

## INTENT

The Policy is underpinned by National Principles for Child Safe Organisations. Bundaberg Regional Council is committed to creating a child safe organisation, where protecting children and preventing and responding to child abuse is embedded in everyday thinking and practice.

Council is committed to the safety of all children and recognises its legal and moral obligations to contact authorities when we are concerned about a child's safety.

The aim of the policy is to protect the children and prevent abuse from occurring. It is welcoming of all children, young people and families irrespective of culture, background, ability, sexual orientation, gender identity, or sex/intersex status. A child safe environment takes a preventative, proactive and participatory stance on child protection issues.

## SCOPE

Council has a zero-tolerance approach to child abuse and demonstrates a commitment to child safety from Councillors, employees, contractors, Council volunteers and work experience/work placement students, irrespective of their involvement in child related work.

All staff within council, regardless of their role or level of responsibility, will act to protect children and young people from such harm by:

- adopting appropriate safeguarding practice and behaviour
- report any abuse and neglect of which they become aware to our management and/or to external authorities responsible for child safety or to police.
- report abuse regardless of whether that abuse is being perpetrated by staff within our organisation, or by those outside our organisation including those from the child's family, extended family, their family's extended network or strangers; and
- Support the development of a safe and inclusive community, and promote respect for diverse values, abilities, beliefs, cultural practices and ways of living.

## DEFINITIONS

**Employee** means a local government employee as defined pursuant to the *Local Government Act 2009*.

**Child** – is a person who has not reached the age of 18 years of age and, in the absence of positive evidence as to age, means a person who is apparently under 18 years of age.

**Child Abuse** – occurs when a child has been subjected to physical, sexual, or emotional abuse and/or neglect which has resulted or is likely to result in harm to the child's wellbeing. It may involve ongoing, repeated or persistent abuse, or arise from a single incident.

**Child protection** – an activity or initiative for the purpose of preventing or responding to a specific incident of child abuse.

**Contact with children** – means providing a service, working or participating in an activity or position that involves contact with a child, either under the position description or due to the nature of the work environment.

**Emotional abuse** – is where a person in a position of power, authority or trust repeatedly attacks a child's self-esteem verbally or non-verbally e.g. by rejecting, degrading, isolating, ignoring, terrorizing, corrupting and/or exploiting a child.

**Identified persons** – is any person who is a Councillor, member of the Executive Management Team or other staff member or volunteer who's role has an essential requirement to hold a Blue Card.

**Mandatory reporting** – is the legal requirement to report a reasonable belief of harm which has been, is being, or may be committed.

**Neglect** – occurs when a child is not provided with adequate food or shelter; effective medical, therapeutic or remedial treatment, and/or care, nurturance or supervision to a severe and/or persistent extent where the health or development of the child is significantly impaired or placed at serious risk.

**Reasonable belief** – is formed if a reasonable person believes that:

- a) the child is in need of protection,
- b) the child has suffered or is likely to suffer “significant harm as a result of physical injury” or
- c) the parents are unable or unwilling to protect the child

A ‘reasonable belief’ or ‘belief on reasonable grounds’ is not the same as having proof, but is more than mere rumour or speculation. A ‘reasonable belief’ might be formed if:

- (a) a child states that they have been physically or sexually abused;
- (b) a child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
- (c) someone who knows a child states that they child has been physically or sexually abused; professional observations of the child’s behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; and/or signs of abuse lead to a belief that the child has been physically or sexually abused.

**Working with children** – working in an activity or in a position that involves or may involve contact with children either under the position description or due to the nature of the work environment, when: a “Working with Children” clearance notice or card is required by legislation, or Bundaberg Regional Council determines that the work constitutes ‘working with children’.

## POLICY PRINCIPLES

1. Bundaberg Regional Council has a clear commitment to ensuring the safety and wellbeing of children and young people.
2. Bundaberg Regional Council is committed to being a Child Safe Organisation and to protect children from all forms of exploitation and abuse, and to uphold children and young people’s right to access culturally safe services.
3. Bundaberg Regional Council provides services to the community within the Bundaberg Region. Children and young people have the right to be safe and protected. Council acknowledges the paramouncy in providing children with safe environments where children’s rights, needs and interests are met.  
In seeking to achieve these ends, Council strives to be a Child Safe Organisation and in doing so consciously and systematically:
  - Creates an environment where children’s safety and wellbeing are the centre of thought, values and actions;
  - Places emphasis on genuine engagement with and valuing of children.
  - 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.
4. In Queensland, under the Child Protection Act 1999, there is a legal responsibility of mandatory reporting for everyone. You must make a report if you reasonably believe a child has been harmed or exploited, or that a child is likely to be harmed or exploited.  
You are safeguarded under the law from legal or professional liability if you make a report in good faith.

## 5. RESPONSIBILITIES

Safeguarding children from harm and abuse is an essential responsibility for Bundaberg Regional Council. We are committed to ensuring that any child who comes into contact are properly safeguarded. Every person must play an active role ensuring children are properly safeguarded.

Bundaberg Regional Council will endeavour to:

- Provide training and awareness to keep children safe.
- Provide the support and supervision that children require.
- Provide children with the necessary referral pathways for areas of concern.
- Provide safe and secure facilities and environments which may be accessed by children.
- Value diversity and inclusion.
- Provide a culture of child safety in all levels of council.
- Respond appropriately to allegations or complaints in relation to child safety.
- Report allegations or concerns to relevant authorities whenever appropriate.

Council has ultimate responsibility for ensuring that there are appropriate and effective internal control systems are in place for creating a child safe organisation.

**CEO and Executive Management Team of Bundaberg Regional Council are responsible for:**

- Advocate and promote child rights, empowering and engaging children and young people in support of this Policy.
- Ensuring that all staff, contractors, and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation's Code of Conduct.
- Ensure appropriate supports, such as employment assistance program and formal debriefing, are provided for any Staff involved in a matter related to responding to a concern for the safety and wellbeing of a child or young person.
- Develop opportunities for regular discussion and review to support a culture of continuous improvement and accountability of keeping children and young people safe from abuse and neglect.
- Dealing with and investigating reports of misconduct by staff including contractors and volunteers.
- Making reports to the relevant authorities of suspected or actual child harm.
- Ensuring that all staff, contractors and volunteers are aware of their responsibilities and obligations in regard to child safety and wellbeing; and
- Ensure that all staff have current working with children and/or vulnerable persons clearance in accordance with Queensland and Commonwealth legislation.

**All Managers must ensure that they:**

- Promote child safety.
- Assess the risk of child abuse within their area of control and eradicate or minimise any risk to the maximum extent possible.
- Educate employees about the prevention and detection of child abuse; and
- Facilitate the reporting of any inappropriate behaviour or suspected abusive activities.

**All staff, volunteers and contractors share the responsibility for the prevention and detection of child abuse and must:**

- Maintain an understanding of the commitments and expectations of this Policy, as well as all other policies relevant to safeguarding children and young people.
- Familiarise themselves with the relevant laws and the Code of Conduct.
- Advocate and promote child rights, empowering and engaging children and young people in support of this Policy.
- Ensure they are aware of who to report concerns about a child's safety or welfare within the Bundaberg Regional Council workplace and work-related activities.
- Report any reasonable belief that a child's safety is at risk to the relevant authorities such as the police and/or the Department of Child Safety, Seniors and Disability Services and fulfil their obligations as mandatory reporters.
- Report any suspicion that a child's safety may be at risk to their manager (or, if their manager is involved in the suspicion, to a responsible person in the organisation); and
- Provide an environment that is supportive of all children's emotional and physical safety.

**Employment of New Personnel**

Bundaberg Regional Council undertakes a recruitment and screening process for all workers and volunteers that aims to:

- Promote and protect the safety of all children under the care of the organisation;
- Identify the safest and most suitable people who share Bundaberg Regional Council values and commitment to protect children; and
- Prevent a person from working with Bundaberg Regional Council if they pose a risk to children.

**Child Safe Recruitment and Screening**

All identified persons must provide and retain a current "Working with Children" (Blue Card) and associated checks.

**Provision of the Policy**

All Bundaberg Regional Council staff members, volunteers and other personnel must:

- be provided with, or have ready access to, a copy of the Policy; and
- be briefed on the policy as part of their induction and orientation.

**Training and Awareness**

All identified persons are:

- required to be aware of and familiar with the requirements of this Policy; and
- must participate in child protection awareness training

Bundaberg Regional Council will maintain a register of those persons who have been trained.

**REFERENCES/ASSOCIATED DOCUMENTS**

- *Bundaberg Regional Council Child Safe Commitment*
- *Child Protect Act 1999*
- *Criminal Code Act 1899 – Section 229BC*
- [Australian Human Rights Commission](#)
- *MD-7-1038 Employee Code of Conduct*
- *PD-5-011 Recruitment and Selection Report*
- *Reporting Child Harm flow chart*
- [National Principles of Child Safe Organisation](#)

- [Child Safe Practice Manual](#)

## **DOCUMENT CONTROLS**

This policy will be reviewed biennially or in response to changes in law or best practice.

## **POLICY OWNER**

Branch Manager Community Services that reports to General Manager Community and Environment.