

Child Safe Policy

Contents

1. Scope	1
2. Purpose.....	1
3. Policy.....	2
4. Delegation.....	2
5. Procedure	3
6. Definitions.....	18

1. Scope

This Policy applies to all City of Parramatta (Council) workers (and includes agency staff, students on placement, volunteers) and Councillors.

The Policy also applies to the management of Contracted Services Providers delivering services involving Child-Related work, either on behalf of or with Council.

2. Purpose

The City of Parramatta Child Safety Policy (Policy) and Child Safety Procedures, which create our Child Safe framework, outline how the Council meets its commitment and obligations, including under Child Safety Law, to safeguard Children’s wellbeing by adopting strategies and acting to put the interests of Children first to keep them safe from harm.

We will achieve this by embedding the following NSW Child Safe Standards into our organisational leadership, culture, and practice across Council:

- Standard 1 - Child safety is embedded in organisational leadership, governance and culture
- Standard 2 - Children participate in decisions affecting them and are taken seriously
- Standard 3 - Families and communities are informed and involved
- Standard 4 - Equity is upheld and diverse needs are taken into account
- Standard 5 - People working with Children are suitable and supported
- Standard 6 - Processes to respond to complaints of child abuse (or other concerns) are child- focused
- Standard 7 - Staff are equipped with the knowledge, skills and awareness to keep Children safe, through continual education and training

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

- Standard 8 - Physical and online environments minimise the opportunity for abuse or other kinds of harm to occur
- Standard 9 - Implementation of the Child Safe Standards is continuously reviewed and improved
- Standard 10 - Policies and procedures document how the organisation is child safe.

3. Policy

The objectives of the Policy are to:

- prevent harm to **Children** and **Young People** accessing Council services through effective risk management
- guide Council workers on how to behave with **Children** and **Young People** in the organisation including young workers under 18 years of age
- promote the participation of **Children** and **Young People** in the organisation and make it a child-safe organisation

Council is committed to fulfilling its duty of care to ensure that Children and Young People who access Council services are safeguarded from harm, recognising that feeling safe can be as important to Children and Young People as being safe.

Child safety and protection is everyone's responsibility, including Council workers, families and carers of Children and Young People.

Council is a registered agency under the *Children and Young Persons (Care and Protection) Act 1998* (NSW) (Act) and is committed to fulfilling its legislative and regulatory obligations regarding child protection.

4. Delegation

As the Head of Relevant Entity, under the Reportable Conduct Scheme, the Chief Executive Officer (CEO) must ensure systems are in place for preventing, detecting and responding to reportable allegations or convictions and that appropriate resources and information are provided to meet the obligations of this policy.

The CEO is responsible for referring reportable allegations or conviction against an employee of Council to relevant external bodies.

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

All Council workers must comply with legal requirements and adopted policies and procedures and report known, suspected or alleged abuse or harm of a Child, misconduct or inappropriate behaviour.

5. Procedure

We have specific operational policies and procedures in place that support Council workers to achieve our commitments. Council will ensure all workers have received appropriate information and training relevant to their obligations. All workers have a responsibility to adhere to the Policy and all associated procedures.

Council's Statement of Commitment to Child Safety and the Child Safe Code of Conduct are the foundation of our child safe culture. All people leaders at Council are responsible for championing and role-modelling Child Safe practices and behaviours that inform our approach to child safety and wellbeing.

Child Safe Code of Conduct

Establishes a clear set of rules and expectations for behaviour that is in line with the Council's child safe culture and values. Having clear rules and expectations of how employees are expected to interact with Children helps to prevent child abuse and encourage reporting.

These values are aligned to Council's ASPIRE behaviours which provide for an Appreciative, Supportive, Positive, Inclusive, Respectful, Empowering environment for all Children and Young People attending Council facilities and participating in our programs.

Working With Children Certification and Child Safe Recruitment

Council will meet legal requirements to ensure that only people with a valid and verified Working With Children Check (WWCC) are engaged in Child-Related Work. The WWCC is an essential part of Council's recruitment process to prevent people who pose a risk to the safety of a Child or Young Person from being employed or engaged in child-related work.

Every role within Council will be categorised, including newly created, re-profiled positions and existing roles where there has been a change in duties.

These categories determine whether the role requires a WWCC, when to apply child-safe recruitment and screening practices and what type of training, education and supervision is required to ensure the employee is suitable to work with Children and has the skills and supervision required to meet the responsibilities of the roles.

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

All Executive Team members, including the CEO, require a WWCC. Council expects that its Councillors hold a WWCC, noting that Council will ensure that its Councillors hold a WWCC before they are engaged in any Child-Related Work or come into contact with Children or Young People in the course of their work as a Councillor.

Council's recruitment and screening processes are designed to discourage and screen out people who are unsuitable to work with Children and help ensure that only the most suitable applicants who have a positive attitude to child safety and wellbeing are employed in Child-Related work.

In accordance with the WWCC procedure, if an employee becomes a disqualified person during their employment with Council, the relevant people leader and People and Culture Business Partner must immediately remove that employee from Child-Related Work. The employee may be placed in non Child-Related Work or removed from duty without pay, as without such clearance they may be unable to perform the inherent requirements of the duties they are engaged to perform.

All positions that Council has identified as requiring a WWCC are also required to undertake Criminal History Checks. Refresher Criminal History Checks must apply every 5 years or earlier where there is a legislative requirement.

Child Safe Training

All workers will be provided with appropriate training and/or induction to ensure that they understand the Council's commitment to child safety and wellbeing, and their role in safeguarding Children.

All workers and Contracted Service Providers working in Council's staffed facilities, venues and event sites will receive child safety training and/or an induction with information on resources that:

- includes Council's commitment to child safety and wellbeing
- provides an overview of the Council's child safety practices
- provides workers with knowledge about the nature and indicators of child abuse and harm, so that all workers can identify abuse, harm and concerning behaviour
- outlines how to respond to a disclosure of abuse appropriately
- outlines the basic reporting responsibilities and processes all workers must follow if there is an incident, allegation or concern for the safety or wellbeing of a Child or Young Person.

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

Relevant workforce areas will receive more specialised child safety training relevant to their role and responsibilities under child safety legislation as it applies to Council and Council's policy and procedures. This includes training about protective behaviours, child safety risk management, identifying and responding to risk of significant harm and responding to allegations of reportable conduct

Reporting Child Safety Concerns

Information outlining how a Child, parent or family member, or community member can make a report or complaint shall be provided in all of Council's staffed facilities and on Council's external website.

Council's response to any report, complaint, incident or allegation will be child-focused, prioritising the safety, interests and wellbeing of the Children or Young People involved.

Council will:

- remove or mitigate risks to the Child or Young Person identified in disclosure
- ensure that processes for responding to alleged abuse and misconduct are fair and focus on the safety and wellbeing of the Child or Young Person
- notify the relevant authorities where there is an allegation against a Council employee and conduct an investigation
- provide reports and/or progress updates to the relevant authorities and, where appropriate, people involved in any incident
- provide support or make referrals for support to alleged victims, their families and affected Council employees
- undertake timely reviews of organisational child safety policies, procedures and/or relevant Child Safety Risk Management Plans and reflect on practices following an incident.

Mandatory reporting risk of significant harm

Mandatory reporters are people who deliver services, wholly or partly, to Children as part of their professional work or other paid employment, and those in management positions in these services. Council positions identified as child-related work, shall be categorised as mandatory reporters. This policy broadens the definition of mandatory reporters under the Act. It does not replace or remove the requirements of mandatory reporters under the Act.

Where there are concerns that a Child or Young Person is suspected to be at Risk of Significant Harm, workers who are 'mandatory reporters' are required to report these concerns to the Department of Communities and Justice (DCJ) Child Protection Helpline.

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

The Mandatory Reporter Guide (MRG) is used to help determine when and what should be reported. <https://reporter.childstory.nsw.gov.au/s/mrg>

Workers who are not mandatory reporters, as well as members of the community, can also report the suspected Risk of Significant Harm to the Child Protection Helpline. The Child Protection Helpline receives reports via either telephone on PH: 132 111 or eReporting via the following website: <https://reporter.childstory.nsw.gov.au/s/mrg>.

Mandatory reporting is outlined in the Act.

Allegations against Council workers

Complaints and allegations against Council workers, contractors and sub-contractors, facility hirers and lessees involving a Child or Young Person will be handled in accordance with Child Safety Law.

This mandates a specific approach to the handling and reporting of complaints about workers involving a Child or Young Person.

Reportable Conduct

The conduct of workers holding a WWCC is subject to the Reportable Conduct Scheme at all times. These workers must behave in accordance with the Child Safe Code of Conduct even when not at work.

Any behaviour that is consistent with Reportable Conduct and or is a breach of the Child Safe Policy or Code of Conduct will not be tolerated and may lead to disciplinary action, up to and including termination of employment.

Child Safety Risk Management Plans

Child Safety Risk Management Plans identifying risks to Children and implementing controls to prevent and mitigate these risks is an essential factor in keeping Children safe.

Council will document how the safety and wellbeing of Children participating in events, programs and services delivered by Council are managed.

The plans will address the following risk factors:

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

- **People (including culture):**
The attitudes, behaviour and conduct of people who come into contact with or work with Children and the unique vulnerabilities of Children with whom we have regular contact, such as Children with disability, Children from culturally and linguistically diverse backgrounds, Aboriginal and Torres Strait Islander Children, Children who are questioning and/or affirming their gender or young people who are sexually diverse and Children who have experienced past trauma.
- **Processes:**
A process is an end-to-end activity that can involve actions performed by both people and technology. Ineffective processes can lead to ineffective implementation of our Child Safety policies and procedures which may result in a failure to prevent, identify and respond to incidents of abuse or harm.
- **Systems:**
Council systems or other systems that are accessed and used to provide services to Children. Examples include customer databases, internet services, mobile phones and security systems.
- **Physical Environment:**
Features of the physical environment, such as spaces with poor line of sight and surveillance, and of the online environment, such as direct, unsupervised and one-on-one contact with Children, that may contribute to the likelihood of a Child being groomed, harmed or abused.

Child Safety Risk Management Plans will address risk factors associated with the unique physical environment in which our services are delivered.

Child Safety Risk Management Plans are required for:

- each individual Council staffed facility where Children attend
- each unique service offered to Children where numerous services operate out of the same facility (regardless of whether or not the service is exclusively for Children)
- each event, program or service provided by Council workers delivered outside of a staffed facility, where Children are expected to attend or be present
- any online programs where Children can interact with Council workers and other members of the community

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

Child Safety Risk Management Plans will be reviewed following any incident and at least annually.

Managing Online Child Safety Risks

Child Safety Risks in an online environment include:

- cyber bullying e.g. peer to peer bullying
- non-consensual sharing of intimate images and image-based abuse e.g. sexting
- online grooming by adults or older Children
- online exploitation e.g. accessing, sending or uploading child pornography and abuse material, coercing or blackmailing Children for sexual purposes ('sextortion')
- unwanted online contact
- accessing inappropriate content
- breach of privacy or misuse of personal information

Council uses content filtering to assist in the management of online safety.

When developing interactive online programs and events for Children and Young People Council will develop an Online Child Safety Risk Management Plan. This involves:

- Understanding the risks
- Creating risk mitigation strategies and documenting them
- Setting clear expectations of behaviour
- Providing information about online safety to Children and Young People and parents and caregivers using the following e-Safety Commissioner resources:
 - [Guide for parents and caregivers of young people,](#)
 - [Guide for online safety for under 5s](#)
- Monitoring online activity
- Complying with reporting requirements

Engagement Commitment

Council is committed to providing Children with meaningful and authentic opportunities to participate in decisions that affect them. When Children feel valued and trust their feedback will be heard and acted on, they are more likely to speak up when they don't feel safe. Council will uphold this right by empowering Children to express their views and ideas and to have those views and ideas considered alongside those of adults in the following ways:

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

- Engaging on strategies and projects
Ensuring Council consults Children on capital works projects and strategies, policies and action plans that impact Children.

This includes for example the design of new parks, playgrounds and skate and recreational facilities, and key policies and strategies.

- Reviewing and developing services and programs
Council will seek feedback when services and programs used by Children are reviewed and evaluated. This feedback will guide future offerings and provide opportunities for Children to provide feedback on how services are provided and what Council can do to help Children feel safe. Where services and programs have ongoing contact with a Child or group of Children, Council will also aim to empower Children with resources and learning opportunities about being safe, their rights to be safe and who they can tell if they don't feel safe.
- Ensuring families and communities are informed and involved
As part of the delivery of services and programs used by Children, Council will make sure that families and communities:
 - are engaged on new services and programs, or changes to existing services and programs
 - are engaged in open, two-way communication about Council's child safety approach
 - have access to relevant information
 - have a say in Council's child safety policies and practices
 - are informed how to give feedback on services and raise issues of concern

Children on Council Premises

Council aims to ensure that all Children and Young People remain safe while on Council premises and when utilising Council services.

Council believes that it is primarily the responsibility of parents and caregivers of Children and Young People to ensure their safety and wellbeing; however, Council has implemented strategies across Council venues to protect Children and Young People from abuse, harm and exploitation.

Council believes one of the most effective ways of preventing child abuse is to increase awareness amongst all Council employees, volunteers and the community.

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

Across all Council properties and facilities, the following guidelines must be adhered to:

Toilets and Change Rooms

- a. Children under the age of five must be accompanied and supervised at all times while in the toilets and change rooms unless a local risk assessment provides for an alternate arrangement.
- b. if Children are over the age of five but cannot go to their respective toilets or change rooms without supervision, parents and carers must be encouraged to use family rooms where possible.

Supervision:

- a. while on Council premises and in the care of their parents and carers, Children and Young People are not the responsibility of any Council employees, contractors or volunteers, except where Children are enrolled in care services such as early learning and creche facilities.
- b. while on Council premises, Children must be supervised at all times by their parents and carers.
- c. a Child or Young Person left unattended in a public place such as Council libraries, parks and pools may be classed as a Child or Young Person at risk of harm in accordance with section 23 of the Act.

Whether or not Council employees, contractors or volunteers are mandatory reporters, they all have a duty of care to report any child protection concerns.

Age Restrictions:

- a. At some Council properties and facilities, there are restrictions on the age of Children and Young People that are allowed entry without adult supervision. Any age restrictions need to be communicated to the community in an effective manner.

Children of Council workers:

- a. in the event such as an unplanned circumstance where a Council worker is required to have their Child attend their place of work (excluding in an enrolled service), this should not be for an extended period and the Child must remain under the supervision of their parent/carers at all times always.
- b. the Child's attendance in the workplace should not have an operational impact on the Council worker fulfilling the requirements of their role.

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

Working with Schools

Council often engages with schools for a variety of reasons including for events, services, programs and workshops. The relationship between Council and the schools across the Local Government Area is very important because Council provides schools with a holistic range of services aimed at promoting the development, safety and wellbeing of all Children and Young people as well as their families.

While on school premises, all Council employees and volunteers must adhere to Council's Code of Conduct as well as any other additional policies and regulations that each individual school may have implemented.

When engaging with school communities those outlined in the scope of the Policy must:

- a. possess a valid WWCC that has been verified by Council and the school in which they are engaging with
- b. hold student welfare and wellbeing as paramount while interacting with Children and Young People and comply with all child protection requirements including employment screening
- c. understand their obligation to report any child protection concerns or suspected risk of harm
- d. ensure that an accredited teaching staff member employed by the relevant school is actively supervising at all times while working directly with Children and Young people
- e. ensure that any programs, presentations or activities being delivered have been prepared, reviewed and evaluated in consultation with teachers, students and the school community where possible.

Diversity, Equity and Inclusion

Council is committed to providing inclusive and culturally safe services and programs for everyone, including Children. Council understands that some Children are more vulnerable to abuse than others or find it harder to speak up and be heard. This includes Children with disability, Children from culturally and linguistically diverse backgrounds, Children who are questioning and/or affirming their gender or Young People who are sexually diverse and Children who have experienced past trauma.

Council is committed to providing culturally safe services, that focus on listening, strengthening relationships and building trust with Aboriginal Children, families, kinship networks and communities so together we keep Children safe and connected to culture.

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

Council will ensure that Children’s diverse needs are considered in the delivery of all services used by Children, and services offered in their area aim to provide all Children with equal opportunities to feel welcome and participate in activities and programs.

Children at Events

Council often organises events for families across Council’s Local Government Area where Children are present. Though Council is not responsible for the supervision of Children and Young people where parents and carers are present, all Council employees and volunteers have a duty of care to ensure that they act appropriately in all situations that may arise and continually monitor their surroundings.

At no time are any Council employees or volunteers responsible for the supervision and care of Children and Young People at events. Parents and carers must supervise their children at all times.

All Council employees and volunteers must wear easily identifiable vests or clothing which identifies them as a member of staff so that all members of the community, particularly Children and Young People, can approach them to seek help or advice.

All Council events with an audience number of 10,000 and above should endeavour to provide a ‘quiet space’ (where site layout allows) where members of the community, particularly Children and Young People, can go to if they need some time in a calm space. It is important to ensure that Council events use inclusive practices to provide opportunity for engagement and participation regardless of age, gender or ability.

Council employed or engaged photographers must be aware that the use of photography of Children under 16 is prohibited unless first obtaining authority from the child’s parent or guardians. Photography release forms must be used to record the authority.

Photography of Children and Young People

Council adheres to privacy legislation in relation to photographs and videos of Children and Young People. Those outlined in the scope of this policy must ensure that parent or guardian permission is obtained before any identifiable photographs are taken. The only exception relates to compliance matters outlined below.

All photographs taken must involve practices that are respectful and provide security for Children and should only be taken by an authorised person who has a suitable reason related to the Child or organisation.

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

Those outlined in the scope of the Policy must:

- a. plan ahead for events where photographers will be present
- b. ensure parental approval is sought, in the event of any photographs being published on social media, or elsewhere for Council purposes
- c. take photographs from angles that do not show a Child or Young Person's face or anything that could identify the Child or Young Person where consent has not been provided
- d. provide opportunity for Children who do not wish to be photographed to identify themselves
- e. not photograph Children in inappropriate settings such as toileting or changing clothes
- f. take particular care when photographing Children in vulnerable circumstances
- g. ensure file names, meta data and text descriptions do not reveal any identifying information about Children and Young People when sending electronically or publishing images in any format
- h. never store any images on personal computers or devices and store them in a secure location to protect from damage or misuse
- i. never use or reproduce images outside the approved purposes, including personal social media platforms
- j. handle all photos taken for compliance matters by Council workers in a manner that ensures any vision of Children are not accessible for any other means other than the infringement

Employment of Children and Young People

Council adheres to the Child Safety Law and guidelines from the Office of the Children's Guardian in relation to the employment of Children.

Children's employment refers to an organisation or individual that employs Children or Young people under 15 years of age for work in exhibition, entertainment, still photography or door-to-door sales or employs Children or Young people under 16 years of age for modelling work for payment or material benefit.

Council does not currently hold authority to employ Children in the above roles or capacity. All requests to employ a Child or Young Person under 15 years of age in the above categories must be considered by the People, Culture and Performance team before progressing to the CEO for approval.

The following link provides further information regarding employment of Children: <https://www.ocg.nsw.gov.au/childrens-employment/quick-guide-to-employing-children>

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

Secondary Employment

All requests for secondary employment from workers in Child-Related positions must be declared and will be considered by the relevant Executive Director, before approval. Where there are concerns these requests will be considered by the People, Culture and Performance team before progressing to the CEO for approval.

No approval will be given where workers attempt to utilise their position at Council to seek alternate forms of employment with families and/or carers of Children and young people within our care or that attend our services.

Employees promoting or participating in employment of this nature without formal approval for secondary employment may be subject to formal disciplinary action.

Signage

Council displays a variety of signage at properties and facilities including libraries, parks, sporting grounds, swimming centres, community centres and education and care services. Signage needs to be designed with Children and Young People in mind, making it accessible for them to read and understand.

Through the display of child protection signage, Council ensures that all users, hirers or visitors of all the properties and facilities are aware of Council's commitment to child safety and as a result, take a preventative, proactive and participatory stance in ensuring the safety and wellbeing of all Children and Young People across the community.

Creating child safe environments is a dynamic process that involves active participation and responsibility by all of the City of Parramatta community and therefore, it is vital that all Council divisions display explicit signage in relation to child protection to effectively communicate rules, regulations and key messages to the community.

Confidentiality and Records Management

Confidentiality will be maintained for all records and information relating to child safety and protection matters. All child safety and protection records will be maintained in secure electronic files and access will be strictly controlled.

Executive Directors and managers are responsible for ensuring that employees are aware of procedures relating to record management and that appropriate employees understand where child safety files are required to be stored.

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

Any role within Council or contracted to Council that is required for operational reasons to access records or images of Children and Young People, will be categorised as Child-Related Work. Records will be stored in accordance with the requirements of the relevant child safety and protection legislation.

Contracted Service Providers

Council has management and service agreements with several Contracted Service Providers (commercial sporting/recreational organisations and community organisations) that provide services for the benefit of the community and Children on behalf of Council.

When engaging Contracted Service Providers, Council will maintain procurement practices which meet the requirements of the Child Safe Standards. This is an organisation-wide objective to ensure that the work, services, systems and infrastructure provided by Council considers the safety, wellbeing and participation of Children.

Council will:

- ensure that the work, services, systems and infrastructure provided by Council considers the safety, wellbeing and participation of Children.
- ensure that any procured service that will directly engage with Children, is conducted by people who are suitable to be working with Children.
- Maintain the confidentiality and security of records and data relating to Children, where such information is required to be retained for operational reasons.

Where any relevant contractual agreements include the delivery of Child-Related Work on behalf of or with Council, the agreement must contain clauses outlining the Contracted Service Provider's responsibilities under all applicable Child Safety Law.

Hirers and Lesees

Hire Agreement Statement:

Council supports the rights of Children and Young People and is committed to their care and protection. Council believes that the safety and wellbeing of Children and Young People is everybody's business. Council requires all hirers to comply with Child Safety Law requirements, including around child protection, reportable conduct, Children's employment and working with Children.

Hirers that provide activities which involve Children must comply with the requirements of the Child Safety Law. A WWCC must be sought where applicable for Child-Related work.

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

Hirers are required to be able to provide, on request, all required WWCC numbers, names and dates of birth as well as evidence of verification. This information must also be available to potential customers or users of the activity. Failure to do so may result in Council cancelling the booking. Hirers must disclose to potential customers/stakeholders that they, the (Hirer) are an independent body from Council.

The Hirers further covenants with Council to indemnify Council in respect of any claim or demand made or action commenced by any person that may be made by parents, children, or other members of the public, government agencies and/or authorities arising out of alleged or actual offences committed against Children or Young People who allegedly have been victims of violent, abusive, or sexual acts and/or acts of indecency perpetrated by employees, invitees, licensees, or agents of the Hirer's, or trespassers, upon the demised premises or in connection with the hire.

Lease Agreement Statement:

Council supports the rights of Children and Young People and is committed to their care and protection. Council believes that the safety and wellbeing of Children and Young People is everybody's business. Council requires all Lessees who lease Council property or facilities from Council as the Lessor to comply with Child Safety Law, including around child protection, reportable conduct, Children's employment and working with Children.

The Lessee covenants with the Lessor that:

- a. the Lessee is aware of the provisions of the requirements of the Child Safety Law and that it is an offence for the Lessee to employ a prohibited person in Child-Related employment
- b. the Lessee is to ascertain whether a prospective employee, or current employee, is in a Child- Related position and if so, must ensure WWCC compliance including verification
- c. the Lessee is to comply with the Policy and, a copy of which will be made available to the Lessee.

The Lessee further covenants with the Lessor to indemnify the Lessor in respect of any claim or demand made or action commenced by any person that may be made by parents, Children, or other member of the public, government agencies and/or authorities arising out of alleged or actual offences committed against Children or Young People who allegedly have been victims of violent, abusive, or sexual acts and/or acts of indecency perpetrated by employees, invitees, licensees, or agents of the Lessee's, or trespassers, upon the demised premises or in connection with this Lease.

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

Continuous Improvement

To drive continuous improvement, the Policy and related operational procedures will also be regularly reviewed as we progress towards meeting the Child Safe Standards and when new guidance material is issued by the Office of the Children’s Guardian.

Roles & Responsibilities

Council Workers and Volunteers must adhere to the Policy and ensure that all elements of the Policy are followed while keeping the safety and wellbeing of Children and Young People at the forefront of their mind and work practices.

Supervisor/People Leaders of employees and volunteers are responsible and accountable for taking all practical measures to ensure that the Policy is followed. The Supervisor/People Leader must ensure that all employees, contractors and volunteers across Council act according to the guidelines and have child-safe work practices.

Chief Executive Officer is responsible for ensuring systems are in place for preventing, detecting and responding to reportable allegations or convictions and that appropriate resources and information are provided to meet the obligations of this policy. The CEO must hold a valid WWCC.

As the Head of Relevant Entity under the Reportable Conduct Scheme, the CEO is responsible for referring reportable allegations or conviction against an employee of Council to relevant external bodies.

Executive Directors are responsible and accountable for ensuring that the Policy is implemented, reviewed and maintained in their area of responsibility. They must ensure the wellbeing and safety of all Children and Young People by the provision of child-safe practices, information, instruction and training and supervision. All Executive Directors and Executive team members are required to hold a valid WWCC.

Councillors are members that are elected by the community who are expected to represent the interests of the community, provide leadership, and communicate and promote the interests of the council to other levels of government and relevant bodies. Council requests that its Councillors hold a WWCC. Council will ensure that its Councillors hold a WWCC where they are engaged in Child-Related Work.

Mandatory Reporters – all Council employees that are considered to be a mandatory reporter under the Act must respond accordingly if there are any suspicions, allegations or disclosures

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

of a Child or Young person at Risk of Significant Harm. If they are engaged to perform work on any Council premises or locations they are required, as part of their contract, to comply with the Policy.

The City of Parramatta Council is responsible and accountable for ensuring that all employees and volunteers are equipped with the knowledge and skills through adequate training of how to respond to and report any child protection concerns. Council must ensure that all employees, contractors and volunteers are informed of any legislative changes or requirements in regard to child-safe organisations and child protection as well as ensuring that the Policy is easily accessible.

6. Definitions

Term	Definition
Child and Children	Anyone under 18 years of age.
Young Person and Young People	For the purposes of this Policy, references to "young person" or "young people" will be taken to be a reference to a Child or Children.
Child-related work	Work that normally involves direct contact with Children and is more than incidental contact.
Child Safe	Creating a culture, adopting strategies and taking action to promote child wellbeing and prevent harm to Children and young people.
Child Safety Law	Includes, as updated from time to time, the following legislation: <ul style="list-style-type: none"> • <i>Child Protection (Working with Children) Act 2012 (NSW)</i> • <i>Child Protection (Working with Children) Regulation 2013 (NSW)</i> • <i>Children and Young Persons (Care and Protection) Act 1998 (NSW)</i> • <i>Children's Guardian Act 2019 (NSW)</i>
Child Safety Risk Management Plan	A risk management plan to prevent, identify and respond to child-related risks, including children being exposed to abuse, including psychological abuse (also known as emotional abuse), physical abuse, sexual abuse, grooming, misconduct and lack of appropriate care.
Child Safe Standards	The Child Safe Standards recommended by the Royal Commission to make organisations across the country safe for

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

	Children (also known as the National Principles for Child Safe Organisations).
Contracted Service Provider	A third party contracted to provide goods, services or programs on behalf of or with Council. The Contracted Service Provider could be an organisation (including for profit and not for profit organisations, private companies or government entities) or a sole trader - a business run by one person that is either run in the sole trader's own name or a separate business name.
Mandatory reporter	Persons to which section 27 of the <i>Children and Young Persons (Care and Protection) Act 1998</i> (NSW) applies. Mandatory Reporters are persons who, in the course of their professional work or other paid employment deliver health care, welfare, education, Children's services, residential services, or law enforcement, wholly or partly, to Children. It also includes people who hold a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, Children's services, residential services, or law enforcement, wholly or partly, to Children. For the purpose of this policy, all roles categorised as child-related work shall be considered mandatory reporters.
People Leaders	People Leader means a worker who is responsible for leading one or more workers within Council.
Reportable conduct	the <i>Children's Guardian Act 2019</i> defines 'reportable conduct' as: a) any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including a child pornography offence or an offence involving child abuse material); or b) any assault, ill-treatment or neglect of a child; or c) any behaviour that causes psychological harm to a child, whether or not, in any case, with the consent of the child; or d) any offence under section 43(b) or 316(a) of the <i>Crimes Act 1900</i> .

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years



	<p>Reportable conduct does not extend to:</p> <ul style="list-style-type: none"> a) conduct that is reasonable for the purposes of the discipline, management or care of Children, having regard to the age, maturity, health or other characteristics of the Children and to any relevant codes of conduct or professional standards, or b) the use of physical force that, in all the circumstances, is trivial or negligible, but only if the matter is to be investigated and the result of the investigation recorded under workplace employment procedures, or c) conduct of a class or kind exempted from being reportable conduct by the <i>Children's Guardian Act 2019</i>.
Risk of Significant Harm	<p>Concern/s about a child that is sufficiently serious to warrant a response by a statutory authority irrespective of a family's consent. It is something that is not minor or trivial and that may be reasonably expected to produce a substantial and demonstrably adverse impact on the child's safety, welfare or wellbeing.</p> <p>In addition, it can result from a single act or omission or an accumulation of these. Risk of Significant Harm is the NSW threshold to report child protection concerns to Department of Communities and Justice (DCJ) Child Protection Helpline (see section 23 of the <i>Children and Young Persons (Care and Protection) Act 1998</i> (NSW)).</p>
WWCC	<p>Working with Children Check clearance issued by the Children's Guardian under the <i>Child Protection (Working with Children) Act 2012</i> (NSW). A WWCC is a requirement for anyone who works or volunteers in child-related work in NSW. The clearance check provides either clearance to work with Children for 5 years or prohibits people who pose an unacceptable risk from working with Children.</p>
Worker	<p>Defined as any person who carries out work on behalf of Council including, but not limited to, Council employees, contractors, sub-contractors, agency staff, apprentices, trainees, students on placement and volunteers and Councillors.</p>

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years

Reportable Conduct Scheme	<p>The Reportable Conduct Scheme is governed by the Children’s Guardian Act 2019 and is administered by the Office of the Children’s Guardian.</p> <p>The NSW Reportable Conduct Scheme monitors how organisations investigate and report on allegations of certain conduct towards Children.</p>
RELATED LEGISLATION	<p>Child Protection (Working with Children) Act 2012 Child Protection (Working with Children) Regulation 2013 Children and Young Persons (Care and Protection) Act 1998 Children’s Guardian Act 2019 Civil Liability Act 2002 Crimes Act 1900 Local Government Act 1993 National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth). NSW Child Safe Standards NSW Children (Education and Care Services National Law Application) Act 2010 Privacy and Personal Information Protection Act 1998 State Records Act 1998 United Nations Convention on the Rights of the Child (1990)</p>
ASSOCIATED DOCUMENTS	<p>Child Safety Commitment Statement Child Safe Code of Conduct Performance Counselling and Disciplinary Procedure Procurement Policy Volunteer Policy Volunteer Procedures Code of Conduct Recruitment and Selection policy WWCC Procedure Child Safety Risk Management Plan</p>
ATTACHMENTS	-

This policy will be reviewed every 2 years, or upon changes in Child Safety legislation relevant to Council.

Child Safe Policy		
Owner: Chief People, Culture and Performance Officer	Area: People, Culture and Performance	ECM No: 92659
Date of Commencement: 2024	Approval Authority: Executive Team	Date Approved: 16/07/2024
Amendment:	Date of Next Review: 16/07/2026	Review: 2 years