



Policy & Procedure

SAFEGUARDING CHILDREN AND YOUNG PEOPLE

Responsible Officer: GENERAL MANAGER

Date: 23 January 2024

Review Date: 1 July 2027



KING ISLAND COUNCIL

1 PURPOSE

The purpose of the policy is to define council's commitment to creating and maintaining a Child Safe Organisation for the King Island Council (KIC). This policy outlines council's position and responsibilities toward the safeguarding of children and young people in our physical and online environments.

2 SCOPE

This policy applies to all Council employees and representatives including:

- Mayor and Councillors.
- Full-time, part-time, and casual employees.
- Permanent and temporary employees performing work for Council, including work experience students, apprentices, interns, and trainees.
- Temporary and casual individuals engaged through an agency.
- Staff on secondment from another role or another council.
- Volunteers; and
- Contractors, or consultants directly engaged/renumerated by Council.

This is irrespective of their involvement in child related work. There are no exclusions to the application of this policy.

3 LEGISLATION

This policy relates to Council's obligations under the:

- *Child and Youth Safe Organisations Act 2023 (Tas)*

4 POLICY

4.1 KING ISLAND COUNCIL CHILD SAFE STATEMENT OF COMMITMENT

- We are committed to the safety and wellbeing of children and young people while enabling their participation as valued members of our community.
- We have zero tolerance to child abuse and harm. Our people are obligated to prioritise the safety of the children they interact with in the performance of their role and to report conduct of concern.



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- We recognise the importance of child safety in the provision of quality community services. All children who attend services, programs, events, and community spaces (including online environments) that are delivered, owned, contracted, or managed by council, have the right to feel safe, be safe, and be heard.
- We recognise our legal and moral responsibilities in keeping children and young people safe and have robust policies and procedures in place to meet this commitment that are aligned with the National Principles for Child Safe Organisations.
- We want children to thrive, be safe, happy, and empowered, and are dedicated to ensuring their views are listened to and respected, and they are given opportunities to contribute to how we plan and deliver our services that affect them.
- We are committed to being a Child Safe Organisation.

4.2 POLICY CONTEXT

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

4.3 CHILD SAFE STANDARDS

The Tasmanian Child and Youth Safe Standards (the Standards) outline how council can develop an organisational culture with child safety and wellbeing at its centre. The Standards contribute to preventing abuse and harm. They require council to meet a benchmark that ensures children and young people’s rights to safety and wellbeing are respected and upheld.

King Island Council acknowledges all 10 Child and Youth Safe Standards must be put into practice in accordance with a Universal principle for Aboriginal Cultural Safety. The Universal Principal says council must provide an environment that ensures that the right to Cultural Safety of Aboriginal and Torres Strait Islander and all children is respected.

Tasmania’s 10 Child and Youth Safe Standards mirror the National Principles for Child Safe Organisations which emerged from the work of the Royal Commission into Institutional Responses to Child Sexual Abuse.

The Standards are as follows:

Standard	This means
Standard 1:	All people in the organisation care about children and young people’s safety and wellbeing above everything else, and



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

Standard 2:

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

Standard 3:

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

Standard 4:

Equity is upheld and diverse needs respected in policy and practice.

Standard 5:

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

Standard 6:

Processes to respond to complaints and concerns are child focused.

Standard 7:

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

Standard 8:

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

Standard 9:

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

Standard 10:

make sure they act that way and lead others to act that way.

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

Families, carers, and communities know about and are involved in the organisation's child and safety and wellbeing activities.

The rights of every child and young person are being met, and children and young people are treated with dignity, respect, and fairness

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

Children, young people, families, carers, staff, and volunteers are listened to and can share problems and concerns.

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

Children and young people are safe in online and physical spaces.

The organisation keeps reviewing and improving its child safety and wellbeing practices.

The organisation writes down how it keeps children and young people safe and



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

well, and makes sure that everyone can see these documents.

4.4 REPORTABLE CONDUCT SCHEME

The Reportable Conduct Scheme (the Scheme) aligns closely with the Standards. The Scheme aims to improve how council responds to allegations of certain types of misconduct involving children/young people, committed by their members, workers and volunteers as listed in the Scope (2).

Reportable conduct is broader than suspected criminal behaviour, and includes:

- Sexual offences (against, with or in the presence of, a child)
- Sexual misconduct (against, with or in the presence of, a child)
- Physical violence (against, with or in the presence of, a child)
- Grooming of a child
- Behaviour that causes significant emotional or psychological harm; and
- Significant neglect
- Relevant offences such as failing to report child abuse
- Voyeurism involving children and young people.

4.5 OUR APPROACH TO ROYAL COMMISSION RECOMMENDATION - 6.12

The Royal Commission into Institutional Responses to Child Sexual Abuse defined a role for Local Government under Recommendation 6.12 which states:

“With support from governments at the national, state and territory levels, local governments should designate child safety officer positions from existing staff profiles to carry out the following functions:

- developing child safe messages in local government venues, grounds, and facilities
- assisting local institutions to access online child safe resources.
- providing child safety information and support to local institutions on a need’s basis
- supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.”

In developing this policy Council has been working with LGAT to understand how to best implement recommendation 6.12 in the context of the legislation and our limited resourcing.



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LGAT continues to advocate to the national and state government for more support to local governments (which has yet to be forthcoming). Without additional support, Recommendation 6.12 is not something we can currently fully embrace with our current resourcing.

King Island Council acknowledges it has a leadership role in our community to support relevant organisations to be child safe and promote child safe practices and will work towards the functions of Recommendation 6.12 where possible.

Our approach to working towards the desired outcomes from Recommendation 6.12 is to manage this workload through the KIC Child and Youth Safe Organisation working group.

It is anticipated that over time more resources may be made available to us from the State Government. Council may also decide to put more resources to this on its own accord. This policy should be reviewed and updated accordingly.

4.6 POLICY FUNCTIONS

King Island Council will ensure the following functions of this policy are resourced and assigned to the relevant officers for implementation:

- Establishment of an internal Child Safe Organisation working group to collectively implement the Child Safe Standards across the organisation and continue to monitor where improvements can be made.
- Providing the necessary resource to prepare and implement policy and procedural changes required to comply with the Child Safe Standards. This work includes:
 - o Developing a child safe code of conduct,
 - o Conducting risk assessments for council services, programs, or facilities used by children and young people,
 - o Maintaining an allegation and complaints handling procedure,
 - o Ensuring relevant HR policies and procedures,
 - o Updates to contractor/supplier/procurement policy and procedures
 - o Documenting reporting and record keeping procedures related to this policy.
- Provide resources for staff awareness and training in relation to this policy.
- Developing a process to deliver child safe messages at council venues, grounds, facilities, and events.



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- Connecting and supporting local community groups, organisations, and stakeholders to child safe resources (including culturally safe and inclusive resources).

4.7 ROLES AND RESPONSIBILITIES

Safeguarding children and young people are a shared responsibility across council.

The implementation of this policy and the KIC Child and Youth Safe Standards Action Plan will be overseen by the councils Child Safe Organisation Working Group.

4.8 REPORTABLE CONDUCT SCHEME

If the General Manager as head of the organisation becomes aware of a reportable allegation or a reportable conviction of any council listed member/employee at para 2, the General Manager must notify the Regulator within 3 business days of the reportable allegation or reportable conviction including the:

- Name (including any former names and aliases, if known) and the date of birth, if known, of the worker/member concerned: and
- If the notification relates to a reportable allegation, whether Tasmania Police has been informed about the reportable allegation.

4.9 NOTICE TO INVESTIGATE

As soon as practicable after the General Manager becomes aware of a reportable allegation or reportable conviction against a worker of the council the general manager will assess whether to conduct an internal investigation or engage an independent investigator to investigate the reportable allegation or reportable conviction and inform the Regulator the identity of the body or person who will conduct the investigation.

Council is liable completing the investigation even if the person who is the subject of the investigations ceases to be a member/worker of the council during the period the investigation is being completed.

As soon as practicable after the completion of the investigation the General Manager is to give to the regulator,

- A copy of the findings of the investigation and the reasons for those findings: and
- Details of any disciplinary or other action that the council has taken, or proposes to take, in relation to the member/worker, and the reasons for that action; and
- If the General Manager does not propose to take any disciplinary or other action in relation to the member/worker, the reasons why no action is to be taken.



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4.10 KIC CHILD SAFE ORGANISATION WORKING GROUP

This Working Group will meet as per the working group Terms of Reference to provide overall governance and leadership related to the development and implementation of the KIC Child and Youth Safe Standards Action Plan.

- The Working Group is led by the Community Development Manager and sponsored by the Deputy General Manager.
- The working group consists of staff from across the organisation to ensure diversity and inclusion.
- Key functions of the working group are to:
 - Review implementation of the Safeguarding Children and Young People Policy.
 - Develop and implement the KIC Child Safe Standards Action Plan and monitor the implementation of this policy across council.
 - Advocate and educate management and colleagues on the standards and encourage implementation of the standards across council.
 - developing child safe messages in local government venues, grounds, and facilities.
 - assisting local institutions to access online child safe resources.
 - providing child safety information and support to local institutions on a need's basis.
 - supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.

King Island Council acknowledges it has a leadership role in our community to support relevant organisations to be child safe and promote child safe practices.

Our approach to working towards the desired outcomes is to manage this workload through the KIC Child and Youth Safe Organisation working group and a supportive organisational psychologically safe culture that supports speaking up and being heard at all levels.

4.11 ROLES AND RESPONSIBILITIES ACROSS COUNCIL

The following staff have specific responsibilities in relation to this policy.

Elected Members

- Model a culture of child safety and wellbeing.
- Understand and comply with their obligations in relation to child safety and wellbeing.
- Participate in training/education to identify, prevent, and report child abuse and harm.



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- Report any concerns about child safety and wellbeing to the General Manager.
- Councillors also have a role in helping to promote the council as a Child Safe Organisation and to direct community members to appropriate information and resources.

General Manager

- The General Manager is the 'head of entity' under the *Child and Youth Safe Organisations Act 2023* and has legal obligations (including timeframes) around sharing of reportable conduct information. This includes reporting to the independent Regulator.
- Ensure adequate resources and support to enable staff to effectively deliver the Safeguarding Children and Young People Policy.
- Be the first point of contact in relation to the reportable conduct scheme and investigations.

Managers and team leaders

- Ensure a culture of safeguarding children and young people is embedded among their team.
- Ensure safeguarding children and young people policies and procedures, and other relevant policies are implemented within the work areas they are responsible for.
- Provide team members with induction, support, supervision, and access to ongoing professional development around safeguarding children and young people relevant for each team member's role and duties.
- Conduct risk assessments, taking reasonable steps to identify any potential risks to the safety and wellbeing of children within the work remit of their team/s and remove or minimise the risks.

Deputy General Manager/Administration Manager

- Ensure all recruitment, selection and on boarding processes meet the requirements of the Child and Youth Safe Standards.
- Ensure appropriate safety and screening checks are undertaken prior to engagement and maintained according to council HR policies.
- Ensure induction of new employees includes the provision of the Safeguarding Children and Young People Policy and Procedures and training to support them to understand their roles and responsibilities relating to child safety.
- Oversee the implementation of child safety training for new employees and refresher training for all employees on an ongoing basis and keep records of training completed.



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- Manage disciplinary procedures as they relate to child safety and wellbeing and ensure information is provided to the General Manager to meet the reporting obligations.
- Responsible for providing training, capacity building and awareness-raising initiatives to ensure employees are appropriately equipped to recognise, respond to and report child abuse.
- Ensure all council employees have an up to date Working with Vulnerable People check.

Council Staff

- Understand and comply with their roles and responsibilities in keeping children safe.
- Report any concerns about the safety and wellbeing of a child or young person to their manager.
- Participate in training and education in relation to safeguarding children and young people as required.
- Provide environments for children and young people where they feel safe, empowered, and can participate.
- Behave safely and appropriately with children and young people.

Contract managers

- The management of contracts includes, but is not limited to, all agreements, leases, licences, grant recipients, funded partners, and labour hire. Anyone managing these contracts will ensure:
 - All third-party operators are provided with a copy of council's Child Safety Commitment Statement; and
 - Contracts contain the relevant child safe clauses, including the requirement for Working with Vulnerable People Checks where relevant, and compliance with the Standards.

4.12 OUR OBLIGATIONS WITH EXTERNAL PARTIES

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



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5 RELATED DOCUMENTS

6.0 Definitions

The definitions of terms used in this policy are set out below.

Term	Meaning
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, sexual abuse, and neglect.
Child/Children/Young Person	Any person under 18 years of age as defined by Children, Young Persons and their Families Act 1997 (TAS).
Child Safe	For 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.
Child Safe Organisation	Defined in the Royal Commission Final Report as an organisation that: <ul style="list-style-type: none">• 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 governments, this would involve referring concerns to Independent Regulator and in the case of suspected criminal behaviour then to TAS Police to respond as appropriate.

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

Child and Youth Safe Standards	10 standards that specific organisations in Tasmania (including councils) must put into practice in an ongoing and simultaneous manner. These are defined under the legislation and mirror the National Principles for Child Safe Organisations.
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Contractor	In the scope of this policy means a person or company used by Council to provide services directly to children and young people, or where the contract's activities will, or are likely to involve contact with children and young people that is a usual part of and more than incidental to, the services.
Council facilities	Properties, buildings, and facilities including parks and sporting facilities owned and managed by Council including those used by the public or available for hire.
Council Staff	Includes King Island Council employees, volunteers, students on placement, contractors, consultants, elected representatives, and visitors, and anyone else who undertakes work on behalf of the King Island Council. This is regardless of their work related to children or young people.
Harm	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.
Independent Regulator	An independent oversight body that exists to help organisations understand how to comply with Tasmania's Child and Youth Safe Framework, provide guidance and advice, and monitor compliance.
Reportable Conduct Scheme	Requires leaders of specific organisations to notify the Independent Regulator when concerns are raised about conduct related to child abuse.
Safeguarding	Taking the actions necessary to ensure children and young people feel safe and are safe. This also means that if children or young people don't feel safe, steps are taken to restore their safety.
Universal Principle for Aboriginal Cultural Safety	This applies across all 10 Child and Youth Safe Standards and means the right of Aboriginal and Torres Strait Islander children and young people to Cultural Safety must be respected.
Wellbeing	Wellbeing of children and young people includes the care, development, education, health and safety of children and young people.



POLICY VERSION AND REVISION INFORMATION

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Policy Maintained by: Community Development Manager

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Version No	Date	Resolution No	Responsible Officer
1.0	1.1.2024	15/24	Community Development Manager



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