

# Safeguarding Children and Young People Policy

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## 1. Acknowledgement of Country

Monash Council acknowledges the Traditional Owners of the lands, the Wurundjeri Woi Wurrung and Bunurong People, and recognises their continuing connection to the land and waterways. Monash Council pays respects to their Elders past, present and emerging and extend this to all Aboriginal and Torres Strait Islander People.

## 2. Purpose

This policy details the organisational responsibility in adhering to the Victorian Child Safe Standards and the Reportable Conduct Scheme.

## 3. Policy Statement

Monash Council values all children and young people and is committed to being a child safe organisation. Monash Council has **zero** tolerance to child abuse and takes all child abuse allegations seriously. Safeguarding children and young people is everyone's responsibility and Monash Council is committed to building a community that is safe and inclusive of all children and young people.

## 4. Scope

The Safeguarding Children and Young People Policy applies to all Monash Council [staff](#). For the purposes of this policy the term 'staff' is inclusive of employees, volunteers, and contractors.

## 5. Background / Context

Monash Council provides a range of direct services to support children and young people aged 17 years and under, which include:

- Maternal and Child Health
- Immunisation services
- Kindergarten infrastructure planning, central enrolment, and support
- Long day care and kindergarten
- Playground provision and maintenance
- Libraries
- Gallery
- Aquatic, leisure, and recreation services
- Youth activities and support services
- School crossing supervisors
- Festivals and Events

Monash Council also provides general services that children and young people may access including (but is not limited to) public events, playgrounds, public open spaces, sports fields, employment with Monash, and Civic Centre and Oakleigh customer services.

Council promotes equity and diversity by:

- Actively anticipating children's diverse circumstances and responding effectively to those with additional vulnerabilities
- Giving children access to information, support, and child friendly complaints processes

- Paying particular attention to the needs of Aboriginal and/or Torres Strait Islander children, children with a disability, children from culturally and linguistically diverse backgrounds, and children belonging to LGBTIQ+ communities.

### The Victorian Child Safe Standards

The Victorian Child Safe Standards were developed as a response to the Victorian Parliament's Betrayal of Trust inquiry in 2013. The Inquiry report highlighted inconsistent practices for keeping children safe within child facing organisations.

The Royal Commission into Institutional Responses to Child Sexual Abuse in 2019, triggered a review of the Victorian Child Safe Standards.

Changes to the Victorian Child Safe Standards, announced by the Victorian Government in 2021, were aimed at strengthening the Standards, and saw them change from seven to eleven standards. The current Child Safe Standards took effect on 1 July 2022. The eleven Victorian Child Safe Standards are:

- Standard 1: Cultural Safety for Aboriginal children and young people
- Standard 2: Clear Commitment to child safety
- Standard 3: Empowering children
- Standard 4: Families participate in child safety
- Standard 5: Equity and diversity is upheld in policy and practice
- Standard 6: Screening and recruitment practices ensure staff are suitable to work with children
- Standard 7: Child focused complaints processes
- Standard 8: Ongoing child safe training for staff and volunteers
- Standard 9: Physical and online environments promote child safety
- Standard 10: Regular review of Child Safe policies and procedures
- Standard 11: Policies and procedures document how the organisation is child safe

The Victorian Child Safe Standards aim to:

- promote the safety of children and young people
- prevent child abuse
- ensure organisations and businesses have effective processes in place to respond to and report all allegations of child abuse.

This Policy has been updated in accordance with Commission for Children and Young People's [A Guide for Creating a Child Safe Organisation](#).

### The Reportable Conduct Scheme

The 2013 Betrayal of Trust Inquiry report outlined the need for an independent review of organisations' systems to prevent and respond to allegations of child abuse.

The Scheme requires organisations, including Monash Council, to:

- respond to allegations of child abuse (and other child-related misconduct) made against their workers and volunteers, and
- to notify the Commission for Children and Young People of any allegations within three business days of becoming aware of them.

## 6. Commitment to Safeguarding Children and Young People

Council endorses and supports the principles of the United Nations Convention on the Rights of the Child 1989 (ratified in Australia in 1990). The Convention recognizes that those aged 17 years and under need special care and protection.

- Monash Council is committed to ensuring the safety and wellbeing of all children and young people who access Council activities, programs, services, or facilities.
- Monash Council is committed to ensuring the safety and wellbeing of all Monash staff aged 17 years and under while undertaking their role at Council
- Monash Council considers risks to the safety and wellbeing of children and young people when planning and building new facilities to protect them from harm.
- Policies and procedures seek to address risks to child safety by adhering to the 11 Victorian Child Safe Standards. Safeguarding policies and procedures are available in accessible formats that are easy to understand and are communicated to children, young people, and their families, Monash Council staff, and the public. Policies are regularly reviewed, changes endorsed, and staff are advised of changes.

## 7. Related Monash Policy or Procedure

The following Council policies and / or procedures must be considered in relation to this policy:

- Safeguarding Children and Young People Practice and Procedure
- Monash staff Code of Conduct
- Volunteer Code of Conduct
- Employee Disciplinary Policy and Procedures
- Safeguarding Children and Young People Information for Families
- Monash Recruitment Policy
- Monash Interview Guidelines /Questions

## 8. Related legislation

- Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021
- Commission for Children and Young People Act 2012
- Worker Screening Act 2020
- Children, Youth and Families Act 2005
- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2014
- Fair Work Act 2009
- Child Wellbeing and Safety Act 2005
- The Charter for Human Rights and Responsibilities Act 2006
- Crimes Amendment (Grooming) Act 2014
- Privacy and Data Protection Act 2014
- Public Records Act 1973

## 9. Definitions

See Appendix 1.

## 10. Responsibilities

The Chief Executive Officer and Executive Leadership Team are responsible for the development and endorsement of this Policy. The implementation of this Policy is the responsibility of the Monash Council leadership and management team. The role and responsibilities of each entity in relation to the development and implementation of the Policy is detailed on the next page.

Role / Entity	Responsibility
<p>Chief Executive Officer</p> <p>Executive Leadership Team</p>	<p>Promote the commitment to and implementation of this Policy.</p> <p>Support and resource policy review every three years (as a minimum) or at a time governed by legislation, regulations, or organisational learnings that promote a change to this Policy and supporting procedure documents.</p> <p>Ensure compliance to the Policy Statement via review mechanisms.</p> <p>Ensure adequate resources are allocated to allow for the effective implementation of this policy.</p> <p>Develop opportunities for regular discussion at all levels to support a culture of openness and continued improvement and accountability in safeguarding children and young people</p> <p>Advocate for and promote children and young people’s rights, empowering and engaging children and young people in support of this policy.</p>
<p>Safeguarding Children and Young People Coordinator</p>	<p>Support the implementation of this policy by relevant staff and stakeholders.</p> <p>Ensure the development and implementation of internal policy, procedures, and guidelines to support child safeguarding practice in accordance with the expectations of this Policy.</p> <p>Ensure allocated resources are utilised to ensure effective implementation of this Policy.</p> <p>Advocate and promote children and young people’s rights, empowering and engaging children and young people in support of this Policy.</p> <p>Facilitate the proactive sharing of resources and experience in the development of child safe initiatives.</p> <p>Develop opportunities to support a culture of continuous improvement and accountability relating to the safeguarding of children and young people.</p>
<p>Executive Manager People and Safety</p>	<p>Ensure staff understand their obligations in accordance with this Policy and any relevant policy and procedural documentation. This includes induction, compulsory</p>

Role / Entity	Responsibility
	<p>Safeguarding Children and Young People training, and regular discussion and guidance at supervision and team meetings.</p> <p>Ensure staff are aware of the appropriate recruitment, screening, and employment practices in relation to individuals with specific roles in working, coaching, or volunteering with children and families.</p> <p>Ensure that all staff are aware of their responsibilities in relation to Reportable Conduct.</p>
Managers, coordinators, and other people leaders	<p>Facilitate access to training for Safeguarding Children and Young People.</p> <p>Provide guidance to staff where there is a lack of understanding in relation the commitments and expectations as set out in this Policy.</p>
All <a href="#">staff</a>	<p>Maintain an understanding of the commitments and expectations of this Policy, as well as all other policies and procedures relevant to safeguarding children and young people.</p> <p>Undertake induction and training relevant to policy and procedures related to Safeguarding Children and Young People.</p> <p>Seek guidance from a supervisor/manager/People Leader if there is lack of understanding in relation to the commitments and expectations set out in this Policy.</p> <p>Take action to protect children and young people from all forms of abuse, bullying and exploitation.</p> <p>Assist in creating and maintaining a child safe culture and a culture of inclusion and safety.</p>

## 11. Communication

Monash Council commits to ensuring our Safeguarding Children and Young People Policy is communicated to:

Service users

- On the website at [www.monash.vic.gov.au/safeguarding-children-and-young-people](http://www.monash.vic.gov.au/safeguarding-children-and-young-people)
- In child and young people friendly format
- In culturally safe formats for Aboriginal and Torres Strait Islander children and young people
- In accessible formats for children and young people with a disability, neurodiversity and from culturally and linguistically diverse backgrounds

- As part of enrolment forms and program information provided to parents and families.

All staff

- During recruitment and induction processes (for prospective and new staff)
- On agendas for team meetings
- When there are any updates or changes to this document

## 12. Monitoring and Review

This document will be reviewed at least every three years, after consultation with key stakeholders (including with children, young people, and their families). Some circumstances may trigger an early review, including (but not limited to) legislative changes, organisational changes, incident outcomes/continuous improvement actions and other matters deemed appropriate by the Chief Executive Officer (CEO) and / or Executive Leadership Team.

The review of the policy will consider the following factors:

- Relevant legislation
- Gaps in policy
- Changes to related policies and procedures
- Whether the policy is still consistent with best practice
- Whether the policy meets stakeholders needs
- The level of compliance with the existing policy

### Approval and Endorsement

Council’s commitment to safeguarding children and young people from abuse and neglect, has been endorsed by the Chief Executive Officer and Executive Leadership Team.

Reference	Date	Date Last	Date of Next	ST
Version 1	2017			Endorsed by:  Chief Executive Officer and Executive Leadership Team.
Version 2	07/12/2022			Endorsed by:  Chief Executive Officer and Executive Leadership Team.

## 13. Supporting Resources

Safeguarding Children and Young People Practice and Procedure.

## Appendix 1: Definitions

The following definitions provide context and support to staff to identify vulnerabilities for children and young people and types of and indicators of abuse or other risky behaviours or environments.

Term	Definition
<b>Aboriginal and/or Torres Strait children</b>	A person aged 17 years and under who: <ol style="list-style-type: none"> <li>1. Is of Aboriginal or Torres Strait Islander descent</li> <li>2. Identifies as Aboriginal or Torres Strait Islander, and</li> <li>3. Is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.</li> </ol>
<b>Children from culturally and/or linguistically diverse backgrounds</b>	A child or young person who identifies as having 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. <sup>1</sup>
<b>Children with a disability</b>	A disability can be any physical, sensory, neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child or young person's ability to undertake everyday activities.  Disability can be present at birth or acquired through injury or illness. The latter may be temporary or permanent.
<b>Children belonging to LGBTIQ+ communities</b>	LGBTIQ+ communities refer to those who identify as lesbian, gay, bisexual, transgender, intersex, queer/ questioning and asexual. The + represents everything on the spectrum of sexuality and gender that isn't otherwise captured.
<b>Staff</b>	Refers to all employees, contractors, and volunteers engaged with or representing Monash City Council.
<b>A child or young person/ Children and Young People</b>	A person aged 17 years and under.
<b>Harm</b>	Harm to a child, is any detrimental effect of a significant nature on the child's physical, psychological, or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by: <ul style="list-style-type: none"> <li>• Physical, psychological, or emotional abuse or neglect</li> <li>• Sexual abuse or exploitation</li> <li>• A single act, omission, or circumstance</li> <li>• A series or combination of acts, omissions, or circumstances.</li> </ul>
<b>Neglect</b>	Neglect is the persistent failure or deliberate denial to provide the child or young person with the necessities of life. Such neglect includes the failure to provide adequate food, clothing, shelter, supervision, clean water, medical attention, or

<sup>1</sup> Victorian Government, *Cultural Responsiveness: Guidelines for Victorian Health Services* (2009)  
[http://www.health.vic.gov.au/\\_\\_data/assets/pdf\\_file/0008/381068/cultural\\_responsiveness.pdf](http://www.health.vic.gov.au/__data/assets/pdf_file/0008/381068/cultural_responsiveness.pdf)



Term	Definition
	<p>supervision to the extent that the child’s health and development is, or is likely to be, significantly harmed.</p> <p>Categories of neglect include physical neglect, medical neglect, abandonment or desertion, emotional neglect, and educational neglect. The issue of neglect must be considered within the context of resources reasonably available.</p>
<b>Sexual abuse</b>	<p>Sexual abuse is any act which exposes a child to, or involves a child in, sexual processes beyond their understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger, or any other object, fondling of breasts, voyeurism, exhibitionism and exposing the child to or involving the child in pornography. It includes child grooming, which refers to actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child, to lower the child’s inhibitions in preparation for sexual activity with the child.<sup>2</sup></p>
<b>Victorian Child Safe Standards</b>	<p>Victoria’s Child Safe Standards are a mandatory framework to protect children and young people from harm and abuse.</p> <p>All children have the right to feel safe and be safe, but safety does not just happen. The Standards exist to prevent harm and abuse from happening in organisations.</p> <p>There are 11 Child Safe Standards in Victoria, for the full list please visit: <a href="https://www.cyp.vic.gov.au/child-safe-standards-information-sheet">New Child Safe Standards Information Sheet.DOCX (ccyp.vic.gov.au)</a></p>

<sup>2</sup> Commonwealth of Australia, Royal Commission into Institutional Responses to Child Sexual Abuse: Final Report (2017), <https://www.royalcommission.gov.au/system/files/2021-08/carc-final-report-volume-1-our-inquiry.pdf>