



1. PURPOSE

The purpose of this policy is to create and maintain a child and youth safe organisation to prioritise, promote and protect the safety and wellbeing and prevent abuse and harm of children and young people in Southern Midlands.

2. OBJECTIVE

The primary objective of this policy is to meet the Child and Youth Safe Framework that benefits not only children and young people by ensuring that their rights are respected, it also assists Council in being able to quickly and effectively understand, identify, and report unsafe behaviours and to ensure that only appropriate people are working with children and young people.

3. SCOPE

This policy applies to all workers – see definition

4. DEFINITIONS

Worker	<p>a worker, of an entity, is a person who has attained the age of 18 years who – (a) is employed by the entity, whether or not the person is employed in connection with any work or activity of the entity that relates to children; or</p> <p>(b) is engaged by the entity to provide services, including as a volunteer, contractor, subcontractor, consultant, director, member of a management committee, office holder or officer, whether or not the person is engaged in connection with any work or activity of the entity that relates to children; or</p> <p>(c) is elected to a role in respect of an entity, such as as an alderman, councillor or member of Parliament, whether or not the person provides services to children in that elected role; or</p> <p>(d) is engaged in training or work experience with the entity, whether or not the person is engaged in connection with any work or activity of the entity that relates to children; or</p>
Child	means a person who has not attained the age of 18 years;
Youth	Means a person who has attained the age of 16 years but has not attained the age of 18 years.
Reportable Allegation	means information that leads a person to form a reasonable suspicion that a worker of an entity has committed reportable conduct, whether or not the alleged reportable conduct occurred within the course of the



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CHILDREN SAFETY & WELLBEING POLICY

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	worker's duties in respect of the entity, and regardless of whether the alleged reportable conduct occurred before the commencement of this Act;
Reportable Conviction	means a conviction for an offence that involves reportable conduct, regardless of whether the conduct or conviction occurred before the commencement of this Act;
Standards	means the child and youth safe standards;
Grooming	grooming, in relation to a child, means conduct of a person that – <ul style="list-style-type: none"> (a) is intended to establish trust with the aim of normalising sexually harmful behaviour towards, or allowing the person to engage in an unlawful act, sexual offence, or sexual misconduct, against, the child; and (b) forms part of a pattern of manipulative or controlling behaviour in relation to – <ul style="list-style-type: none"> (i) the child; or (ii) the child's guardian, family or friends; or (iii) a worker of a relevant entity that provides services to, or has dealings with, the child
Emotional or psychological harm	means harm to a child's wellbeing or development, or both
Neglect, of a child	means the deliberate or reckless failure to meet the basic needs of the child
Physical violence	means – <ul style="list-style-type: none"> (a) the intentional or reckless application of physical force to a person without lawful justification or excuse; or (b) any act which intentionally or recklessly causes a person to apprehend immediate and unlawful violence to the person



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<p>Relevant offence</p>	<p>means –</p> <ul style="list-style-type: none"> (a) a sexual offence; or (b) an offence under section 105A of the Criminal Code; or (c) an offence under section 178A of the Criminal Code; or (d) an offence under section 298, 299 or 300 of the Criminal Code in respect of an offence specified in paragraphs (b) and (c)
<p>Sexual misconduct</p>	<p>includes, but is not limited to, the following conduct when performed in a sexual manner or with a sexual intention:</p> <ul style="list-style-type: none"> (a) inappropriate behaviour; (b) physical contact; (c) voyeurism; (d) speech or other communication including electronic communication;
<p>Significant</p>	<p>in relation to emotional or psychological harm or neglect, means that the harm or neglect is more than trivial or insignificant, but is not required to be deemed serious or deemed to have a lasting permanent effect.</p>
<p>Reportable conduct</p>	<ul style="list-style-type: none"> (a) a relevant offence committed against, with or in the presence of a child, whether or not criminal proceedings in relation to the offence have been commenced or concluded; or (b) sexual misconduct, that does not form part of a sexual offence, against, with or in the presence of a child; or (c) physical violence against a child; or (d) grooming of a child; or (e) conduct that causes, or is likely to cause, significant emotional or psychological harm to a child; or (f) significant neglect of a child; or (g) conduct prescribed for the purposes of this section – regardless of whether or not the alleged conduct occurred within the course of a worker’s duties in respect of an entity.

5. POLICY STATEMENT

The Southern Midlands Council will prioritise, promote and protect the safety and wellbeing and prevent abuse and harm of children and young people. Provide an environment that ensures that the right to cultural safety of children who identify as Aboriginal or Torres Strait islander are respected.

We promote equity and respect diversity by:

- Providing children and young people with a safe, nurturing environment where they are comfortable being themselves, expressing and maintaining connections to their culture, their spiritual and belief systems, and they are supported by people who respect their aboriginality and encourage their sense of self.
- Aboriginal or Torres Strait Islander are respected and given positive recognition and celebration of cultures.
- Actively anticipating children's diverse circumstances and responding effectively to those with additional vulnerabilities.
- Giving all children access to information, support and complaints processes.
- Paying particular attention to the needs of Aboriginal and Torres Strait Islander children; those with a disability, children from culturally and linguistically diverse backgrounds, Lesbian, Gay, Bisexual, Transgender or Intersex (LGBTI) children and those who are unable to live at home.

It is the responsibility of all workers of the Southern Midlands Council to:

- Care about children and young people's safety and wellbeing.
- Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously
- Families and communities are informed and involved in promoting child safety and wellbeing.
- Equality is upheld and diversity needs respected.
- People working with children and young people are suitable and supported to reflect child safety and wellbeing.
- Processes to respond to complaints and concerns are child-focused.
- Staff and volunteers are equipped with knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
- Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
- Implementation of the child and youth safe standards is regularly reviewed and improved.
- Policies and procedures documents are regularly reviewed.

We require all within the Council, regardless of their role or level of responsibility, to promote safety and wellbeing and prevent abuse and harm of children and young people.

- Adopting the practices and behaviour we have set as our standard when carrying out their roles.
- Reporting any reportable conduct to:



- General Manager

- Notification to the Independent Regulator
- Specifies timeframes for when certain actions have to be taken
- Doesn't replace existing reporting obligations
- Strengthens Council's ability to respond in a child-centred way

This expectation stands regardless of whether the reportable conduct is being perpetrated by workers within Council, or by those outside the Council including those from the child's family, extended family, their family's extended network or strangers.

5.1 Commitment to Children and young people

Council is committed to ensuring the safety and wellbeing of all children and young people who access the Council's activities, programs, services or facilities. This policy seeks to address risks to child safety and to establish a safeguarding culture and practices.

5.2 Expected Behaviour

We require that each worker involved in Council delivery of services to children and young people understand both their role and the behaviour we expect in relation to children and young people. We established and communicate those expectations by:

- Working under a Code of Conduct that outlines the expectations of all workers in terms of their interaction with one another and children and young people.
- Require all worker, whether paid or volunteer, to sign the Code of Conduct through the induction process.

5.3 Staff Recruiting

Council has measures in place to minimise the likelihood of recruiting a person who is unsuitable to work or volunteer with children or young people. Our recruitment procedures require:

- Face-to-face interviews (or where necessary via video call – e.g. Skype, Zoom or Microsoft Teams) to be held.
- A minimum of two professional reference checks to be undertaken.
- Screening checks to be undertaken, which require applicants to provide proof of their identity, Registration to Work with Vulnerable People (RWVP) and a National Police Check.



5.4 Induction & Training

Council requires all new workers (whether paid or volunteer) to undertake an induction process prior to commencement. This induction process provides them with information regarding our commitment to children and young people. All new workers must read and declare their acceptance of the Code of Conduct.

5.5 Reporting of child abuse and allegations of child abuse

Any person may disclose a reportable allegation or reportable conviction in relation to a worker.

- Worker must immediately report any reportable conduct and any concerns with policies, practices or the behaviour of workers.
- Workers must meet any legislated mandatory reporting requirements.
- Workers must follow a specified process when reporting any reportable conduct including who will receive reports.
- The failure to report is considered as a serious matter that, depending on circumstances, may result in disciplinary action or be grounds for dismissal.

Workers are requested to notify the General Manager where a reportable allegation or reportable conviction has been made.

5.6 Maintain & Improve Policies / Procedures

Southern Midlands Council are committed to maintaining and improving our policies, procedures and promote safety and wellbeing and prevent abuse and harm of children and young people. Council monitor workers and external providers to encourage appropriate practice and behaviour to ensure that policies are adhered to.

Council has screening checks to be undertaken, which require applicants to provide proof of their identity, Registration to Work with Vulnerable People (RWVP) and a National Police Check.

5.7 Record Keeping

This policy is reviewed annually. Council retain 'evidence' to document each review undertaken. Such evidence may include minutes of meetings and documentation of changes to policies and procedures that result in a review.

5.8 Communication

Council communicate this Policy and its requirements to all workers (whether paid or volunteer) who are involved with children and young people within Council. All Council workers are involved in reviews of this policy and its requirements and communicate any significant alterations to all personnel.



6. LEGISLATION

Child and Youth Safe Organisations Act 2023
Child & Youth Safe Organisations Framework
Child and Youth Safe Standards

7. DOCUMENT ADMINISTRATION

This Instruction is a managed document and is to be reviewed annually or as directed by the General Manager.

This document is Version 1.0 effective November 2023. The document is maintained by Community and Corporate Development, for the Southern Midlands Council.