

## Child Safety and Wellbeing Code of Conduct

<b>Date of Adoption</b>	18 July 2022		
<b>Adoption Method</b>	<input type="checkbox"/> Council	<input type="checkbox"/> CEO	<input checked="" type="checkbox"/> Other: Executive Meeting
<b>CEO Signature</b>			<b>Date</b> 25/07/22
<b>Responsible Officer and Unit</b>	Manager People, Risk and Wellbeing		
<b>Nominated Review Period</b>	<input checked="" type="checkbox"/> Every 4 years (or upon the implementation of updated standards)		
<b>Last Endorsement Date</b>	18 July 2022		
<b>Next Endorsement Date</b>	18 January 2023		

Macedon Ranges Shire Council acknowledges the Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Peoples as the Traditional Owners and Custodians of this land and waterways. Council recognises their living cultures and ongoing connection to Country and pays respect to their Elders past, and present. Council also acknowledges local Aboriginal and/or Torres Strait Islander residents of Macedon Ranges for their ongoing contribution to the diverse culture of our community.

DOCUMENT HISTORY	Version	Date	Author
Approval	V.01	18/07/2022	Manager People, Risk & Wellbeing

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## Objective

The Child Safety Code of Conduct sets out Macedon Ranges Shire Council's commitment to ensure it discharges the obligations and expectations contained in the Child Safe Standards.

All employees, contractors, agency staff, consultants, volunteers, and students over 18 years old on placement (staff) engaged by Macedon Ranges Shire Council must comply with the Child Safety and Wellbeing Code of Conduct by observing the expectations for appropriate behaviour below.

## Council's Commitment

This policy affirms Macedon Ranges Shire Council's commitment to providing a child-safe and child-friendly environment for all children and young people who engage with Council's service.

Council recognises, respects and promotes its responsibilities to keep children safe from abuse from those associated with Council and commits to ensuring the safety of children as a priority. Council values diversity and will not tolerate child abuse or discriminatory practices.

Council pays particular attention to the safety and cultural safety of the following groups of children in recognition of their increased vulnerability and diverse and unique identities and experiences:

- Aboriginal and/or Torres Strait Islander children and young people
- children from culturally and/or linguistically diverse backgrounds
- children with a disability
- children who identify as lesbian, gay, bisexual, trans and/or intersex
- children who are non-binary or gender diverse
- children in and out of home care and youth justice.

## Purpose

This Child Safety Code of Conduct sets out Macedon Ranges Shire Council's commitment to ensure it discharges the obligations and expectations contained in the Child Safe Standards

The Child Safety Code of Conduct (the Code) aims to:

- Set clear expectations about behaviour towards and in the presence of children.
- Define the acceptable and unacceptable behaviours towards and in the presence of children, taking into account the diverse needs of children, the different environments in which we operate, and the various ways our people interact with children.
- Help our people to become aware of how their behaviour and the behaviour of other adults in our organisation and the broader community can affect the children we work with.
- Assist our people in identifying and raising behavioural/conduct issues confidently.
- Protect children and reduce opportunities for child abuse or harm.

- Complement Council's other related policies and procedures.

The Child Safety Code of Conduct applies to a broad range of situations where interaction with children and young people may occur in the delivery of Council services, including through digital technology and social media.

## Procedure

- All Council staff must review this Code during their induction period.
- For relevant positions or where contact with children is probable, staff must read and acknowledge the Code before commencing any duties involving direct contact with children.
- Council staff should immediately raise any queries about the Code with their direct line supervisor.
- Council staff should retain a copy of the Code for their reference and review.
- Supervisors should review compliance with the Code at performance reviews and when appointing or renewing contracts with contractors whose activities place them in contact with children.
- For activities where contact with children is probable, a risk assessment using the 'Child Safe Standards Risk Assessment and Management Template' may be required. This applies to anyone connected to Council in a paid or unpaid capacity such as staff, volunteers, councillors, contractors, agency staff, consultants, students over the age of 18 on placement.
- Incidents are raised via the Incident Management portal.

## Recognising types of child abuse

Different types of child abuse have different features. Therefore, it is important to recognise the different types of abuse covered by the *Children, Youth and Families Act 2005*.

<p><b>Emotional and psychological abuse</b></p>	<p>Conveying to a child that they are worthless, unloved, inadequate or rejected, or causing a child to feel frightened or in danger.</p>
<p><b>Family violence</b></p>	<p>A child or young person's exposure to family violence constitutes child abuse. This includes hearing, witnessing or being exposed to the effects of family violence e.g. abusive, threatening, coercive or controlling behaviours that causes a person to live in fear for their safety or wellbeing.</p>

<b>Grooming</b>	Grooming occurs when an adult engages in predatory conduct to prepare a child for sexual abuse at a later time, including in online environments e.g. by using social media.
<b>Neglect</b>	This can include isolated incidents and routinely failing to provide for a child's development and wellbeing when in a position to do so. Neglect includes failure to provide adequate health care, supervision, clothing, nutrition or housing, and failing to meet a child's physical, emotional, social and educational needs. This also includes failing to protect or respond to allegations or risk of child abuse and harm.
<b>Physical abuse</b>	When a person intentionally or recklessly uses physical force against, with or in the presence of a child without their consent, which causes, or could cause, the child harm. It also includes words or gestures that causes a child to believe they are about to suffer physical abuse.
<b>Racial, cultural and religious abuse</b>	Behaviour that demonstrates contempt, ridicule, hatred or negativity towards a child or young person because of their race, culture or religion. This includes both direct discrimination and subtle behaviours e.g. a lack of cultural knowledge, respect and understanding.
<b>Sexual abuse</b>	When an adult or child involves a child and in any kind of sexual activity. This includes sexual misconduct e.g. inappropriate conversations or behaviours that cross professional boundaries.
<b>Sexually harmful behaviours between children and young people</b>	Involves children (17 years of age or under) engaging another child or young person (17 years of age or under) in sexual activity that is either unwarranted or where, due to the nature of the situation, the other child or young person is not capable of giving consent.

## Principles and Conduct

Council provides a broad range of direct and indirect services to children and young people. We commit to providing a place where all children and young people can actively participate in community life, feel safe and valued, and reach their full potential. Therefore, all Council officers, regardless of whether or not they engage in child-related work, are bound to observe Child Safe principles and maintain the highest standards of professional conduct in their attitudes, behaviours and interactions with and in the presence of children.

**The following list provides examples of positive behaviours that are consistent with Council culture and values. Council officers will:**

- ✓ Be vigilant, proactive and take all reasonable steps to protect children from abuse.
- ✓ Treat all children with respect, equity and dignity.
- ✓ Listen to and treat the safety concerns of children seriously, particularly if they tell you that they or another child has been or is at risk of being abused.
- ✓ Place the welfare of any child being abused, or at risk of being abused, above the organisation's interests or other individuals within it.
- ✓ Provide a welcoming, safe and accessible environments that protect children from violence, bullying, teasing, threatening, and discriminatory remarks.
- ✓ Manage dual relationships (where a prior relationship exists with a child/family) appropriately.
- ✓ Uphold the rights and best interests of children in planning and decision-making.
- ✓ Promote the cultural safety of Aboriginal and culturally and/or linguistically diverse children; and the safety of children with a disability.
- ✓ Be a positive role model, i.e., supporting children to learn protective behaviours, empowering children to speak up if they have concerns for their safety or well-being, and ensuring children are aware of their rights and have access to this information.
- ✓ Provide opportunities that reflect the diverse needs of children and empower them to fully participate in the community, including our services and programs.
- ✓ Recognise children as active citizens and agents in their own lives and encourage them to 'have a say' on issues that directly affect them.
- ✓ Adhere to risk mitigation strategies and safe work practices (identified by and relevant to your work area) when interacting with children.
- ✓ Complete relevant training and other professional development activities as required.
- ✓ Treat all concerns or allegations of child abuse seriously and respond consistently with the procedures outlined in the Child Safety and Wellbeing Policy.
- ✓ Ensure the immediate safety of a child if an allegation of abuse is made/abuse has occurred.
- ✓ Report any breach of the Code by a Council officer to your Supervisor (or next level Manager where the concern involves your Supervisor) immediately.
- ✓ Adhere to appropriate 'safe touch' that is considered applicable to your role or where otherwise necessary (i.e. comforting a child in distress, administering first aid).

**Appropriate safe touch with a child should at all times:**

- Be appropriate to the developmental needs of the child.
- Be strictly in line with the types of child contact necessary to perform your duties.
- Be open, non-secretive and culturally sensitive.
- Be at the initiation or with the consent of the child.

It is essential to be attuned to the child's cues and what they are comfortable with. Where possible or age-appropriate, seek consent, i.e. ask a child in distress if it is okay to hug them; when

performing first aid or duties of a personal nature, tell the child where you need to touch them, why, and ask if it is okay.

**The following list provides examples of behaviours that are unacceptable and that could constitute child abuse and harm. Council officers will not:**

- ✘ Develop a 'special' relationship with a child to the exclusion of others or show favouritism, i.e. by offering a child gifts or special treatment.
- ✘ Exhibit behaviours with children which may be construed as unnecessarily physical.
- ✘ Hit, physically assault, or engage in inappropriately rough play with a child.
- ✘ Speak to a child in an angry, intimidating or threatening manner.
- ✘ Engage in open discussions of a mature or adult nature with or in the presence of children.
- ✘ Condone or make self-disclosures about past or present participation in illegal or unsafe behaviours when speaking to or in the presence of a child.
- ✘ Smoke, consume alcohol or illicit drugs or be substance affected when working with children.
- ✘ Touch intimate areas or have any other physical contact with a child (i.e. kiss, hold, cuddle) not deemed appropriate to your role or necessary, safe touch.
- ✘ Do things of a personal nature (i.e. toileting or changing clothes) that you could not reasonably expect a child to do for themselves, unless performing personal care duties as part of your role, or in unavoidable situations (i.e. preventing an accident or administering first aid).
- ✘ Use inappropriate, discriminatory, prejudicial, oppressive, harassing, abusive, sexually explicit, demeaning or culturally insensitive language when speaking to or in the presence of a child. Discriminate against any child based on age, gender, race, culture, religion, disability, vulnerability, sexuality or other protected attributes, or express personal views on such attributes when speaking to or in the presence of a child.
- ✘ Purposefully establish a relationship with a child and/or their family outside of work.
- ✘ Solicit, conduct or accept requests from children and/or their families for private services (i.e. babysitting, non-authorised home visits, or private lessons) delivered outside your work.
- ✘ Provide personal contact details (i.e. phone number, home address, email/social media addresses) to children and the parents of children you interact with at work.
- ✘ Use social media/online platforms to solicit or befriend a child or have online contact with a child that is not transparent to Council and part of an approved program or activity.
- ✘ Take, use or publish unauthorised images of children in Council's programs and activities.
- ✘ Use personal devices to take images of children.
- ✘ Ignore or disregard any suspected or disclosed child abuse.
- ✘ Put a child at risk of abuse or harm through negligence or inaction.

## Pre-existing Relationships with Children and Young People

Council recognises that some staff or volunteers may have pre-existing relationships with children and young people who access Council's programs and services. As a result, some staff may undertake babysitting/nanny/transport services and/or attend a function at the request of a child, young person, or their parent/guardian.

To ensure the safety of children and young people, Council staff are required to disclose pre-existing relationships to Council's Child Safety Officer. If a staff member or volunteer is required to assist a child or young person beyond the expectations of that person's role or beyond the scope of Council's usual programs or services, staff must immediately:

- Refer the matter to Council's Child Safety Officer (currently the Manager People and Wellbeing) and/or CEO
- Seek advice from management
- Call 000 if the child or young person is in immediate danger

## Supervision

**Council staff must:**

- Avoid one-to-one unsupervised situations with children and young people to whom Council provides programs and services. Where appropriate and possible, all activities and/or discussions with children and young people need to be in the presence of other adult colleagues. Council acknowledges that this may not be possible in providing some services such as Children, Youth and Family Services and supervision of work experience students.
- Ensure that children are not exposed to risks that threaten their health, safety or welfare, including risks posed by other children and young people.

## Electronic and online communications

Council personnel must follow Council's Social Media Policy, ICT Acceptable Use Policy, and all other electronic communications and social media policies. A direct manager must authorise all electronic communication between Council personnel and children and young people. If a manager is unavailable or unable to provide guidance, staff must seek advice from the Communications Unit. Staff must not use personal electronic devices to communicate with children or young people. In addition, council personnel must not have any online contact with a child's parent/s/guardian unless it is transparent to the organisation and forms part of an approved program (for example, distribution of e-newsletters or responding to enquiries via Council's public Facebook pages).

Where a parent and/or guardian is unable to see from the communication (for example, direct messaging via social media/text messaging):

- Restrict such communication to issues directly associated with delivering Council programs and services, such as cancelling a scheduled event.
- Ensure that this communication is via a channel that is visible and accessible to the manager or direct supervisor of that team.

## **Giving gifts**

It is prohibited for Council personnel to give personal gifts to children and young people to whom Council provides programs and services.

However, it is permissible to provide promotional or corporate gifts, such as a Council logo pin, library bag or drink bottle, to children or young people visiting Council or a Council service as part of a group,. In this case, each child or young person in the group should receive the same items.

## **Photographs of children and young people**

The taking of images (photograph and film) of children and young people should only be undertaken in line with Council's Photo Recording Use and Consent Policy – to document a child's progress or promote Council-run programs, services, and events. In every instance, the following applies:

- The parent or guardian must provide prior permission to photograph or film their child or young person via Council's Photo/recording Consent Form.
- The context is directly related to participation in or promotion of Council services or programs.
- The child or young person is appropriately dressed and posed.
- We check that any caption or text accompanying an image does not identify a child or young person if such identification is potentially detrimental.
- We do not distribute images to anyone outside of Council, other than the child or young person's parent and/or guardian or other non-commercial organisations working in a joint project with Council, without the written approval of the child or young person's parent and/or guardian.
- We store images in compliance with Council's obligations, the Privacy & Data Protection Act 2014, Council's Privacy Policy and Council's Information Security Policy.

## **Physical contact with children and young people**

Any physical contact with children and young people must be in a safe manner and adheres to the Child Safe Standards. Physical contact must be appropriate to the delivery of Council services and programs.

Council staff should not under any circumstances have any physical contact with children or young people participating in Council programs and services that:

- Involves touching of genitals, buttocks, and the breast area except what is required to deliver first aid, medical or allied health services (for example, Maternal and Child Health Nurses). If contact with these areas is required as part of delivering such services, it should be in the presence of another staff member or parent/guardian of the child, unless in an emergency situation as outlined above.
- It would appear to a reasonable observer to have a sexual connotation.
- Intends to cause pain or distress to the child or young person
- Is physical, for example, wrestling, horseplay, tickling or boisterous
- Is unnecessary, for example, to assist with toileting when a child does not require assistance
- Is initiated against the wishes of the child or young person, except if such contact may be necessary to prevent injury to the child or young person or others, in which case:
  - Physical restraint should be a last resort and only occur in an urgent or emergency situation, for example, when applying first aid or for the protection of another child.
  - Staff must report such incidents to the Child Safety Advisor or direct manager as soon as possible, including physical contact initiated by a child or young person that is sexual and/or inappropriate.

## **Overnight stays and sleeping arrangements**

Council will not support overnight stays or sleep outs involving children and young people without a thorough risk assessment and approval of the Child Safety Advisor and the Chief Executive Officer.

## **Change room, group fitness room and consultation room arrangements**

If Council personnel is required to supervise children and young people in change rooms, group fitness rooms or consultation rooms, they should avoid:

- One-to-one situations with a child or young person
- Using change rooms, group fitness rooms and consultation rooms to undress while children and young people are present.

### **Council staff should:**

- Ensure adequate supervision in group fitness rooms and consultation rooms when these are in use.
- Provide the level of supervision required to prevent abuse by members of the public, adult service users, peer service users, or general misbehaviour while also respecting a child or young person's privacy.
- Ensure via signage and other means that no mobile phones or cameras are permissible in change rooms, group fitness rooms and consultation rooms, or in other areas owned,

managed or operated by Council. This applies to Council owned venues that are likely to be used by young people and are leased out to third party organisations.

## **Uniform or identity card/pass/badge**

Council staff must wear identification/uniforms when delivering Council programs and services to children and young people.

## **Use, possession or supply of alcohol or drugs**

While on duty, Council staff must not:

- Use, possess or be under the influence of an illegal drug.
- Be incapacitated by alcohol or legal drugs such as prescription or over-the-counter medications that interfere with a person's ability to care for children involved in a Council service or program
- Supply alcohol or drugs (including tobacco) to children and young people participating in Council programs and services unless as a result of administering first aid.

## **Transporting children**

Children and young people are to be transported only in circumstances directly related to the delivery of Council programs and services (for example, transporting a work experience student) and only with the permission of the child or young person's parent/guardian.

Where transportation of a child or young person requires a Council staff to be one-on-one with that child or young person, it must be:

- To remove a child or young person from harm or threat of harm
- To connect a child or young person during work hours with a service or program essential to their wellbeing.

In these cases, the staff member must advise the coordinator and/or a manager of:

- The form of transport proposed, such as private car, public transport
- The reason for the journey
- The route to be followed, including any stops or side trips
- Details of who will be present during the journey.

## **Consequences of breaching policy**

A breach of the Child Safety and Wellbeing Code of Conduct by Council staff may result in disciplinary action as per our Disciplinary Policy and Procedure and Equal Opportunity Policy, including possible termination of employment.

Any behaviour that constitutes a criminal offence under the *Crimes Act 1958* will be treated as a criminal matter and reported to Victoria Police. In addition, Council will investigate an allegation against a Council staff member related to inappropriate behaviour towards a child or young person outside of work. Council reserves the right to suspend that person during the investigation period.

Council views failure by staff to report instances, allegations or concerns about abuse or neglect of a child or young person by persons within our organisation or by others in the community as a serious matter that breaches this Code and may result in disciplinary action. Reporting of incidents to the Child Safety Officer must be done as soon as possible and no later than 7 days after the incident becomes known. The incident can be reported directly to the Child Safe Officer via Council's Incident Management System. In addition to this staff must contact the coordinator or manager of the program that day.

In some cases, a breach of this Code of Conduct may also be reported to an external authority, e.g. Commission for Children and Young People (CCYP) and/or the Police.

Council understands that a failure to report incidents of abuse, neglect and harm to a child or young person may be classed as a criminal offence under state law.

Council staff are obligated to report any information relating to:

- incidents, allegations, disclosures or reasonable concerns concerning abuse or neglect of a child or young person, either by staff within our organisation or by others
- any breaches or actions of others within our organisation that contravene our policies and procedures, such as outlined in our Staff Code of Conduct and Councillor Code of Conduct.

Staff can report breaches of these policies to our Child Safety Officer, Manager People and Wellbeing via [childsafetyofficer@mrsc.vic.gov.au](mailto:childsafetyofficer@mrsc.vic.gov.au). In line with the Child Safety and Wellbeing Policy, the CEO must be notified of all Child Safe incident reports.

Our Child Safety and Wellbeing Policy prohibits all staff from discussing any concerns or allegations with unauthorised personnel within or outside Council, such a prohibition not being designed to limit, in any way, their rights and responsibilities to report their concerns or allegations, but instead as part of our organisation's commitment to ensuring privacy, confidentiality and natural justice-making deliberately false, misleading or vexatious allegations. The *Public Interest Disclosures Act 2012* will prevail in any situation whereby reporting of staff has occurred.

All children and young people within our organisation are informed of our Child Safety and Wellbeing Policy and provided with unconditional support and mechanisms to feel empowered to speak up if they feel, hear or see something that does not feel right to them or makes them feel unsafe. They will be heard without judgement, and their feedback or complaints are taken seriously and responded to promptly and thoroughly.

### **Reportable conduct**

Incidences of 'reportable conduct' will be investigated and reported to the Commission for Children and Young People (CCYP).

There are five types of reportable conduct:

- a sexual offence committed against, with, or in the presence of a child, whether or not a criminal proceeding in relation to the offence has been commenced or concluded
- sexual misconduct committed against, with, or in the presence of a child, physical violence committed against, with, or in the presence of a child
- any behaviour that causes significant emotional or psychological harm to a child
- significant neglect of a child.

In addition, if there is a reportable allegation about a staff member related to their conduct outside of the workplace, Council will report this allegation and investigate.

If I suspect that another person has breached this Code of Conduct in the organisation:

**I will:**

- act to prioritise the best interests of the child or children
- promptly take actions to ensure the child or children are safe
- as soon as possible, report the incident or concerns using the Child Safety Reporting process
- maintain the privacy of those involved, following Council's record-keeping, privacy and information sharing guidelines.

Our Complaints Policy provides information about our reporting obligations to external authorities. It describes protections and confidentiality provisions for anyone making a report. You can access a copy of this Policy by contacting our Customer Service team. In addition, it is available as a downloadable document on our Council [website](#).

Staff and volunteers who breach our Code of Conduct may also be subject to disciplinary action. This can include increased supervision, appointment to an alternative role, suspension or termination. Detailed descriptions of breaches are in our Child Safety and Wellbeing Policy. You can access a copy of this Policy by contacting our Customer Service team. In addition, it is available as a downloadable document on our Council [website](#).

## **Criminal offences**

There are criminal offences in Victoria for failing to act on child safety issues in organisations. These are:

### **Failure to protect**

If any person in a position of authority within Council becomes aware of a substantial risk that a child may become the victim of a sexual offence committed by a staff member, and they have the power or responsibility to reduce or remove the risk, then they must take all reasonable steps to do so. Criminal offences may apply to a person in authority who negligently fails to take appropriate action to address the risk. Failing to take action is considered 'failing to protect' and may result in imprisonment.

## Failure to disclose

If an adult reasonably believes a sexual offence has been committed by an adult against a child, they must report it to Victoria Police by calling 000 or going to their local police station. Failure to disclose the information may be a criminal offence.

## Working With Children Checks (WWCCs)

Designated staff, volunteers, and contractors must have a current Working with Children Check (WWCC). These roles have been selected based on legislative requirements and Child Safe Standards risk assessment and apply to the following circumstances:

- work/volunteer in services and programs that care for/educate/support children, whether supervised or unsupervised (e.g. school crossing supervisors, youth services, maternal child health and immunisation nurses)
- are required to work with or visit a child-based service (childcare centre, kindergarten, school) regularly (e.g. project architect for a child-related facility)
- are not engaged in work that is specifically child-related but does have direct contact with children (e.g. library staff, home support staff where child family members may be present in the home environment, playground maintenance staff)
- may reasonably be expected to come into direct contact with children regularly during their work or whilst representing Council, including attendance at community events where children or families are participating.

It is an offence for an employer to knowingly engage a child-related worker who does not hold a Working with Children Clearance (or equivalent) or who has a bar.

It is an offence for an employee, volunteer, contractor, and identified sub-contractor to engage in child-related work when they do not have clearance or are subject to a bar. Penalties include imprisonment and/or fines.

Councillors must hold a current volunteer WWCC given their representative role. Councillors may also be exempt from holding a WWCC if they are teachers with the Victorian Institute of Teaching or a Victorian or Australian Federal Police Officer.

Note:

- Regular contact with children refers to 'on at least six occasions per calendar year'.
- Staff are required to obtain their initial WWCC (before employment), and then Council will reimburse for any renewals.

## Definitions

Term	Definition
<b>Aboriginal child</b>	A child or young person up to the age 18 years who 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.
<b>Child abuse</b>	Abuse constitutes any act committed against a child involving: <ul style="list-style-type: none"> <li>• sexual offences</li> <li>• grooming for sexual conduct with a child under the age of 16</li> <li>• physical violence</li> <li>• causing serious emotional or psychological harm</li> <li>• serious neglect</li> </ul>
<b>Child or children</b>	A person who is under the age of 18 years.
<b>Children from culturally and/or linguistically diverse backgrounds</b>	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.
<b>Children with a disability</b>	A disability can be physical, sensory, neurological, acquired, intellectual or developmental. A disability can occur at any time of life, and some may be obvious while others are hidden.
<b>Cultural safety</b>	Providing an environment which is spiritually, socially and emotionally safe, as well as physically safe for children. It ensures respect and protection of their cultural or linguistic identity.
<b>Child safety</b>	In the context of the child Safe Standards, child safety means measures to protect children from abuse.
<b>Child safe organisation</b>	In the context of the Child Safe Standards, a child safe organisation is one that meets the Child Safe Standards by proactively taking measures to protect children from abuse.
<b>Failure to disclose</b>	Failure to disclose obligations apply to all adults in Victoria. Any adult who forms a reasonable belief that a sexual offence has been committed by an adult against a child or young person under 16 years of age has an obligation to report that information to the police. Failure to disclose the information to police is a criminal offence.
<b>Failure to protect</b>	The failure to protect offence applies to a person in a position of authority within an organisation who knows that a child is at substantial risk of being sexually abused by a person associated with the organisation and negligently fails to reduce or remove the risk.

<b>Incident Management Portal</b>	Nimblex, an online incident management and reporting system
<b>Mandated reporters</b>	Refers to Council's Maternal and Child Health (MCH) Nurses and Early Childhood Educators who are legally required to report concerns for a child's safety to Child Protection Services (DHHS).
<b>Non-mandated reporters</b>	Refers to all other Council officers who form a reasonable belief that a child has suffered, or is likely to suffer abuse or harm, has an ethical and professional duty to report their concerns to the appropriate authorities.
<b>Reasonable belief</b>	<p>A reasonable belief is a belief based on facts that would lead a reasonable person to think that reportable conduct <i>may</i> have occurred.<sup>1</sup></p> <p>A reasonable belief is more than suspicion. There must be some objective basis for the belief. However, it does not require certainty. For example, a person is likely to have a reasonable belief if they:</p> <ul style="list-style-type: none"> <li>● observed the conduct themselves</li> <li>● heard from a child that the conduct occurred</li> <li>● received information from another source (including another person who witnessed the reportable conduct or misconduct).</li> </ul>
<b>Staff</b>	<ul style="list-style-type: none"> <li>● Employees</li> <li>● Councillors</li> <li>● Contractors</li> <li>● Agency staff</li> <li>● Consultants</li> <li>● Volunteers</li> <li>● Students over the age of 18 on placement.</li> </ul>
<b>Council</b>	<ul style="list-style-type: none"> <li>● Macedon Ranges Shire Council</li> </ul>

## References

- > A guide for creating a Child Safe Organisation – Commission for Children and Young People
- > An overview of the Victorian Child Safe Standards – Victorian Dept of Health and Human Services.

<sup>1</sup> This is from the case *George v Rockett* (1990) 170 CLR 104, which determined that 'a reasonable belief requires the existence of facts that are sufficient to induce the belief in a reasonable person. Belief requires something more than suspicion'.

## Related Policies

1. Child Safety and Wellbeing Policy
2. Recruitment and Selection Policy and Procedure
3. National Police Check Policy
4. Working with Children Check Policy
2. Disciplinary Policy and Procedures
3. Staff Code of Conduct
4. Councillor Code of Conduct
5. Reconciliation Action Plan
6. Complaints Policy
7. Equal Opportunity Policy
8. Social Media Policy and Guidelines
9. ICT Acceptable Use Policy and Procedure
10. Privacy and Data Protection Policy

## Related Legislation

- > *Child Wellbeing and Safety Act 2005 (Vic)*
- > *Children, Youth and Families Act 2005*
- > *Child Wellbeing and Safety Regulations 2007*
- > *United Nations Convention on the Rights of the Child*
- > *Commission for Children and Young People Act 2012*
- > *The Crimes Amendment (Grooming) Act 2014*
- > *Reportable Conduct Scheme*
- > *Child Safe Standards*