

Child Safe Policy

Policy Endorsement:	Endorsement required by Council		
Directorate:	Corporate Services		
Responsible Officer:	Manager, People and Procurement Services		
Policy Type:	Discretionary		
File Number:	A3895677	Version No:	001
1 st Adopted by Council	14 August 2017, Minute No. 338		
Last Adopted by Council:	14 August 2017, Minute No. 338		
Policy Effective from:			
Review Period:	Initial review 12 months after date of effect, subsequent reviews every four (4) years thereafter	Next Review:	August 2018

1. Purpose

The purpose of this policy is to provide key elements of Council's approach to being a child safe organisation. It is designed to assist Council to prevent and respond to any alleged child abuse or child safety concerns that may occur within Council or any alleged child abuse or child safety concerns which is reported to Council.

This policy aims to:

- embed an organisational culture of child safety, for all children and young people including children or young people with a disability; and
- promote the cultural safety of children and young people who are Aboriginal or Torres Strait Islanders and/or from a culturally and linguistically diverse background.

Finally, the policy informs Council employees, students, trainees, apprentices, volunteers, contractors and Councillors of their legal and duty of care obligations in reporting alleged child abuse and neglect. This policy is intended to operate in conjunction with the mandatory reporting requirements which apply to some groups of employees at Council.

If you believe a child or young person is at immediate risk of child abuse, phone 000.

2. Background

The Victorian Government introduced Child Safe Standards to improve the way organisations provide services for children and young people to prevent and respond to any child abuse which may occur within their organisation. These Child Safe Standards are a central feature of the Victorian Government's response to the Family and Community Development Committee of the Victorian Parliament's *Betrayal of Trust: Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations*.

The Child Safe Standards are as follows:

- Standard 1:** Strategies to embed an organisational culture of child safety, including through effective leadership arrangements.
- Standard 2:** A child safe policy or statement of commitment to child safety.
- Standard 3:** A code of conduct that establishes clear expectations for appropriate behaviour with children.
- Standard 4:** Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel.
- Standard 5:** Processes for responding to and reporting suspected child abuse.
- Standard 6:** Strategies to identify and reduce or remove risks of child abuse.
- Standard 7:** Strategies to promote the participation and empowerment of children.

The following principles must be included as part of Council's response to each Standard:

- promoting the cultural safety of Aboriginal/Torres Strait Islander children;
- promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds
- promoting the safety of children with a disability.

This policy has been prepared in response to the Victorian Child Safe Standards, particularly Standard 2.

In addition, 3 criminal offences have also been introduced in Victoria to protect children and young people from child abuse, particularly sexual abuse, as follows:

Failure to disclose

- **All adults, not just those working with children and young people, have a legal duty to report information about alleged child sexual abuse to Victoria Police.**
- The offence applies to any adult (being a person over 18 years) who forms a 'reasonable belief' that a sexual offence has been committed by an adult against a child under 16 years of age and who fails to disclose that information to Victoria Police. However, a person will not be guilty of this offence if they have a reasonable excuse for not disclosing the information to the Police, including:
 - a fear for their own safety, the safety of the victim or other person as a result of the disclosure;
 - having already made a report to DHHS Child Protection, including under the mandatory reporting system;

Greater Dandenong Policy

- the victim is 16 years old or over and requests confidentiality, unless the victim has an intellectual disability and does not have the capacity to make informed consent about the disclosure and the person is, or should be, aware of those facts; or
- the information is in the public domain, or the belief is formed solely from information in the public domain such as television or radio reports.

Failure to protect

Any person who:

- by reason of the position they occupy within Council, has the power or responsibility to reduce or remove a substantial risk that a relevant child will become the victim of a sexual offence committed by a person who is 18 or older who is associated with Council; and
- knows there is a substantial risk that that person will commit a sexual offence against a relevant child, must not negligently fail to reduce or remove that risk.

Grooming offence

This offence targets predatory conduct by an adult with the intent of committing child sex abuse. Conduct may include communication, including online communication, with a child under the age of 16 or their parents.

3. Scope

This policy applies to all Council employees, students, trainees, apprentices, volunteers, contractors and Councillors.

This policy is intended to be read in conjunction with any department or business unit policy, procedure or requirements covering child safety, which will prevail over this policy to the extent of any inconsistency.

This policy should also be read in conjunction with the Procedure for Managing Alleged Child Abuse and Child Safety Concerns (Appendix Two).

4. Human Rights and Responsibilities Charter – Compatibility Statement

All matters relevant to the Victorian Human Rights Charter have been considered in the preparation of this Policy and are consistent with the standards set by the Charter.

5. References

- *Betrayal of Trust: Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations 2013*
- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- *Child Safe Standards (Vic)*
- *Children, Youth and Families Act 2005 (Vic)*
- *Child Wellbeing and Safety Act 2005 (Vic)*
- *Code of Conduct - Councillors*
- *Code of Conduct - Contractors*
- *Code of Conduct – Staff*
- *Code of Conduct – Volunteers*
- *Crimes Act 1958 (Vic)*
- *Disability Discrimination Act 1992 (C'th)*
- *Equal Opportunity Act 2010 (Vic)*
- *Freedom of Information Act 1982 (Vic)*
- *Freedom of Information Policy*
- *Indigenous Policy*
- *Performance and Behavioural Issues Policy and Procedure*
- *Police Check Policy*
- *Privacy and Data Protection Act 2014 (Vic)*
- *Privacy and Personal Information Policy*
- *Racial and Religious Tolerance Act 2001 (Vic)*
- *Recruitment Policy*
- *Risk Management Policy*
- *Working with Children Act 2005 (Vic)*
- *Working with Children Check Guidelines*

6. Definitions

The following words and phrases are defined in Appendix One:

- Aboriginal or Torres Strait Islander child/young person;
- Child abuse;
- Children/young people from culturally and/or linguistically diverse backgrounds;
- Child/Young Person;
- Child Safe Standards;
- Child safety;
- Child safe organisation;
- Cultural safety for Aboriginal/Torres Strait Islander children;
- Cultural safety for children and young people from culturally and/or linguistically diverse backgrounds;
- Children or young people with a disability; and
- Reasonable belief of child sexual abuse.

7. Council Policy

Council's commitment to child safety

Council is committed to child safety.

Council wants children and young people to be safe, happy and empowered. Council supports and respects all children and young people, as well as its own staff and volunteers.

Council has zero tolerance of child abuse. All allegations and safety concerns will be treated very seriously and consistently in line with Council's policies and procedures, and all relevant legislation.

Council has legal and moral obligations to contact authorities when it is concerned about a child or young person's safety, which Council endeavours to follow rigorously.

Council is committed to preventing child abuse and identifying risks early, and where possible, to remove and reduce these risks.

Council has robust human resources and recruitment practices for all staff and volunteers.

Council is committed to regularly training and educating its employees, students, trainees, apprentices and volunteers, contractors and Councillors on child abuse risks.

Council is committed to the cultural safety of Aboriginal and Torres Strait Islander children and young people, the cultural safety of children and young people from a

Greater Dandenong Policy

culturally and/or linguistically diverse background, and to providing a safe environment for children and young people with a disability.

Council has specific policies, procedures and training in place which supports its leadership team, staff and volunteers to achieve these commitments.

Our children

This policy is intended to empower children and young people who are vital and active participants in Council. Council involves children when making decisions, especially about matters that directly affect them. Council listens to their views and respects what they have to say. Council does this in a number of ways including through the Child Friendly Cities Initiative and Council's Children's Plan.

Council promotes diversity and tolerance, and people from all walks of life and cultural backgrounds are welcome. In particular, Council endeavours to:

- promote the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander children and young people;
- promote the cultural safety, participation and empowerment of children and young people from culturally and/or linguistically diverse backgrounds; and
- ensure that children and young people with a disability are safe and can participate equally.

Codes of Conduct

All of Council's staff, volunteers, students, trainees, apprentices, contractors and Councillors must agree to abide by the relevant Code of Conduct which specifies the standards of conduct required when working with children.

Training and supervision

Training and education is important to ensure everyone at Council understands that child safety is everyone's responsibility.

Council's culture aims for all employees, students, trainees, apprentices, volunteers, contractors and Councillors (in addition to parents, guardians, carers, children and young people) to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.

Council educates its employees, students, trainees, apprentices, volunteers and Councillors to identify, assess and minimise risks of child abuse and, where employees work with children or young people, to detect potential signs of child abuse.

Council also supports relevant employees, students, trainees, apprentices, volunteers and Councillors, including through ongoing supervision, to:

Greater Dandenong Policy

- develop their skills to protect children and young people from child abuse; and
- promote the cultural safety of Aboriginal and Torres Strait Islander children and young people, the cultural safety of children and young people from linguistically and/or diverse backgrounds, and the safety of children and young people with a disability.

New employees, students, trainees, apprentices and volunteers will be supported to ensure they understand Council's commitment to child safety and that everyone has a role to play in protecting children and young people from child abuse. Appropriate work practices will be used to check that the behaviour of employees, students, trainees, apprentices and volunteers towards children and young people is safe and appropriate (please refer to the Codes of Conduct to understand appropriate behaviour further).

Recruitment

Council takes all reasonable steps to employ skilled people to work with children and young people. It develops selection criteria and advertisements which clearly demonstrate Council's commitment to child safety and an awareness of its social and legislative responsibilities. Council understands that when recruiting employees, students, trainees, apprentices and volunteers that it has ethical as well as legislative obligations.

Council actively encourages applications from Aboriginal and Torres Strait Islander peoples, people from culturally and/or linguistically diverse backgrounds and people with a disability. All appointments will be based on merit.

All people engaged in child-related work, including volunteers, are required to hold a valid Working with Children Check and to provide evidence of this Check.

Council carries out reference checks and police record checks to ensure that it is recruiting the right people.

Requirements on providers of services to Council and community groups

Council will require any:

- providers of services to Council;
- service providers using Council facilities to provide activities for children and young people; and
- organisations or individuals using Council assets for any activity at which children or young people may be present or involved;

to have a Child Safe policy and procedure or Statement of Commitment to Child Safety. Further, Council reserves the right to review such policy and procedure or statement for compliance with the Child Safe Standards.

Greater Dandenong Policy

Allegations, concerns and complaints

Council encourages reporting of alleged child abuse and takes all allegations of child abuse seriously. This includes a person believing, on reasonable grounds, that a child or young person is in need of protection and the child/young person's parents are unable or unwilling to protect the child.

The accompanying Procedure for Managing Alleged Child Abuse and Child Safety Concerns (Appendix Two) provides the reporting procedure and methods to deal with any allegation thoroughly and in a timely manner. Any inappropriate behaviour (such as breaching a relevant Code of Conduct) should be reported through appropriate channels, including internally within Council and to the Department of Health and Human Services Child Protection and Victoria Police, depending on the severity and urgency of the matter.

Any person employed by Council who has engaged in inappropriate behaviour or unlawful conduct may be counselled or warned in accordance with Council policies. Serious or persistent breaches can lead to formal discipline up to and including dismissal.

Disciplinary action may also be taken against any person employed by Council who makes a false or vexatious complaint. However, no such action will be taken if a person raises a legitimate concern about alleged child abuse that is proven to be unfounded on investigation.

If an allegation is made against a person not connected with Council, then Council will delegate suitable officers to implement an appropriate process, which may include reporting the allegations to Victoria Police or DHHS.

Councillors, Council staff and volunteers are trained to deal appropriately with allegations.

Council works to ensure all children, young people, families, Councillors, staff and volunteers know what to do and who to tell if they observe child abuse or are a victim, and if they notice any inappropriate behaviour.

Legislative responsibilities

Council takes its legal responsibilities seriously, including the criminal offences of failure to disclose (which applies to all adults in Victoria) and failure to protect (which applies to relevant employees of Council as well as to Councillors), as set out above. In addition, any staff members or volunteers who are mandatory reporters must comply with their duties.

Greater Dandenong Policy

Fair procedures

As well as being concerned about the safety and wellbeing of children and young people, Council also aims to be fair and just to its staff, volunteers and Councillors. The decisions Council makes when recruiting, assessing or investigating alleged incidents and undertaking disciplinary action will always be thorough, transparent, and based on evidence. The principles of procedural fairness and natural justice will be applied.

Council will record all allegations of child abuse and safety concerns using the Child Safe Alleged Incident Report form (Appendix Three). All records will be securely stored in confidential files, subject to the privacy and confidentiality parameters set out below.

If an allegation of child abuse or a safety concern is raised, Council will provide updates as appropriate to relevant children, young people and/or families (as well as to the person who is alleged to have committed the child abuse) on progress and actions taken by Council.

Privacy and confidentiality

Council will respect the privacy of all individuals involved, whether they are staff members, volunteers, Councillors, parents/guardians/carers, children or young people, unless there is a risk to someone's safety. Information should be treated as confidential, and should only be used and disclosed on a need-to-know basis, with the consent of the individual or their authorised representative, or otherwise in accordance with law.

Council has safeguards and practices in place to ensure any personal and/or health information is protected. Everyone is entitled to know how this information is recorded, what will be done with it, and who will have access to it. All personal, sensitive or health information is subject to Council's Privacy and Personal Information Policy.

Risk management

In Victoria, organisations are required to protect children and young people when a risk is identified (see information about the offence of Failure to Protect above). In addition to general occupational health and safety risks, Council proactively manages risks of child abuse to our children and young people.

Council has risk management strategies in place to identify, assess, and take steps to minimise child abuse risks, which include risks posed by physical environments (for example, any rooms with doors that can lock), and online environments (for example, no employee, volunteer or Councillor is to have contact with a child on social media unless necessary or appropriate in the course of their role with Council).

Continuous improvement and policy review

Council takes responsibility for continuously improving the ways in which, in its operations it provides for the safety of children and young people and the prevention of child abuse. Council encourages continuous improvement of the way in which it responds to allegations of child abuse.

As well as the scheduled review, this policy will be reviewed following significant incidents if they occur.

8. Related Documents

- Appendix Two - Procedure for Managing Alleged Child Abuse and Child Safety Concerns
- Appendix Three - Child Safe Alleged Incident or Child Safety Concerns Report form

Appendix One - Definitions

<p>Aboriginal or Torres Strait Islander child/young person</p>	<p>A person under the age of 18 who:</p> <ul style="list-style-type: none"> • is of Aboriginal or Torres Strait Islander descent • identifies as Aboriginal or Torres Strait Islander, and • is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.
<p>Child abuse</p>	<p>For the purposes of this policy, ‘child abuse¹’ includes any act committed against a child or young person involving:</p> <ul style="list-style-type: none"> • physical violence (Physical violence occurs when a child suffers or is likely to suffer significant harm from a non-accidental injury or injuries inflicted by another person); • sexual offences (Sexual offences occur when a person involves the child in sexual activity, or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to their age and development); • serious emotional or psychological abuse (which may include hearing, witnessing or being exposed to family violence, or racial, cultural or religious abuse. Serious emotional or psychological abuse occurs when harm is inflicted on a child through repeated rejection, isolation, or by threats or violence. It can include derogatory name-calling and put-downs, or persistent and deliberate coldness from a person, to the extent where the behaviour of the child is disturbed or their emotional development is at serious risk of being impaired. Serious emotional or psychological abuse could also result from conduct that exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risky behaviours.); and/or • serious neglect (Serious neglect is the continued failure to provide a child with the basic necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the child’s health, safety and/or development is, or is likely to be, jeopardised. Serious neglect can also occur if an adult fails to adequately ensure the safety of a child where the

¹ Definitions prepared using ‘An overview of the Victorian child safe standards’, State of Victoria, Department of Health and Human Services, November 2015, authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.

	child is exposed to extremely dangerous or life threatening situations.)
Children/young people from culturally and/or linguistically diverse backgrounds	A child or young person who identifies as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of their parents' identification on a similar basis.
Child/Young Person	A person who is under the age of 18 years.
Child Safe Standards	The 7 Victorian Child Safe Standards under the <i>Child Wellbeing and Safety Act 2005</i> (Vic).
Child safety	In the context of this policy, 'child safety' means measures to protect children and young people from child abuse.
Child safe organisation	In the context of this policy, a child safe organisation is one that meets the Child Safe Standards by proactively taking measures to protect children and young people from child abuse.
Cultural safety for Aboriginal/Torres Strait Islander children	<p>The positive recognition and celebration of cultures is more than just the absence of racism or discrimination, and more than cultural awareness and cultural sensitivity.</p> <p>A culturally safe environment does not ignore, challenge or deny cultural identity. Cultural safety upholds the rights of Aboriginal/Torres Strait Islander children to:</p> <ul style="list-style-type: none"> • identify as Aboriginal/Torres Strait Islander without fear of retribution or questioning; • have an education that strengthens their culture and identity; • maintain connections to their land and country; • maintain their strong kinship ties and social obligations; • be taught their cultural heritage by their Elders; • receive information in a culturally sensitive, relevant and accessible manner; and • be involved in services that are culturally respectful.

<p>Cultural safety for children and young people from culturally and/or linguistically diverse backgrounds</p>	<p>Cultural safety encompasses an environment which is spiritually, socially and emotionally safe, as well as physically safe for children and young people; where there is no assault, challenge or denial of their cultural or linguistic identity, of who they are or what they need.</p> <p>Efforts need to be made to ensure that information is provided to culturally and/or linguistically diverse children and their families in a culturally sensitive, relevant and accessible manner, including in relevant community languages.</p>
<p>Children or young people with a disability</p>	<p>Children or young people can be born with a disability or acquire a disability through an injury or illness. Some disabilities may be obvious while others are hidden.</p> <p>Disability includes:</p> <ul style="list-style-type: none"> • total or partial loss of body function or a body part; • the presence of organisms (such as HIV or Hepatitis C) that may cause disease or disability, malformation or disfigurement of the body; • mental or psychological diseases or disorders; and • conditions or disorders that may result in a person learning more slowly.
<p>Reasonable belief of child sexual abuse</p>	<p>A 'reasonable belief' is not the same as having proof. A 'reasonable belief' is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example, a 'reasonable belief' might be formed when:</p> <ul style="list-style-type: none"> • a child states that they have been sexually abused; • a child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves); • a person who knows a particular child states that the child has been sexually abused; • professional observations of the child's behaviour or development leads a mandated professional to form a belief that the child has been sexually abused; or • signs of sexual abuse leads to a belief that the child has been sexually abused.

APPENDIX 2

PROCEDURE FOR MANAGING ALLEGED CHILD ABUSE AND CHILD SAFETY CONCERNS

1. Contents

The following procedures are intended to be read in conjunction with Council's Child Safe Policy. They cover the following:

- Responding to an emergency;
- What to do if a child or young person discloses an incident of, or raises concerns about, alleged child abuse;
- What to do if another person, including a parent/guardian/carer raises a concern about alleged child abuse;
- Internal and external reporting requirements;
- Issues relating to people from culturally and/or linguistically diverse backgrounds, Aboriginal and Torres Strait Islander people and people with a disability;
- Council's internal processes following a report of alleged child abuse;
- Contacting parents/guardians/carers;
- Safety and support for child/young person, their family and any staff member involved;
- Record keeping requirements;
- Confidentiality and privacy; and
- External support organisations.

2. Responding to an emergency

If you believe the child or young person is at immediate risk of abuse or the situation is an emergency:

- Separate the alleged victim and others involved. Ensure both parties are supervised by a Council staff member, if possible;
- If the alleged victim needs urgent medical assistance:
 - If practicable, arrange for the nearest staff member trained in first aid to assist;
 - Call 000 and follow any instructions from emergency service officers/paramedics.
- Call 000 for urgent police assistance if the person who is alleged to have engaged in the abuse poses a risk to the health and safety of any person.
 - Nominate a contact person within Council for future liaison with police;
 - Find out the identity of the child/young person's care giver.

Where an incident of suspected child abuse occurs at Council, take reasonable steps to preserve the environment, the clothing, other items and potential witnesses until the police or other relevant authorities arrive. Do not clean up the area. Try to prevent discussion of the incident between those involved in the alleged incident, including any other children who may have witnessed the incident, by allocating them to separate rooms, ideally each with a Council staff member.

If the allegations are made against a Council staff member, ask that staff member to remain with a member of Council's leadership team. The staff member should be instructed **not** to discuss the incident with any other employees, children or young people, or the child's care giver or family.

3. If a child or young person discloses an incident of, or raises concerns about, alleged child abuse

- Try to discreetly separate the child or young person from anyone else present and listen to them carefully.
- Let the child or young person talk in their own time and use their own words to explain what has occurred.
- If the child/young person has a disability, impairment or language barrier which may hinder their communication with you, use an appropriate alternative communication method. Ideally, this will be the method the child usually uses or is comfortable with. You may need to involve an interpreter or advocate.
- Remain calm and use a neutral and non-judgmental tone.
- Reassure the child or young person that you take what they are saying seriously; that it is not their fault and that they are doing the right thing by telling you about it.
- Explain to the child or young person that this information will need to be shared with others, such as with specific people in Council, and potentially their parent/guardian/carer, the Department of Health and Human Services (DHHS) Child Protection or Victoria Police (as relevant), so that they can help.
- Do not make promises to the child or young person (such as promising not to tell anyone about the incident), except that you will do your best to keep them safe.
- Comfort the child or young person if they are distressed, but limit physical contact. Do not leave the child or young person in a distressed state. If they seem at ease in your company, stay with them and continue to follow these reporting procedures.
- Avoid asking investigative, unreasonably intrusive or invasive questions which may cause the child to withdraw and may interfere with an investigation.
- Avoid going over information repeatedly.
- Give them the name and contact details of an appropriate contact person at Council, unless doing so will place the child's safety at risk.

4. If a parent/guardian/carer or other person raises a concern about alleged child abuse

- Explain that Council has processes to ensure all abuse concerns or allegations are taken very seriously.
- Ask about the wellbeing of the child or young person.
- Allow the person raising the concern to talk through the incident in their own words. Do not ask unreasonably intrusive or invasive questions.
- Advise the person that you will take notes during the discussion to capture all details.
- Explain to them the information will need to be repeated to Council's management, and potentially Victoria Police or DHHS Child Protection.
- Do not make any promises at this early stage, except that you will do your best to keep the child or young person safe if this is within your power or control.
- Ask them what action they would like to take and advise them of what the immediate next steps will be, in accordance with this procedure.
- Give them the name and contact details of an appropriate contact person at Council.

5. Internal and external reporting requirements

If you believe the child or young person is at immediate risk of abuse or the situation is an emergency, call 000 for urgent medical or police assistance.

Recording

- As soon as possible after any disclosure, record the information accurately and in as much detail as possible using the attached Child Safe Alleged Incident Report form, in one of two ways:
 - Provide the person with a Child Safe Alleged Incident or Child Safety Concerns Report form and complete it together, if you think the person is able to do this.
 - If the person is too upset, or has a disability, impairment or language barrier which may hinder or prevent them from being able to complete the Child Safe Alleged Incident or Child Safety Concerns Report form with your help, complete the form yourself on the basis of the person's communication with you, using their words.
- Tell the person making the report that Council is collecting the information to assist it to respond to the allegations or safety concerns. Explain that the more information they can give you, the better Council can respond.
- If you otherwise form a reasonable belief that a child or young person has been, or is at risk of being, abused, record your allegations or belief accurately and in as much detail as possible on the Child Safe Incident or Child Safety Concerns Report form.
- **Give the completed form only to the person to whom you report the incident. Do not give a copy of the form to any other person.**

Reporting internally

- You may **only** report the disclosure or allegation/belief to your direct supervisor if the disclosure or allegation/belief is **NOT** about a Council employee, Council volunteer or Councillor.
- In all other cases, you should report the disclosure or allegation/belief to the Manager People and Procurement Services, a member of the Organisational Development Team or Council executive management.
- You must report internally even if you have reported to Victoria Police or DHHS Child Protection.
- If the disclosure is made or allegation/belief is formed outside of office hours (usually before 8.00am or after 5.30pm on a weekday, or on the weekend), then follow your local reporting procedures.
- The person to whom you report the matter may then refer it to another Council officer to assist in dealing with it appropriately, including from Youth & Family Services, Children's Services, Maternal and Child Health or Integrated Community Support.

Reporting externally

- If you form a reasonable belief that a sexual offence has been committed by an adult against a child under 16 years of age, you **must** report this to Victoria Police, unless you have a reasonable excuse for not doing so (see Council's Child Safe Policy for more information).
- If your position within Council means that you have mandatory reporting requirements, comply with these requirements in accordance with any procedures set out for your work unit.

- In any event, if you believe, on reasonable grounds, that a child or young person is in need of protection and the child/young person's parents are unable or unwilling to protect the child, you may notify DHHS Child Protection (tel. 8765 5444). State *'I want to make a report'*. You may first discuss your intention to notify with Manager People and Procurement Services, a member of the Organisational Development Team, Council executive management or another Council officer to whom the matter has been referred.

Permission to make an internal or external report is not required from Council or from parents/guardians/carers of a child where abuse is suspected, and parents/guardians/carers do not need to be notified that a report has been made.

6. Issues relating to people from culturally and/or linguistically diverse backgrounds, Aboriginal and Torres Strait Islander people and people with a disability

Some people from culturally and/or linguistically diverse backgrounds may face barriers in reporting allegations of abuse. For example, people from some cultures may experience anxiety when talking with police, and communicating in English may be a barrier for some. You need to be sensitive to these issues and meet people's needs where possible, such as having an interpreter present.

If an allegation of abuse involves an Aboriginal or Torres Strait Islander child or young person, you will need to ensure a culturally appropriate response. A way to help ensure this could include, if possible, engaging with parents/guardians/carers of Aboriginal or Torres Strait Islander children or young people (with the child or young person's consent), local Aboriginal or Torres Strait Islander communities or an Aboriginal or Torres Strait Islander community controlled organisation (see the External Support Organisations on the last page). Council's Engagement Officer – Aboriginal and Torres Strait Islander Communities can assist with this process.

Some children or young people with a disability may experience barriers disclosing an alleged incident. For example, children and young people with hearing or cognitive impairments may need support to help them explain the incident, including through sign language interpreters. Advice on communicating with people with a disability can be found on the DHHS website www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community/communicate-and-consult-with-people-with-a-disability/communication-with-people-with-disabilities.

If the person has a disability and their advocate is not present or immediately available, or they do not have an advocate, contact the Office of the Public Advocate for advice or support (tel: 1300 309 337).

7. Council's internal processes following a report of alleged child abuse

- If an allegation is made against, or a child safety concern is raised about:
 - a Council employee (including any student, trainee or apprentice employed directly by Council), Council will investigate and manage the allegation in accordance with Council's Policy & Procedure for Performance and Behavioural Issues;
 - the Chief Executive Officer, the Mayor will deal with the matter under the CEOs Contract of Employment;

- a Councillor, the Chief Executive Officer will deal with the matter under the Code of Conduct – Councillors;
- a student, trainee or apprentice who is not employed by Council, Council will investigate and manage the process in conjunction with the person's employer;
- a volunteer, Council will investigate and manage the process in accordance with the Code of Conduct – Volunteers;
- a contractor to Council, Council will investigate and manage the process in accordance with the Code of Conduct – Contractors.

If an allegation is made, or child safety concern raised, about a person external to Council, then Council will delegate an appropriate Council employee to manage the process in conjunction with Victoria Police or DHHS.

8. Contacting parents/guardians/carers

If an allegation is made about a person connected with Council

If an allegation is made against a Council employee, volunteer, student, trainee, apprentice, contractor or Councillor, it may be appropriate for Council to contact the child or young person's parent/guardian/carer. If so, the Manager People and Procurement Services, Organisational Development team member or Council executive management member, or any Council officer to whom the issue has been referred, will be responsible for contacting child or young person's parents/guardians/carers as soon as practicable. Ideally this contact will be made together with the reporting staff member. This enables the parents/guardians/carers to prevent or limit the child or young person's exposure to further abuse, and to ensure their child/young person receives the support they need.

However, in some circumstances, contacting a parent/guardian/carer may place the child or young person at greater risk. Therefore, before contacting the child or young person's parents/guardians/carers, the relevant Council officer **must** discuss this potential contact with Victoria Police or DHHS Child Protection (depending on to whom the report has been made). They will advise about whether and when it is appropriate to contact the child or young person's parents/guardians/carers.

Where a Council officer contacts the parents/guardians/carers:

- Remain calm;
- Be empathetic to feelings;
- Validate concerns;
- Provide appropriate details of the alleged incident, disclosure or suspicion of child abuse;
- Outline the action that Council staff members have taken to date;
- Inform them of the person to whom the alleged incident, disclosure or suspicion has been reported;
- Provide the name and contact phone number of DHHS Child Protection and/or the police officer who is investigating the alleged incident;
- Provide information on whether they are likely to be contacted by DHHS Child Protection or Victoria Police, if known;
- Inform them that the investigation may take some time and ask what further information they would like and how Council staff can assist them;
- Advise them of the support that can be provided to the child or young person.

If an allegation is made about a person not connected with Council

If an allegation is made against a person not connected with Council, then Council delegated officers will manage the notification process in conjunction with Victoria Police or DHHS.

9. Safety and support for child/young person and any staff member involved

The child or young person should be referred to the appropriate community services for support. As these services can change over time, the relevant unit in the Community Services Directorate (Aged Care, Youth Services, or Children's Services) may be asked for advice as to the best service to contact. Otherwise, see the table at the end of this procedure for external contact details.

Council staff members involved in any way in any suspected child abuse situation may access Council's Employee Assistance Program on 1300 687 327.

10. Record keeping requirements

Records must be kept about any child safety concern or complaint. These records should contain comprehensive description of incidents/ issues of concern and provide evidence for actions taken, including reports made to statutory authorities or professional bodies and follow-up actions to be completed.

As a first step, use Council's Child Safe Alleged Incident or Child Safety Concerns Report form.

11. Privacy and confidentiality

Confidentiality of reporter

Reporters are permitted to remain anonymous, except in specific circumstances. These include where a court or tribunal decides that it is necessary for the identity of the reporter to be disclosed to ensure the safety and wellbeing of the child, or the reporter or a person with information is required to attend court to provide evidence.

Confidentiality of information and records

All information and records must be handled in accordance with Council's Privacy & Personal Information Policy. This means, among other things, that privacy must be maintained, and information only used and disclosed on a need-to-know basis, with the consent of the individual or their authorised representative, or otherwise in accordance with law. Reports contain personal information and may also contain sensitive or health information so they must be treated as private and securely stored.

Collection notices

The Child Safe Alleged Incident or Child Safety Concerns Report form is designed to capture personal and sometimes health information about the reporter, the child or children in question and other support people. This information is protected by privacy legislation.

As a general rule, Council needs to give a 'collection notice' to an individual where it has collected this type of information about them, unless an exception applies. As such, the Council person to whom the information is reported should assess, together with Organisational Development, whether Council has taken reasonable steps to ensure that each individual about whom the information has been collected, has received an appropriate collection notice.

If you believe a child or young person is at immediate risk of abuse phone 000.

External support organisations

Child Protection

Department of Health and Human Services Child Protection intake: **8765 5444**

State *'I want to make a report'*.

Interpreting and translating

Organisation	Service provided	Contact number
Victorian Interpreting & Translating Service (VITS)	Interpreting in over 160 languages onsite, in conference, telephone and video	(03) 9280 1941
Translating and Interpreting Service (TIS National)	24/7 interpreting services to people who do not speak English	131 450

Disability

Office of the Public Advocate	Provides an advice service for people with disability 9am-4.45pm, Monday to Friday	Tel: 1300 309 337 TTY: 1300 305 612 National Relay Service: 133 677
-------------------------------	--	---

Aboriginal and Torres Strait Islander community controlled organisation

Victorian Aboriginal Child Care Agency (VACCA)	Provides programs and services to reinforce Aboriginal culture and encourage best parenting practices, and advise government in relation to child abuse and neglect in the Aboriginal community.	(03) 9701 4200
--	--	----------------

Support for children and young people

Organisation	Service provided	Contact number
Centres Against Sexual Assault (CASA) – Emergency Counselling & Support Line	Support and intervention for victims/survivors of sexual assault	1800 806 292

South Eastern CASA	Support and intervention for victims/survivors of sexual assault in our region.	(03) 9928 8741
Australian Childhood Foundation	Provides trauma recovery services to children who have suffered abuse, among other services	1800 176 453 (03) 9874 3922
Child Wise – National Child Abuse Helpline	Support for anyone concerned about or affected by child abuse including victims, caregivers, friends, professionals. Will provide guidance where a person has a concern about a child/young person.	1800 991 099
headspace	Provides a variety of services to support good mental health	1800 367 968 (Dandenong centre)
Kids Help Line	24/7 counselling for children and young people (5-25 yo) about any issue.	1800 551 800
Office of the Children's eSafety Commissioner	Takes cyberbullying complaints from anyone.	1800 880 176
Berry Street	Therapy and ongoing support to help children affected by violence, abuse and neglect.	(03) 9239 1400 (Clayton office)

APPENDIX 3 CHILD SAFE ALLEGED INCIDENT OR CHILD SAFETY CONCERNS REPORT



Any person should use this report form to document any alleged incident, disclosure or reasonable belief that a child or young person has been, or is at risk of being, abused or the person has concerns about a child's safety.

If you believe a child or young person is in immediate danger, call 000 for urgent police or medical assistance.

Please provide as much information as possible. This information may be critical in the future.

Once completed, this form should be given to the internal Council person to whom the allegation or concern is reported. DO NOT give a copy of this form to any other person. Ensure the person reporting making has the name and contact details of an appropriate contact person at Council.

Council will securely store all such reports and handle personal, sensitive and health information in accordance with its current privacy policy.

If you are making a report to DHHS Child Protection or Victoria Police, you must seek DHHS/Police advice before contacting parents/guardians/carers or releasing any information to them, so as not to compromise an investigation or place a child at risk.

Reporting details

Today's date	
Time	AM / PM Time first told, if different: AM / PM
Location	
Details of person reporting	Name: Relationship to child/young person if not self-report:
Did reporter witness incident?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Details of any support person present	Name: Relationship to person making report: Contact details:
Name(s) of staff member/volunteer leading response	
Details of any emergency assistance provided (mark box as applicable)	<input type="checkbox"/> Police <input type="checkbox"/> Ambulance

Extent to which staff member/volunteer completed form <i>(mark box as applicable)</i>	<input type="checkbox"/> Reporting person completed the form themselves <input type="checkbox"/> I assisted the person to complete the form and used their words <input type="checkbox"/> I completed the form myself because the person has a disability / impairment / language barrier which prevented them from being able to complete the form themselves. I recorded their communication with me.
Details of any interpreter involved <i>(mark box as applicable)</i>	Name: Organisation: <input type="checkbox"/> By telephone <input type="checkbox"/> In person Language:
Details of any communication aids involved	
Details of any advocate involved <i>(mark box as applicable)</i>	Name: Organisation: <input type="checkbox"/> By telephone <input type="checkbox"/> In person Reason for involvement/relationship to person:

Details of alleged incident

Date of incident	
Time of incident	
Location of incident	
Details of child/young person involved	Name: Date of birth: If multiple victims, assign number: Contact details: Primary language spoken: Any assistance required (describe with reasons):

Details of parent/guardian/carer	Name: Contact details: Primary language spoken: Any assistance required (describe with reasons):
Details of person against whom allegation made <i>(mark box as applicable)</i>	Name: Relationship to child/young person: <input type="checkbox"/> Under 18 years old <input type="checkbox"/> 18 years old or over Contact details:

Does the child/young person identify as Aboriginal or Torres Strait Islander?

(Mark box as applicable)

No
Yes, Aboriginal
Yes, Torres Strait Islander

Please categorise the alleged incident or incidents

(Mark boxes as applicable)

- Physical violence**
- Sexual offence**
- Serious emotional or psychological abuse** (which may include hearing, witnessing or being exposed to family violence, or racial, cultural or religious abuse)
- Serious neglect**

Please describe the alleged incident - overview

When did it take place?	
Who was involved?	
What did you see? If you did not see it, how did you find out about it?	

Did anyone else see it happen? Who else might be aware of it? If so, who?	Include name and contact details of any witnesses
Other information eg. has it happened only one or more often?	Please attach a separate report to this form detailing the incident if appropriate

Council use

Date incident report received by EMT/OD	
Staff member managing incident	
Follow-up date	

Has the alleged incident been reported externally?

Child Protection	
Child First	
Victoria Police	
Another third party (please specify):	
If no, insert reason for decision not to report	

Incident reporter wishes to remain anonymous?

Note: You will not be permitted to remain anonymous if a court or tribunal decides that it is necessary for your identity to be disclosed in the interests of justice or to ensure the safety and wellbeing of a child.

(Mark with an 'X' as applicable)

Yes No

Collection notice

Council is collecting personal and/or health information in this form to assist it to respond to:

- any alleged child abuse or child safety concerns that may occur or arise within Council; or
- any alleged child abuse or child safety concerns reported to Council,

as required by the Child Safe Standards under the *Child Wellbeing and Safety Act 2005 (Vic)*, the *Children Youth and Families Act 2005 (Vic)* and/or the *Crimes Act 1958 (Vic)*. If all relevant information is not provided, it may affect Council's ability to properly respond to allegations or safety concerns.

Council will use and disclose personal and/or health information internally, on a need-to-know basis, with the consent of the individual or their authorised representative, or otherwise in accordance with law. Council may also disclose such information externally to the Department of Health and Human Services and/or Victoria Police. Finally, in some circumstances, Council may disclose personal and/or health information to the child's parent, carer or guardian.

The individual/s whose personal information is included in this form will usually have a right of access to the information, on request. To access personal, sensitive or health information, write to your nominated contact person or Council's Privacy Officer (PO Box 200, Dandenong 3175). Council will manage your request in accordance with its Privacy & Personal Information Policy.

Contact details

Your contact person at Council is:

Name:

Title:

Telephone number:

Email address: