

## ITEM 9 POLICY REVIEW - CHILD SAFE COUNCIL POLICY

Creating an extraordinary Wollongong requires making our community safe where every child is valued and their right to safety and wellbeing is respected and upheld. The Child Safe Council Policy (Policy) includes Council's commitment to creating and maintaining a Child Safe Organisation and guides policies, strategies and actions that align with the continual enhancement of child safety in all Council activities.

The Policy has been updated to align with the *Children's Guardian Amendment (Child Safe Scheme) Act 2021*, Council's Diversity, Inclusion and Belonging Policy and other Child Safe related policies and procedures. This report presents the draft Policy to Council for endorsement.

### RECOMMENDATION

That Council endorse the draft Child Safe Policy.

### REPORT AUTHORISATIONS

Report of: Sue Savage, Manager Community Cultural + Economic Development  
Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

### ATTACHMENTS

- 1 Draft Child Safe Council Policy

### BACKGROUND

The Child Safe Council Policy was first adopted in August 2021 to assist Council in meeting its legislative requirements as a Child Safe Organisation. The Policy outlines Council's obligations and commitment to creating a safe place, where every child is valued and their rights to safety and wellbeing are respected and upheld.

The draft Policy supports the implementation and compliance with our legislative obligations. It contains our Child Safety Commitment Statement and guides how we involve and consider children in decision making, selection and recruitment, training and inductions, reporting, privacy and confidentiality and risk management and sets out the roles and responsibilities.

The draft Policy has been updated to align with the *Children's Guardian Amendment (Child Safe Scheme) Act 2021*, Council's Diversity, Inclusion and Belonging Policy and other Child Safe related policies and procedures.

Key changes include:

- Detailing our commitment to diversity, inclusion and belonging
- Including a statement about the Child Safe Standards being the primary framework that guides child safe practice in NSW
- Expanding the list of who can report to include community members
- Updating the Legislative Requirements to include the *Children's Guardian Amendment (Child Safe Scheme) Act 2021*
- Updating the related Strategies, Policies and Procedures
- Minor edits and formatting changes.

### PROPOSAL

It is proposed the draft Child Safe Council Policy be adopted as a Council Policy.

## CONSULTATION AND COMMUNICATION

Feedback was sought and considered from the Child Safe Working Group which has representation from: Community, Cultural and Economic Development; Property and Recreation; People and Culture; Library and Community Services; and Governance and Customer Service.

Executive Management Committee resolved to approve the draft Child Safe Council Policy for Council’s consideration at the 28 August meeting.

Once adopted the final Policy will be promoted to our community via the Council webpage and to staff via the Hub and direct email.

## PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2032 Goal 4 “*We are a Connected and engaged community*” and Goal 5 “*We have a healthy community in a liveable city*”. It specifically delivers on:

Community Strategic Plan 2032	Delivery Program 2022-2026
Strategy	Service
4.7 Demonstrate responsible decision-making based on our values, collaboration, and transparent and accountable leadership.	Community Programs Action - Implement the Child Safe Implementation Plan
4.11 Quality services, libraries and facilities are available to communities to access and gather.	
5.4 Provide a variety of quality and accessible public places and opportunities for sport, play, leisure, recreation, learning and cultural activities in the community.	
5.5 Provide safe, well-maintained and accessible beaches and aquatic recreation facilities.	

## RISK MANAGEMENT

The draft Child Safe Council Policy assists the Council in meeting its legislative requirements as a Child Safe Organisation.

## FINANCIAL IMPLICATIONS

Implementation of the draft Child Safe Council Policy will be managed within existing staff resources and operating budget. Any additional costs associated with the implementation of the NSW Child Safe Standards will be subject to the annual operational budget process and Council approval.

## CONCLUSION

Creating a safe community for children is everyone’s responsibility. A safe place for our most vulnerable community members, children, is a safe place for everyone. Council leads the way in creating an organisation and community that is a safe place, where every child is valued and their rights to safety and wellbeing are respected and upheld. The draft Child Safe Council Policy supports the implementation and compliance with our legislative obligations, aligns with the Disability, Inclusion and Belonging Policy and outlines Council’s commitment to creating and maintaining a child safe organisation.



## CHILD SAFE COUNCIL POLICY

ADOPTED BY COUNCIL: [TO BE COMPLETED BY GOVERNANCE]

### PURPOSE

The purpose of this policy is to outline Council's commitment to creating and maintaining a Child Safe Organisation.

### POLICY INTENT

The policy informs Councillors, employees, contractors and volunteers of their obligations in keeping children safe. For the purposes of this policy, a child is a person under the age of 16 years and a young person is a person aged 16 years or above, but under the age of 18 years.

The policy will inform Council policies, strategies and actions that align with the continual enhancement of child safety in all Council activities.

The main objectives of this policy are to:

1. Deliver on Council's obligations as a Child Safe Organisation.
2. Demonstrate Council's commitment to child safety and provide the over-arching framework for creating a Child Safe Organisation.

### WOLLONGONG 2032 OBJECTIVES

Our Wollongong 2032 outlines the community's main priorities for the future and includes strategies for achieving them. This policy contributes towards the achievement of Wollongong 2032.

- Goal 4 "We are a connected and engaged community"
- Goal 5 "We have a healthy community in a liveable city".

### POLICY

#### Commitment to Child Safety

We believe children and young people have the right to be respected, empowered and safe. We are dedicated to listening to their views and committed to our responsibilities in keeping them safe.

Council is committed to implementing the Child Safe Standards which are the primary framework that guides child safe practice in organisations in NSW. The Child Safe Standards aim to improve the way organisations provide services for children and young people and to prevent and respond to child abuse that may occur within organisations. The Child Safe Standards are:

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

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The Office of the Children's Guardian oversees the implementation and enforcement of the Child Safe Standards.

**Diversity, Inclusion and Belonging**

Council recognises the diversity of our children and young people and their differences such as what we look like, our lived experiences, our perspectives, what we know and our beliefs. Council also acknowledges diversity relates to things like our age, gender expression and identity, sexual orientation, ethnicity, nationality, religion, race, cultural background, family or relationship status, socioeconomic background, health and ability. Diversity exists not just in and between individuals, but within and between communities.

Council recognises the diversity of our children and young people and will provide an environment that is culturally safe and free from discrimination. Children and young people's diverse circumstances are considered when delivering services and programs.

**Involving children in decision making**

Council supports the active participation of children in our services, programs and events. Council will provide accessible opportunities and encourage children to take part in decisions that affect them now and in the future. This is to:

- Help us better meet their needs and interests
- Involve them in their community
- Encourage them to share their ideas and opinions
- Teach them a new skill.

We inform children and young people about what they can do if they feel unsafe.

**Recruitment and selection**

Council employs a fit for purpose recruitment and selection process for all direct contact work with a child or young person, where contact is a usual part of and more than incidental to the work as defined by the *Child Protection (Working with Children) Act 2012*. A current Working with Children Check (WWCC) is required for all child related work.

**Training and induction**

Council will meet its training and onboarding obligations by ensuring that all Councillors, employees, volunteers and contractors are inducted in child safety and understand that child safety is everyone's responsibility. Councillors, employees, volunteers and contractors will be provided with training to support their understanding of Council's commitment to child safety and that everyone has a role to play in safeguarding children.

**Reporting a child safety concern or complaint**

A reportable allegation is made where a child, young person, or adult makes an allegation, based on a reasonable belief that a Councillor, employee, contractor, or volunteer of Wollongong City Council has been, or allegedly been, involved in the harm or abuse of a child or young person.

In line with legislative requirements, Council will appoint a Child Protection Officer. All reportable allegations of child abuse must be reported to Council's Child Protection Officer. Allegations can be reported by children or young people, families, Councillors, employees, contractors, volunteers or community members. Council must immediately take the appropriate steps to assess and minimise any further risk of harm, as well as report the matter to the relevant oversight agencies and/or Police. Council will support relevant authorities' investigations into allegations of abuse or risk of harm to children and young people.

Council will meet its mandatory reporting obligations and will take action to protect children and young people at risk of significant harm.

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### Privacy and confidentiality

Council is committed to protecting an individual's right to privacy. All personal information considered during the process of reporting or investigation will be collected and managed in accordance with Council's Privacy Management Plan. Personal information will only be disclosed to another party if there is a legislative requirement for such disclosure.

### Risk management

Council recognises the importance of a risk management approach to minimising the potential for child abuse or harm to occur and this informs all associated policies, strategies and actions. To ensure Council maintains a child safe culture all Councillors, employees, contractors and volunteers will be informed, resourced and supported to understand their role in providing a child safe environment.

## LEGISLATIVE REQUIREMENTS

This policy complies with and supports implementation and compliance with the following policies and instruments, but is not limited to:

*Children's Guardian Act 2019*

*Children's Guardian Amendment (Child Safe Scheme) Act 2021*

*Children and Young Persons (Care and Protection) Act 1998 Children and Young Persons (Care and Protection) Regulation 2012*

*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*

*Environmental Planning and Assessment (EPA) Act 1979*

*Government Information (Public Access) Act 2009*

*Ombudsman Act 1974 Privacy and Personal Information Protection Act 1998*

*State Records Act 1998*

*The NSW Local Government Act (1993)*

*Young Offenders Act 1997*

## REVIEW

This Policy will be reviewed a minimum once every term of Council, or more frequently as required.

## REPORTING

The Child Protection Officer will report to the General Manager and the relevant agencies in accordance with child protection reporting obligations.

## ROLES AND RESPONSIBILITIES

### Council

Publicly commits to child safety and embeds a child safe culture.

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### General Manager

The General Manager is responsible for ensuring that Council fulfills its responding and reporting obligations and to notify the Office of the Children's Guardian (NSW) when an allegation of child abuse is made against a Councillor, employee, volunteer or contractor.

### Divisional Managers

Divisional Managers are responsible for ensuring compliance with this policy and that all employees, contractors and volunteers are informed, resourced and supported to understand their role in providing a child safe environment.

### Child Protection Officer

Council's Public Officer has been appointed as the Child Protection Officer and their responsibilities are:

- provide ongoing support and response to concerns about the safety and wellbeing of children while engaged in services, programs or events delivered by Council
- to notify the Office of the Children's Guardian (NSW) when an allegation (of which they are aware) of child abuse is made against a Councillor, employee, volunteer or contractor.

### Council employees, contractors and volunteers

Employees, contractors and volunteers must adhere to the requirements of this policy, reportable conduct and responding and reporting obligations and be able to demonstrate their awareness of their child safety responsibilities.

Employees and Councillors are also to be aware of their obligations relating to Child Protection outlined in Section 3 of Wollongong City Council Code of Conduct.

All staff should be aware that the appointment by Council of a Child Protection Officer does not remove mandatory reporting obligations that other officers of Council may have under s27 of the *Children and Young Persons (Care and Protection) Act 1998*.

All staff must adhere to their responding and reporting and reportable conduct obligations and take action when a child or young person is at risk of harm.

## RELATED STRATEGIES, POLICIES AND PROCEDURES

Code of Conduct  
Diversity, Inclusion and Belonging Policy  
Employment Policies and Procedures  
Recruitment, Training and Onboarding – Child Safe Procedure  
Responding and Reporting - Child Safe Procedure  
Professional Conduct Investigation Policy  
Social Media Community Guidelines  
Interacting with Children and Young People Work Instruction

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APPROVAL AND REVIEW

APPROVAL AND REVIEW	
Responsible Division	[Name of Division]
Date adopted by Council	[To be inserted by Corporate Governance]
Date/s of previous adoptions	[List previous adoption dates]
Date of next review	[Not more than two years from last adoption]