

**11.4 ADVERTISING OF NEW POLICY - CHILD SAFE AWARENESS**

**Attachments: 1. DRAFT Child Safe Awareness Policy**

**RECOMMENDATION**

**That Council APPROVES the proposed Child Safe Awareness Policy, at Attachment 1, for the purpose of community consultation.**

**PURPOSE OF REPORT:**

For Council to approve, for the purpose of community consultation, the new Child Safe Awareness Policy as detailed at **Attachment 1**.

**BACKGROUND:**

The requirement of provisions outlined in clause 1.3 of the [Policy Development and Review Policy](#) were presented to Council Members through the monthly Policy Paper in August.

This policy is an outcome from the [Royal Commission into Institutional Responses to Child Sexual Abuse](#) (Royal Commission) – Recommendation 6.12.

The Royal Commission was established in January 2013 to investigate systemic failures of public and private institutions to protect children from child sexual abuse, report abuse and respond to child sexual abuse. It also inquired into how institutions with a responsibility for children managed and responded to allegations and instances of child sexual abuse.

In 2018, the State Government accepted or accepted in principle, all 310 recommendations from the Royal Commission that were applicable to Western Australia.

The recommendations emphasised that organisations working with children must be able to provide safe environments where the rights, needs and interests of children are met. The Royal Commission recommended a range of mechanisms to support child safe organisations, including National Principles that provide a nationally consistent approach to embedding child safe cultures at all levels within organisations that engage with children.

The Royal Commission acknowledged the role that local governments play in creating and maintaining child safety in their communities and made a number of recommendations aimed at using this role to promote the safety and wellbeing of children and young people.

**DETAILS:**

The Child Safe Awareness Policy template (the template) commits local governments in WA to build and maintain child safety awareness and knowledge by providing information for the organisations and individuals that operate in their communities and promoting child safe messages.

Following WALGA State Council support on 3 March 2023, the Department of Local Government, Sport and Cultural Industries (DLGSC) recommends that local governments use the template to create their own Child Safe Awareness Policy and fulfill their obligations under the Royal Commission Recommendation 6.12.

The proposed Child Safe Awareness policy recognises that Vincent is uniquely placed within the local community to demonstrate leadership by supporting organisations to be child safe and to protect children and young people from harm and/or abuse.

Consistent with the [National Principles for Child Safe Organisations](#) and [Commonwealth Child Safe Framework](#), this policy will provide a framework that outlines Vincent's role in supporting local organisations to be child safe through access to resources, awareness raising and sharing relevant information.

The Royal Commission highlighted the important roles local governments play in communities that impact on the safety of children including:

- providing services to children, for example libraries, swimming pools and childcare;
- providing spaces for community activities, for example halls, and sports grounds;
- funding or contracting services;
- facilitating community education or outreach programs;
- regulating planning and development approvals, infrastructure and property services; and
- water and food inspection.

Local governments are recognised as well placed to support smaller organisations within their communities to implement the National Principles and create child safe environments.

The City supports and values all children and young people and is committed to supporting the safety and wellbeing of all children and young people, including protection from abuse.

This policy is one of the ways that Council can demonstrate its commitment to being child safe and having a zero-tolerance approach to child abuse.

The template and objectives for the policy have been agreed broadly by local governments and should remain unchanged to provide a state-wide approach and to ensure consistency with the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.

#### **CONSULTATION/ADVERTISING:**

In accordance with the City's [Community and Stakeholder Engagement Policy](#), community consultation of all new and significantly amended policies must be provided for a period exceeding 21 days in the following ways:

- notice published on the City's website;
- notice posted to the City's social media; and
- notice published in the local newspapers.

Public notice of this proposed new policy will be provided following Council endorsement.

#### **LEGAL/POLICY:**

Section 2.7(2)(b) of the *Local Government Act 1995* provides Council with the power to determine policies.

The City's [Policy Development and Review Policy](#) sets out the process for the development and review of the City's policy documents.

#### **RISK MANAGEMENT IMPLICATIONS**

Low: It is low risk for Council to undertake community consultation of the proposed new policy.

#### **STRATEGIC IMPLICATIONS:**

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

##### Connected and Healthy Community

*We protect, improve and promote public health and wellbeing within Vincent.*

##### Innovative and Accountable

*We engage with our community so they are involved in what we are doing and how we are meeting our goals.*

*Our decision-making process is consistent and transparent, and decisions are aligned to our strategic direction.*

**SUSTAINABILITY IMPLICATIONS:**

This does not contribute to any environmental sustainability outcomes. This action/activity is environmentally neutral.

**PUBLIC HEALTH IMPLICATIONS:**

This is in keeping with the following priority health outcomes of the City's *Public Health Plan 2020-2025*:

*Increased mental health and wellbeing*

**FINANCIAL/BUDGET IMPLICATIONS:**

There are no financial implications associated with this Policy. The functions of this Policy will be resourced and assigned to relevant officers for implementation.

<b>Legislation / local law requirements</b>	<ul style="list-style-type: none"> <li>• <i>Child Care Services Act 2007</i></li> <li>• <i>Children and Community Services Act 2004</i></li> <li>• <i>Civil Liability Act 2002</i></li> <li>• <i>Corruption, Crime and Misconduct Act 2003</i></li> <li>• <i>Equal Opportunity Act 1984</i></li> <li>• <i>Freedom of Information Act 1997</i></li> <li>• <i>Local Government Act 1995</i></li> <li>• <i>National Principles for Child Safety Organisations</i></li> <li>• <i>Parliamentary Commissioner Act 1971</i></li> <li>• <i>Public Interest Disclosure Act 2003r</i></li> <li>• <i>Public Sector Management Act 1994</i></li> <li>• <i>United Nations Convention on the Rights of the Child (CRC)</i></li> <li>• <i>Work Health and Safety Act 2020</i></li> <li>• <i>Working with Children (Criminal Record Checking) Act 2004</i></li> </ul>
<b>Relevant delegations</b>	Nil.
<b>Related policies, procedures and supporting documentation</b>	Youth Action Plan 2020-2026 Strategic Community Plan 2022-2032 Public Health Plan 2020-2025 Public Open Space Strategy Access and Inclusion Plan 2022-2027 Community and Stakeholder Engagement Strategy Reconciliation Action Plan 2022-2024   Innovate Safer Vincent Plan 2019-2022 Working with Children Check Procedure

## PRELIMINARY

### INTRODUCTION

This Policy was developed in response to Recommendation 6.12 from the Royal Commission into Institutional Responses to Child Sexual Abuse and the Royal Commission’s recognition of the important role of local governments in community development and community safety, particularly roles that impact child safety.

The Royal Commission identified the opportunity to integrate their direct responsibilities to children and young people within their wider role in the community.

### PURPOSE

Vincent is committed to supporting the safety and wellbeing of all children and young people, including protection from abuse. This Child Safe Awareness policy is one of the ways the City demonstrates its commitment to being child safe and its zero-tolerance approach to child abuse.

This policy aims to reduce the risk of harm and child sexual abuse in our communities by encouraging child safe environments to be created and maintained. Vincent encourages local organisations to be child safe and ensure children are safe and empowered.

This Child Safe Awareness policy has been developed in response to recommendation 6.12 of the Royal Commission into Institutional Responses to Child Sexual Abuse and recognises that Vincent is uniquely placed within the local community to demonstrate leadership by supporting organisations to be child safe and

to protect children and young people from harm and/or abuse. We will promote the safety and wellbeing of children across the community.

Consistent with the [National Principles for Child Safe Organisations](#) and [Commonwealth Child Safe Framework](#), this policy provides a framework that outlines the City's role in supporting local organisations to be child safe through access to resources, awareness raising and sharing relevant information.

## OBJECTIVE

The following are the objectives (principles) of the Policy:

- The rights of children and young people are upheld.
- Children and young people are respected, listened to, and informed about their rights.
- Children and young people have the fundamental right to be safe and cared for.
- Children and young people have the right to speak up, be heard and taken seriously without the threat of negative consequences.
- The safety and best interests of children and young people are a primary consideration when making decisions that concern them.
- Access to trusted and reliable information, including the National Principles for Child Safe Organisations, helps support organisations to understand what they must do to help reduce the risk of harm and abuse.
- Communities are informed and involved in promoting the safety and wellbeing of children and young people including protection from harm.
- Collaboration with the community and our partners promotes the safety, participation and empowerment of all children and young people.

## SCOPE

The safety and wellbeing of children is everyone's responsibility. The Child Safe Awareness policy applies to all employees, volunteers, trainees, work experience students and anyone else who undertakes work on behalf of the City, regardless of whether their work relates directly to children or young people. It applies to occupants of City of Vincent facilities and venues including visitors, contractors and suppliers.

## POLICY PROVISIONS

### DEFINITIONS

**Abuse:** Abuse is 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 that becomes cumulative in nature. Types of abuse include physical, emotional and sexual abuse, and neglect.

**Child/Children:** Means a person under 18 years of age, and in the absence of positive evidence as to age, means a person who appears to be under 18 years of age.

**Child Safe Organisation:** is defined in the Royal Commission Final Report as one that:

- creates an environment where children's safety and wellbeing are at the centre of thought, values, and actions
- places emphasis on genuine engagement with and valuing of children and young people
- creates conditions that reduce the likelihood of harm to children and young people
- creates conditions that increase the likelihood of identifying any harm, and

- responds to any concerns, disclosures, allegations, or suspicions of harm.  
Note: in the context of local government, this would involve referring concerns to the Department of Communities or WA Police to respond as appropriate.

Implementation of the National Principles for Child Safe Organisations give effect to the above.

**Child safe:** For the purpose of this policy, child safe means protecting the rights of children and young people to be safe by taking actions that can help prevent harm and abuse.

**Harm:** Harm, in relation to a child, 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.

**Wellbeing:** Wellbeing of children and young people includes the care, development, education, health and safety of children and young people.

## POLICY

### 1. Policy Functions

The City will ensure the following functions of this policy are resourced and assigned to the relevant officers for implementation.

- Developing a process to deliver child safe messages (for example at City of Vincent venues, grounds and facilities or events).
- Connecting and supporting local community groups, organisations, and stakeholders to child safe resources (including culturally safe and inclusive resources).

### 2. Responsibilities

Vincent has a leadership role in our community to support relevant organisations to be child safe and promote child safe practices.

Although the City is not legally responsible for providing oversight of compliance with child safe practices, it will take any reasonable steps to engage with persons who use City of Vincent facilities to operate in alignment with the Child Safe Awareness policy.

Vincent will determine which roles across the organisation will directly support the implementation of the Child Safe Awareness policy.

OFFICE USE ONLY	
Responsible Officer	Coordinator Community Development
Initial Council Adoption	XX/XX/2023
Previous Title	N/A
Reviewed / Amended	N/A
Next Review Date	XX/XX/2027