

Policy 4.16 Child-safe organisation

Directorate	Business and Governance
Responsible Officer	Director Business and Governance

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1.1 Introduction

Bega Valley Shire Council (BVSC) supports the rights of children and young people and is committed to their care and protection.

1.1.1 Scope

This policy applies to all council officers, including elected officials (Councillors) and employees. It also applies to contractors, sub-contractors, work experience and work placement participants, volunteers, and members of the community who utilise and access council services and amenities.

1.1.2 Purpose

The purpose of this policy and associated procedures is to ensure:

- The health, safety, welfare, and wellbeing of children and young people is promoted and maintained.
- Council provides a safe environment for children and young people whilst on Council premises and utilising Council services.
- Council complies with NSW child protection legislation, including mandatory reporting, recruitment, and selection, and responding to allegations against staff involving children and young people.
- Professional and legal obligations are articulated in relation to child protection.
- Council implements procedures for the prompt and confidential response to all allegations against any person undertaking business for or on behalf of Council, including Councillors, staff, students, volunteers, contractors, sub-contractors, and patrons.
- Council is responding to recommendations from the *Royal Commission into Institutional Responses to Child Sexual Abuse (2017)* that are relevant to Local Government.

1.2 Definitions

Word or Terminology	Description
Abuse	A term used to refer to different types of harm or maltreatment, including physical harm, sexual assault, exposure to domestic violence, psychological harm and prenatal risks.
Child	A person who is under the age of 16 years of age.
Young person	A person who is over the age of 16 years of age but under the age of 18 years.
Child-safe organisation	An organisation in which child safety is embedded in planning, policy and practices and where the voices of children and young people are valued and actioned.
Child-safe project team	Representatives of Council who oversee the identification, implementation, monitoring, and review of child safety policies, procedures, and actions.
DCJ	The NSW Department of Communities and Justice. DCJ is the NSW Government agency responsible for the care and protection of children and young people.
Mandatory reporters	People who deliver services, wholly or partially, to children as part of their paid or professional work. This is regulated by the <i>Children and Young Persons (Care and Protection) Act 1998</i> . At Council, this includes people working in education, children services, families, ageing and disability services.

Word or Terminology	Description
Mandatory Reporter Guide (MRG)	The MRG is a decision-making tool to assist Mandatory Reporters to help determine how the suspected risk of significant harm of a child or young person is reported.
Neglect	A pattern of behaviour characterised when a person cannot regularly provide a child or young person the basic requirements for his or her growth and development.
Risk of significant harm	Concern/s about a child or young person that are 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 adverse impact on the child or young person's safety. It can result for a single act or omission, or an accumulation of these acts. Risk of significant harm is the NSW threshold to report child protection concerns to DCJ via the Child Protection Helpline.
WWCC	Working with Children Check. At BVSC the WWCC is a requirement for Councillors as well as anyone who works or volunteers in child-related work in NSW. The check provides either clearance to work with children for five years, or a bar against working with children.

1.3 Legislation

This Child-safe organisation policy and its associated procedures may refer to the following Acts and Regulations:

- *Advocate for Children and Young People Act 2014*
- *Child Protection (Offenders Prohibition Orders) Act 2004*
- *Child Protection (Offenders Registration) Act 2000*
- *Child Protection (Working with Children) Act 2012*
- *Child Protection (Working with Children) Regulation 2013*
- *Children and Young Persons (Care and Protection) (Child Employment) Regulation 2015*
- *Children and Young Persons (Care and Protection) Regulation 2012*
- *Children's Guardian Act 2019*
- *Education and Care Services National Law Act 2010*
- *Education and Care Services National Regulations 2011*

1.4 Implementation

1.4.1 Policy Statement

Bega Valley Shire Council will support children and young people to have safe, engaging, and meaningful experiences when accessing our facilities, and during the provision of our services. Active participation with the organisation will be maintained by involving children and young people in decision-making regarding matters that directly impact them.

All Councillors, staff, volunteers, students, people undertaking work experience or placement, contractors, sub-contractors, suppliers, and volunteers will uphold and promote child safety and wellbeing; will respond appropriately if or when concerns are identified and will be engaged and made aware of their rights, responsibilities, and reporting processes concerning child safety and protection.

1.4.2 Responsibilities

1.4.2.1 Elected Council

The Council will adopt the Child-safe Organisation policy in accordance with Section 165 of the *Local Government Act 1993* and will adhere to the requirements outlined within this policy and its associated procedures.

Council will uphold and promote the safety and wellbeing of children and young people in the community. The elected body will also complete and submit a Working With Children Check (WWCC).

1.4.2.2 Chief Executive Officer (CEO), Leadership Executive Group (LEG)

The Chief Executive Officer (CEO) and members of the Leadership Executive Group (LEG) will ensure this policy is developed, implemented, monitored, and reviewed by the relevant Council Officer and then endorsed and adopted by the elected council.

The CEO and LEG will also make sure the procedures associated with this policy are implemented across the organisation and that all people engaged to deliver services for or on behalf of Council adhere to the requirements of the Child-safe organisation policies and procedures.

1.4.2.3 People and Governance Section

Council Officers from the People and Governance Section will ensure this policy and its associated procedures are reviewed as required. The People and Governance Section will also ensure staff, volunteers, contractors, sub-contractors, and people engaging in work experience or placement receive adequate training and development associated with the Child-safe Organisation procedures.

The People and Governance Section will make sure Council meets its legal requirements that only people with valid Working With Children Checks (WWCC) are engaged in child-related work.

1.4.2.4 Child-safe Organisation project team

The Child-safe Organisation project team will be responsible for developing, implementing, and reviewing procedures and practices that enable Council to meet its legislative and regulatory requirements. The project team will be subject matter experts in child safety and will champion the practices implemented by Council to support child safety. The team will consist of:

- Manager, People and Governance
- Governance Coordinator
- Manager, Community and Cultural Services
- Manager, Communication and Engagement
- Coordinator, Children Services
- Coordinator, Library Services
- Coordinator, Families, Ageing and Disability Services
- Coordinator, Aquatic and Leisure Services

1.4.2.5 Mandatory reporters

The Mandatory Reporter Guide (MRG) will be used to help determine when and what should be reported and by who. At Council, mandatory reporters will include staff working within the Community and Cultural Services section.

The Leadership Executive Group (LEG) including the Chief Executive Officer (CEO) may also be considered mandatory reporters. The internal protocols to manage mandatory reporting is also included within the child-safe complaints management procedures.

1.5 Supporting documents

1.5.1 BVSC Procedures that relate to this Policy

Procedure No.:	Procedure Name	External or Internal Procedure
1.04.1	Volunteer management	External
4.09.02	Access, equity and inclusion	External
4.09.05	Child protection	External
4.09.15	Family involvement	External
4.09.26	Respectful behaviours (interactions with children)	External
4.09.27	Responsible person	External
4.09.32	Volunteers and students	External
4.09.34	Working with children check	External
6.02.01	Code of Conduct	External
6.02.01(a)	Administration of the Code of Conduct	External
6.04.24	Recruitment and selection	External
6.02.06	Compliments and complaints (including unreasonable correspondent/conduct)	External
6.04.25	Employee training and learning	Internal
6.05.10	Domestic and family violence	External
	Child-safe complaints management (under development)	External

1.5.2 BVSC Policies that Relate to this Policy

Policy No.:	Policy Name
1.04	Volunteering
4.09	Families and children
6.02	Behaviour of Councillors and Staff
6.04	Conditions of Employment
6.05	Work Health and Safety

Policy No.:	Policy Name
6.10	Communication
6.16	Community engagement

Note: Policy details may change from time to time. To ensure you are viewing the most recent version please view Council's adopted Policies and Procedures on Council website.

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