

## ITEM 3 PUBLIC EXHIBITION - DRAFT CHILD SAFE COUNCIL POLICY

Creating an extraordinary Wollongong requires making our community a safe place where every child is valued and their right to safety and wellbeing is respected and upheld. The draft Child Safe Council Policy (Policy) includes Council's commitment to creating and maintaining a Child Safe Organisation. It will guide Council policies, strategies and actions that align with the continual enhancement of child safety in all Council activities. The draft Child Safe Council Policy is a demonstration of Council's leadership in keeping children safe and assists Council meet current legislative requirements.

This report seeks Council's endorsement for the draft Child Safe Council Policy to be placed on public exhibition.

### RECOMMENDATION

Council endorse the draft Child Safe Council Policy to be placed on public exhibition from 1 to 28 June 2021.

### 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

New laws and reforms passed in the Parliament of NSW to help protect children and young people, based on recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. The *Children's Guardian Act* 2019 includes changes to the Reportable Conduct Scheme and the role of the Office of the Children's Guardian (OCG) in regulating Child Safe Organisations. 10 standards have been identified for organisations and institutions to improve the safety of children.

An audit of our policies, procedures and practices against the 10 standards and reforms was undertaken in 2020. Based on the audit findings, the Child Safe Wollongong Implementation Plan 2021-2022 was developed and endorsed by Executive Management Committee.

The draft Child Safe Council Policy is a key document to assist Council meet current legislative requirements. It 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.

### PROPOSAL

The draft Policy has been developed based on the core components of the Child Safe Standards, new laws and feedback from internal stakeholders and teams. It is a demonstration of Council's leadership in keeping children safe and meets current legislative requirements.

The draft Policy 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.

It is proposed the draft Policy be adopted as a Council Policy in recognition of our commitment to the community and recognising the Lord Mayor, Councillors, Council employees, volunteers and contractors have responsibilities under the draft Child Safe Council Policy.

## CONSULTATION AND COMMUNICATION

The following internal engagement has been undertaken to inform the development of the draft Policy:

- Feedback from a cross-divisional Working Group with representation from Community, Cultural and Economic Development, Library and Community Services, Corporate Services, Governance and Customer Service, Organisational Development, Property and Recreational Services, Professional Conduct and Safety and Workplace Services.
- Individual and team discussions were held with those assigned with deliverables in the Child Safe Wollongong Implementation Plan 2020-2022.
- A cross-divisional Child Safe Wollongong Engagement Workshop was held with staff.
- All staff were invited to provide feedback on the draft Child Safe Commitment Statement and Child Safe Council Policy via our online engagement platform. This resulted in 102 visits and six submissions. All submissions supported the draft Child Safe Commitment Statement.

An internal communication strategy has been developed to inform staff of the Child Safe Council Policy and other activities related to creating a Child Safe Wollongong.

It is proposed that the next stage of engagement will be undertaken with the broader community.

## PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2028 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 the following:

Community Strategic Plan	Delivery Program 2018-2022	Operational Plan 2020-21
Strategy	4 Year Action	Operational Plan Actions
4.1.1 Provide residents with equitable access to information and opportunities to inform decision making	4.1.1.1 Ensure an effective community engagement framework that connects the community to Council decision making	4.1.1.1.1 Deliver a diverse range of community engagement opportunities to inform and guide development and delivery of Council business

This report delivers on the Child Safe Wollongong Implementation Plan 2020–2022:

- 1.1.1 Develop an organisational Child Safe Commitment, which will underpin our child safe policies, procedures, practices and culture.
- 3.1.1 Develop a Child Safe Council Policy, which incorporates all child safe standards procedures.

## 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. There is an opportunity for Council to lead the way in creating an organisation and community that is a safe place, where every child is valued and where their rights to safety and wellbeing are being respected and upheld. The draft Child Safe Council Policy 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.

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

### WOLLONGONG 2028 OBJECTIVES

*Our Wollongong 2028* outlines the community's main priorities for the future and includes strategies for achieving them. This policy supports the delivery of the community Goals, "we are a connected and engaged community" and "we have a healthy community in a liveable city". In addition, the policy contributes to the delivery of Objective 5.4 "Community safety and community perception of safety is improved."

### 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.

#### Background

The Office of the Children's Guardian introduced the Child Safe Standards to improve the way organisations provide services for children and young people to prevent and respond to child abuse that may occur within organisations. The Child Safe Standards are a central feature of the NSW Government's response to the Commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse (2017). 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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**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.

Wherever applicable, 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 induction 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.

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 or volunteers. 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.

For the purposes of this policy a child is a person who is under the age of 16 years and a young person is who is over the age of 16 years but under the age of 18 years.

**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.

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### LEGISLATIVE REQUIREMENTS

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

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) Act 1998  
Children and Young Persons (Care and Protection) Regulation 2012  
Children's Guardian Act 2019  
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 every two years from the date of each adoption of the policy, 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.

#### General Manager

The General Manager is responsible for ensuring that Council fulfils 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.



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### Council employees, contractors and volunteers

Employees, contractors and volunteers shall 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 the 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 shall adhere to their responding and reporting and reportable conduct obligations and take action when a child or young person is at risk of significant harm.

### RELATED PROCEDURES

Code of Conduct  
Employment Policies and Procedures

APPROVAL AND REVIEW		
Responsible Division	Community, Cultural & Economic Development	
Date/s adopted	<i>EMC</i> [updated by policy owner]	<i>Council</i> [To be inserted by Governance]
Date/s of previous adoptions	[List previous adoption dates]	
Date of next review	[Not more than two years from last adoption]	