



SAFEGUARDING CHILDREN & YOUNG PEOPLE POLICY

TITLE	SAFEGUARDING CHILDREN AND YOUNG PEOPLE POLICY
RESPONSIBLE PERSON	DIRECTOR PEOPLE AND PERFORMANCE
APPROVED BY COUNCIL	16 JANUARY 2024
RESOLUTION NO	7/2024
AMENDED ON	
RESOLUTION NO	
REVIEW DATE	16 JANUARY 2027

1. POLICY STATEMENTS

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

2. DEFINITIONS

- 2.1 **Abuse** means 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 which becomes cumulative in nature. Types of abuse include physical, emotional and sexual abuse, and neglect.
- 2.2 **Child/Children/Young Person** means any person under 18 years of age as defined by Children, Young Persons and their Families Act 1997 (TAS).
- 2.3 **Child Safe** means, for this policy, protecting the rights of children and young people to be safe by taking actions which can help prevent harm and abuse.
- 2.4 **Child Safe Organisation** means as defined in the Royal Commission Final Report as an organisation which:
- 2.4.1 creates an environment where children's safety and wellbeing are at the centre of thought, values, and actions,
 - 2.4.2 places emphasis on genuine engagement with and valuing of children and young people,
 - 2.4.3 creates conditions which reduce the likelihood of harm to children and young people,
 - 2.4.4 creates conditions that increase the likelihood of identifying any harm, and
 - 2.4.5 responds to any concerns, disclosures, allegations, or suspicions of harm.

Note: in the context of local governments, this would involve referring concerns to the Independent Regulator and in the case of suspected criminal behaviour, then to TAS Police to respond as appropriate.

Implementation of the Child and Youth Safe Standards (which mirror the National Principles for Child Safe Organisations) give effect to the above.

- 2.5 **Child and Youth Safe Standards** means 10 standards which 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.
- 2.6 **Contractor** means, in the scope of this policy, 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 which is a usual part of and more than incidental to, the services.

- 2.7 **Council facilities** means properties, buildings, and facilities including parks and sporting facilities owned and managed by Council including those used by the public or available for hire.
- 2.8 **Council Staff** means Sorell Council employees, volunteers, students on placement, contractors, consultants, elected representatives, and visitors, and anyone else who undertakes work on behalf of Sorell Council. This is regardless of their work related to children or young people.
- 2.9 **Harm** means 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.
- 2.10 **Independent Regulator** means an independent oversight body which exists to help organisations understand how to comply with Tasmania's Child and Youth Safe Framework, provide guidance and advice, and monitor compliance.
- 2.11 **Reportable Conduct Scheme** means requiring leaders of specific organisations to notify the Independent Regulator when concerns are raised about conduct related to child abuse.
- 2.12 **Safeguarding** means taking the actions necessary to ensure children and young people feel safe and are safe. This also means if children or young people don't feel safe, steps are taken to restore their safety.
- 2.13 **Universal Principle** for Aboriginal Cultural Safety applies across all 10 Child and Youth Safe Standards and means the right of Aboriginal and Torres Strait Islander children and young people to Cultural Safety must be respected.
- 2.14 **Wellbeing** means the wellbeing of children and young people including the care, development, education, health and safety of children and young people.

3. OBJECTIVE

- 3.1 Council is committed to the safety of Child and Young People. We are legally required to comply with the Child and Youth Safe Organisations Framework, which aims to protect children from abuse and harm.

4. SCOPE

- 4.1 This policy applies to all Sorell Council employees and representatives including:
 - 4.1.1 Mayor and Councillors.
 - 4.1.2 Full-time, part-time, and casual employees.
 - 4.1.3 Permanent and temporary employees performing work for Council, including work experience students and trainees.

- 4.1.4 Temporary and casual individuals engaged through an agency.
 - 4.1.5 Staff on secondment from another role or another Council.
 - 4.1.6 Volunteers; and
 - 4.1.7 Contractors, or consultants directly engaged/renumerated by Council.
- 4.2 This is irrespective of their involvement in child-related work. There are no exclusions to the application of this policy.

5. PROCEDURE (POLICY DETAIL)

- 5.1 Sorell Council will ensure the following functions of this policy are resourced and assigned to the relevant officers for implementation:
- 5.1.1 Providing the necessary resource to prepare and implement policy and procedural changes required to comply with the Child Safe Standards. This work includes:
 - i. Developing a child safe code of conduct,
 - ii. Conducting risk assessments for Council services, programs, or facilities used by children and young people,
 - iii. Developing allegation and complaints handling procedures,
 - iv. Updating relevant HR policies and procedures,
 - v. Updates to contractor/supplier/procurement policy and procedures, and
 - vi. Documenting reporting and record keeping procedures related to this policy.
 - 5.1.2 Provide resources for staff awareness and training in relation to this policy.
 - 5.1.3 Developing a process to deliver child safe messages at Council venues, grounds, facilities, and events.
 - 5.1.4 Connecting and supporting local community groups, organisations, and stakeholders to child safe resources (including culturally safe and inclusive resources).

6. GUIDELINES

- 6.1 CHILD SAFE STANDARDS
- 6.1.1 The Tasmanian Child and Youth Safe 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 which ensures children and young people's rights to safety and wellbeing are respected and upheld.

6.1.2 All 10 Child and Youth Safe 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 ensuring the right to Cultural Safety of Aboriginal and Torres Strait Islander children is respected.

6.1.3 Tasmania's 10 Child and Youth Safe 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.

6.1.4 The Standards are as follows:

Standard 1: Child safety and wellbeing is embedded in organisational leadership, governance and culture.

This means 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.

Standard 2: Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.

This means children and young people are told about their human rights, have a say in decisions and are taken seriously.

Standard 3: Families and communities are informed and involved in promoting child safety and wellbeing.

This means families and communities know about and are involved in the organisation's child and safety and wellbeing activities.

Standard 4: Equity is upheld and diverse needs respected in policy and practice.

This means the rights of every child and young person are being met, and children and young people are treated with dignity, respect and fairness.

Standard 5: People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.

This means people working with children and young people are

safe to work with children and young people and respectful of them. They are taught how to keep children safe and well.

Standard 6: Processes to respond to complaints and concerns are child focused.

This means children, young people, families, staff and volunteers are listened to and can share problems and concerns.

Standard 7: Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.

This means staff and volunteers keep learning all the time so they know how to keep children and young people safe and well.

Standard 8: Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.

This means children and young people are safe in online and physical spaces.

Standard 9: Implementation of the Child and Youth Safe Standards is regularly reviewed and improved.

This means the organisation keeps reviewing and improving its child safety and wellbeing practices.

Standard 10: Policies and procedures document how the organisation is safe for children and young people.

This means organisation writes down how it keeps children and young people safe and well, and makes sure that everyone can see these documents.

6.2 REPORTABLE CONDUCT SCHEME

6.2.1 The Reportable Conduct 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.

6.2.2 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, within the required timeframes.

- 6.2.3 Under the Scheme, reportable conduct is broader than suspected criminal behaviour, and includes:
- i. Sexual offences (against, with or in the presence of, a child),
 - ii. Sexual misconduct (against, with or in the presence of, a child),
 - iii. Physical violence (against, with or in the presence of, a child),
 - iv. Grooming of a child,
 - v. Behaviour which causes significant emotional or psychological harm; and
 - vi. Significant neglect,
 - vii. Relevant offences such as failing to report child abuse.

7. COMMUNICATION

7.1 SORELL COUNCIL CHILD SAFE STATEMENT OF COMMITMENT

- 7.1.1 We are committed to the safety and wellbeing of children and young people while enabling their participation as valued members of our community.
- 7.1.2 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.
- 7.1.3 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) which are delivered, owned, contracted, or managed by Council, have the right to feel safe, be safe, and be heard.
- 7.1.4 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 which are aligned with the National Principles for Child Safe Organisations.
- 7.1.5 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 which affect them.
- 7.1.6 We are committed to being a Child Safe Organisation

8. LEGISLATION

- 8.1 This policy relates to Council’s obligations under the Child and Youth Safe Organisations Act 2023 (Tas).

9. ROLES AND RESPONSIBILITIES

9.1 CHILD SAFE ORGANISATION WORKING GROUP

9.1.1 An internal Child Safe Organisation Working Group will be established to monitor Council activities.

9.1.2 The working group will be led by the Director People & Performance and will consist of Manager Facilities & Recreation, Development Officer – Strategy & Risk and Employee Support Co-Ordinator.

9.1.3 Key functions of the group are to:

- Review implementation of the Safeguarding Children and Young People Policy.
- Develop and implement a Child Safe Standards Action Plan and monitor the implementation of this policy across departments.
- Advocate and educate management and colleagues on the Standards and encourage implementation of the standards across all departments.

9.2 ROLES & RESPONSIBILITIES ACROSS COUNCIL:

Role	Responsibility
Elected Members	<ul style="list-style-type: none">● Model a culture of child safety and wellbeing.● Understand and comply with their obligations in relation to child safety and wellbeing.● Participate in training/education to identify, prevent, and report child abuse and harm.● Report any concerns about child safety and wellbeing.● Councillors also have a role in helping to promote the Sorell Council as a Child Safe Organisation and to direct community members to appropriate information and resources.
General Manager	<ul style="list-style-type: none">● The General Manager is the ‘head of an entity’ under the Child and Youth Safe Organisations Act 2023, and has legal obligations (including timeframes) around sharing of reportable conduct information. This includes reporting to the Independent Regulator any allegations of misconduct involving children and young people by Council staff.● Ensure adequate resources and support to enable staff to effectively deliver the Safeguarding Children and Young People Policy.

	<ul style="list-style-type: none"> • Be the first point of contact in relation to the reportable conduct scheme and investigations.
Directors, Managers, Team Leaders. Supervisors	<ul style="list-style-type: none"> • Ensure a culture of safeguarding children and young people is embedded among their team. • Ensure safeguarding children and young people policies and procedures, and other relevant policies are implemented within the work areas they are responsible for. • 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. • 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.
Director People & Performance	<ul style="list-style-type: none"> • Ensure all recruitment, selection and on boarding processes meet the requirements of the Child and Youth Safe Standards. • Ensure appropriate safety and screening checks are undertaken prior to engagement and maintained according to Council HR policies. • Ensure induction of new employees 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. • Oversee the implementation of child safety training for new employees and refresher training for all employees on an ongoing basis and keep records of training completed. • Manage disciplinary procedures as they relate to child safety and wellbeing. • Responsible for providing training, capacity building and awareness-raising initiatives to ensure employees are appropriately equipped to recognise, respond to and report child abuse.
Council Staff	<ul style="list-style-type: none"> • Understand and comply with their roles and responsibilities in keeping children safe. • Report any concerns about the safety and wellbeing of a child or young person. • Obtain and maintain a Working with Vulnerable People Check where required. • Participate in training and education in relation to safeguarding children and young people as required. • Provide environments for children and young people where they feel safe, empowered, and can participate. • Behave safely and appropriately with children and young people.

Contract Managers	<ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> ○ All third-party operators are provided with a copy of Council’s Child Safety Commitment Statement; and ○ Contracts contain the relevant child safe clauses, including the requirement for Working with Vulnerable People Checks where relevant; and compliance with the Standards.
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9.3 COUNCIL’S OBLIGATIONS WITH EXTERNAL PARTIES

Although Sorell Council is not legally responsible for providing oversight of compliance with child safe practices outside of this organisation, the Council will take any reasonable steps to engage with persons who utilise Sorell Council facilities to operate in alignment with this policy.

10. 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.”

In developing this policy Council has been working with LGAT to understand how to best implement recommendation 6.12 in the context of the legislation and our limited resourcing. LGAT continues to advocate to the national and state government for more support to local governments (which has yet to be forthcoming). Without additional support, Recommendation 6.12 is not something we can currently fully embrace with our current resourcing. Sorell Council acknowledges it has a leadership role in our community to support

relevant organisations to be child safe and promote child safe practices, and will work towards the functions of Recommendation 6.12 where possible.

11. RELATED DOCUMENTS

- 11.1 Sorell Council Employee Code of Conduct.
- 11.2 Sorell Council Workplace Behaviour Policy.
- 11.3 Sorell Council Disciplinary Policy and Procedures.