accordance with the relevant legislation.
- 10.2 All allegations in relation to staff involving an individual under the age of 18 years will be immediately reported to the Internal Ombudsman who will investigate and report the matter to the relevant oversight agency in accordance with Council's reporting obligations.
- 10.3 Council will ensure children who feel unsafe or wish to raise a concern know who to talk with and feel comfortable to do so.

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- 10.4 Council will maintain the safety, suitability and security of its physical and online environments that children access.
- 10.5 The Child Safe Standards are embedded within Council's quality assurance practices. Council will appoint a Child Safe Contact Person or a Child Safe Committee to raise awareness of the Child Safe Standards and support different business unit's implementation of the Child Safe Standards. The support of each business unit will be determined by the needs and risks identified and expressed by the business units. Support may be delivered in the form of tailored training, resources and calling on the Child Safe Contact Person or Child Safe Committee to discuss challenges or service improvement.

11 STAFF SUPPORT AND DEVELOPMENT

- 11.1 Council will provide necessary resources and build the capability of all staff through professional development, supervision and support to promote and maintain a child safe organisation.
- 11.2 All staff will complete induction and ongoing training on managing risks and creating a safe environment to ensure the safety, suitability and security of physical environments for children in Council's services, facilities and programs. Council staff will be equipped with the knowledge, skills and awareness to keep children safe.
- 11.3 New employees and volunteers will be required to participate in induction and orientation process to child safe policies, procedures and practices. Managers will ensure new employees and volunteers complete all relevant training in accordance with Council's organisational requirements. Training will be provided to contractors and sub-contractors as required.
- 11.4 Council is committed to the provision of high-quality supervision practices for relevant staff. This includes regular reviews of workplace performance, behaviours and relationships, opportunities to share observations and problems and to safely explore views about child safety concerns.
- 11.5 Council provides opportunities for work experience and vocational placement for young people and engages young people in volunteering experiences. Procedures for employment, work or study placement, and volunteering opportunities for young people will need to reflect the developmental characteristics and meet the safety requirements of this age group.

12 COMMUNICATION

Council will hold regular information sessions for staff, volunteers and students about child safety. The Child Safe Policy will be discussed during induction sessions for all new staff, volunteers and students. Children, their parents and carers participating in Council programs will be referred to Council's website to view the Policy.

13 REQUIREMENTS OF MANAGERS

- 13.1 Managers are required to induct all workers new to Council to this Policy, including signing the statement of commitment to comply with the Policy.

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- 13.2 Lead the embedding of a child safe culture by being proactive in identifying and addressing issues or concerns relating to the safety and wellbeing of children. This should include regular discussions between staff and their people leaders (to be held at least twice annually) about behavioural standards and expectations.

14 OTHER LEGISLATION, INDUSTRY STANDARDS OR COUNCIL POLICIES

- UN Convention on the Rights of the Child (1989)
- Children’s Guardian Act 2019 (NSW)
- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- Child Protection (Working with Children) Act 2012 (NSW)
- Advocate for Children and Young People Act 2014 (NSW)
- Ombudsman Act 1974 (NSW)
- Liverpool City Council Code of Conduct (2019)
- Liverpool City Council Community Engagement Policy 2013
- Liverpool City Council Cultural Policy 2017
- Liverpool City Council Dignity and Respect in the Workplace Policy 2015
- Liverpool City Council Information and Communication Technology (ICT Policy)
- Liverpool City Council Liverpool Youth Council Charter 2020
- Liverpool City Council Social Justice Policy 2018
- Liverpool City Council Work, Health and Safety Policy 2017

15 POLICY REVIEW

- 15.1 The Child Safe Working Group meets regularly to oversee the implementation of the Policy and the Child Safe Standards.
- 15.2 The Policy will be reviewed every two years from the approval date, or as required by any changes in legislation.

16 BREACH OF POLICY

A breach of this Policy will be dealt with in accordance with any relevant staff agreements, awards, industrial agreements, contractors and Council policies including the Council’s Code of Conduct and Code of Conduct Procedures.

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AUTHORISED BY

Council (Chief Executive Officer)

EFFECTIVE FROM

XX.XX.XXXX

DEPARTMENT RESPONSIBLE

City Community and Culture (Community Development and Planning)

VERSIONS

The current and previous version of the policy should be set out in the following table.

Version	Amended by	Changes made	Date	TRIM Number
1				226024.2020

The policy is developed by and, in consultation with the Child Safe Workplace Working Group comprised of representatives from:

- City Community and Culture;
- Office of the Chief Executive Officer;
- City Corporate;
- City Infrastructure and Environment;
- City Economy and Growth; and
- City Presentation.

ATTACHMENTS

Behavioural Standards for Keeping Children Safe (226027.2020)

REFERENCES

- The Royal Commission into Institutional Responses to Child Sexual Abuse (2017);
- Children's Guardian Act 2019;
- Child Safe Standards, The NSW Office of the Children's Guardian;
- The National Principles for Child Safe Organisations;
- Child Protection Policy, Cumberland City Council; and
- Child and Youth Safe Policy, Mission Australia.