

DRAFT

Child Safeguarding Framework

The Child Safeguarding Framework (the framework) articulates the strong commitment of Northern Beaches Council to the safeguarding and wellbeing of children. The framework outlines the principles that inform the Council's approach to becoming a Child Safe Organisation, as recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse. The framework supports, in an operational environment, Australia's international obligations under the Convention on the Rights of the Child.

Table of Contents	Page Number
Child Safe Standards for Child Safe Organisations	2
Risk management	3
Training and compliance	5
Child Safe Code of Conduct	6
Reporting	9
Resources	11

Child Safe Standards for Child Safe Organisations

The Child Safe Standards recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse provide a framework for organisations to create cultures and adopt strategies to keep children safe from harm. Each standard is principle-based, and work together to emphasise the importance of adopting multiple strategies to address child safety and to avoid an over-reliance on any one strategy.

A child safe organisation is one that consciously and systematically:

- creates conditions that reduce the likelihood of harm to children;
- creates conditions that increase the likelihood of identifying and reporting of harm; and
- responds appropriately to disclosures, allegations and suspicions of harm.

The 10 key standards of child safe institutions include:

1. Child safety is embedded in institutional leadership, governance and culture.
2. Children participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved.
4. Equity is upheld, and diverse needs are taken into account.
5. People working with children are suitable and supported.
6. Processes to respond to complaints of child sexual abuse are child focussed.
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.
8. Physical and online environments minimise the opportunity for abuse to occur.
9. Implementation of child safe standards is continuously reviewed and improved.
10. Policies and procedures document how the institution is child safe.

Risk Management ([Commonwealth Child Safe Framework](#))

Risk assessments play an important role in creating a child safe culture and environment where people consider and address risks to children before and as they arise.

As part of the risk assessment Council should consider:		
Types of CONTACT	Types of RISK FACTORS	Types of MITIGATION FACTORS

Types of contact	
Known and potential contact and interactions should be considered by each division including:	Direct physical contact
	Face-to-face contact
	Oral communication
	Written communication
	Electronic communication

Types of risk factors	
A wide range of risk factors should be considered by each division, including:	Insufficient or out of date corporate policies and processes
	Staff screening processes
	Staff contact with children and the risk of abuse
	The nature of the services work
	Environmental risks (including physical, cultural and online environments)

Types of mitigation strategies	
Policies, training and compliance	Clear internal child safe policies and training are available
	Child safety is embedded in social media and communication policies and codes of conduct
	Regular communications are made to staff regarding child safety related issues
	Complaints policies and procedures are available and accessible for children and young people
	Children and young people are aware of their rights

Child Safeguarding Framework

Child safe recruitment and screening practices	Child safety induction training is provided
	Behaviour based interview questions are used
	Reference checks are undertaken
	Police checks are undertaken (position dependent)
	Working with Children Checks are undertaken (position dependent)
Child focused and child safe environments	Contact with children occurs in visible work environments (such as glass-panelled offices and meeting rooms and open plan offices)
	Products/materials developed for children are located in open areas, not in closed or hidden areas
	Contact with children is culturally appropriate and interpreters are used if needed
	Children are accompanied by a parent or guardian
	Personnel are supervised, where appropriate, in situations where they have contact with children
Complaints handling and reporting	Child safety training is provided to relevant staff
	Clearly documented reporting and escalation procedures are available and communicated to staff
	Disclosure guidelines are available and responded to
	Complaints and disclosure procedures are available and responded to
	Trauma informed approaches are used where relevant

Training and compliance

The availability of information, education and training for Councillors, employees and volunteers is important in creating a child focused, transparent and safe organisational culture which protects children and young people from abuse.

At a minimum, to make Councillors, employees and volunteers aware of and comply with the Framework and relevant legislation, entities should:

Action	Description
Have well-communicated policies that meet the requirements of the Framework and manage any additional child related risks associated with the Council	An important component of any policy is reporting and handling of reports of child abuse. It may include what to do if the reporter or victim does not want their details provided to authorities (i.e. blind reporting) and any mandatory reporting requirement
	The policy should include provision of a supportive and safe environment for staff who disclose abuse or risk of abuse
Provide training to staff about their obligations under the Framework and any internal child safety policies	This could be achieved through face-to face or online training, induction processes
	Staff should be aware of their obligations, where relevant, from the commencement of their role. Training should be ongoing
Have in place robust staff screening processes to check the suitability of staff working with children	All relevant staff comply with working with children and/or working with vulnerable people legislation
	All relevant staff comply with mandatory reporting requirements
	Establish and maintain a system to manage Working with Children Checks

Child Safe Code of Conduct

Simple addition to our existing Code of Conduct example

- You must conduct yourself in a manner consistent with Council's values and the Child Safeguarding Policy
- You must uphold the rights of children and young people who come into contact with Council, to feel heard on matters relevant to their safety
- You must demonstrate appropriate personal and professional boundaries and not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, intended to humiliate or culturally inappropriate
- You must actively promote and consider the cultural safety and inclusion of all children and young people
- You must empower children and young people by providing an environment where they can actively participate and 'have a say', especially on issues that are important to them
- You must abide by the Council's commitment and obligation to be a child safe organisation
- You must identify and mitigate risks to the safety and wellbeing of children and young people
- You must take all reasonable steps to protect children and young people from abuse and respond to any concerns or complaints of child harm or abuse promptly and in line with Council's policy and procedure for receiving and responding to complaints.
- You must report any concerns, allegations, disclosures or observations of child abuse in line with the Council's policies and processes, mandatory reporting and reportable conduct reporting requirements

Child Safe Code of Conduct ([referenced from Human Rights Commission](#))

I will:	<ul style="list-style-type: none"> ✓ Act in accordance with Northern Beaches Council's Child Safeguarding Policy at all times. ✓ Behave respectfully, courteously and ethically towards children and their families and towards other staff. ✓ Listen and respond to the views and concerns of children, particularly if they communicate (verbally or non-verbally) that they do not feel safe or well. ✓ Promote the human rights, safety and wellbeing of all children associated with Council ✓ Demonstrate appropriate personal and professional boundaries.
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<p>I will:</p>	<ul style="list-style-type: none"> ✓ Consider and respect the diverse backgrounds and needs of children. ✓ Create an environment that promotes and enables children's participation and is welcoming, culturally safe and inclusive for all children and their families. ✓ Involve children in making decisions about activities, policies and processes that concern them wherever possible. ✓ Contribute, where appropriate, to the Council's policies, discussions, learning and reviews about child safety and wellbeing. ✓ Identify and mitigate risks to children's safety and wellbeing as required by Council's risk assessment and management policy or process. ✓ Respond to any concerns or complaints of child harm or abuse promptly and in line with Council's policy and procedure for receiving and responding to complaints. ✓ Report all suspected or disclosed child harm or abuse as required by legislation and by Council's policy and procedure on internal and external reporting. ✓ Comply with Council's protocols on communicating with children. ✓ Comply with all relevant legislation and Council's policies and procedures on record keeping and information sharing.
<p>I will NOT:</p>	<ul style="list-style-type: none"> ✓ Engage in any unlawful activity with or in relation to a child. ✓ Engage in any activity that is likely to physically, sexually or emotionally harm a child. ✓ Unlawfully discriminate against any child or their family members. ✓ Be alone with a child unnecessarily. ✓ Arrange personal contact, including online contact, with children I am working with for a purpose unrelated to Council's activities. ✓ Disclose personal or sensitive information about a child, including images of a child, unless the child and their parent or legal guardian consent or unless I am required to do so by Council's policy and procedure on reporting. ✓ Use inappropriate language in the presence of children, or show or provide children with access to inappropriate images or material.

	<ul style="list-style-type: none"> ✓ Work with children while under the influence of alcohol or prohibited drugs. ✓ Ignore or disregard any suspected or disclosed child harm or abuse
<p>If I think this Code of Conduct has been breached by another person at Northern Beaches Council I will:</p>	<ul style="list-style-type: none"> ✓ Act to prioritise the best interests of children. ✓ Take actions promptly to ensure that children are safe. ✓ Promptly report any concerns to my manager, Council's Child Safety Officer, the Chief Executive Officer or another manager or leader in the organisation. ✓ Follow Council's policies and procedures for receiving and responding to complaints and concerns. ✓ Comply with all legislative requirements on reporting where relevant, and with Council's policy and procedure on internal and external reporting
<p>I agree to abide by this Code of Conduct during my employment with Northern Beaches Council. I understand that breaches of this Code of Conduct may lead to disciplinary action or termination of my employment with Northern Beaches Council.</p>	<p>Full Name</p> <p>Signature</p> <p>Date</p>

Reporting and Responding to a Child Safety Concern

Factsheets can be accessed to support Business Process Mapping: [Fact sheets - reportable conduct](#)

1. Identifying reportable allegations

- A reportable allegation is an allegation that an employee has engaged in conduct that may be reportable.
- A reportable conviction means a conviction (including a finding of guilt without the court proceeding to a conviction), in NSW or elsewhere, of an offence involving reportable conduct.

The Reportable Conduct Scheme is an allegation-based scheme. The threshold for making a notification to the Office of the Children's Guardian is that a reportable allegation has been made – that is, there is an allegation that an employee has engaged in conduct that may be reportable conduct or that they are the subject of a conviction that is considered a reportable conviction.

Read more: [Identifying reportable allegations](#)

2. Heads of entities and reportable conduct responsibilities

The head of an entity (or their delegate) is required to:

- ensure specified systems are in place for preventing, detecting and responding to reportable allegations or convictions;
- make a notification to the Office of the Children's Guardian within 7 business days of becoming aware of a reportable allegation or conviction against an employee of the entity;
- as soon as practicable after receiving the reportable allegation/conviction, arrange for it to be investigated/determined;
- complete the investigation within a reasonable time, having regard to the principles of procedural fairness and the mandatory considerations outlined in Division 6 of the Act;
- provide information about the allegation, the progress of the investigation and the finding and action taken to the alleged victim and their parent/carer unless the head of the relevant entity considers that it is not in the public interest to do so;
- by 30 calendar days after the head of the entity becomes aware of the reportable allegation, provide either a finalised entity report or an update (an interim report, reasons the investigation has not been completed and an estimated timeframe for completion);
- make a finding of reportable conduct if satisfied, on the balance of probabilities, that the case against the employee, the subject of the reportable allegation has been proved;
- provide information to the Children's Guardian that the Guardian requires under relevant provisions of the Act, which may include information about a reportable allegation, the relevant entity's response to a reportable allegation, and systems for preventing and responding to reportable allegations;
- ensure an appropriate level of confidentiality of information relating to reportable allegations and only disclose information about the allegations in circumstances permitted by the Act or other legislation;

At the end of the investigation of a reportable allegation, the head of agency must send a report to the Office of the Children's Guardian that enables the Office of the Children's Guardian to determine whether the investigation was carried out in a satisfactory manner and whether appropriate action was or can be taken.

Read more: [Heads of entities and reportable conduct responsibilities](#)

3. Risk management following a reportable allegation

The head of a relevant entity is responsible for ensuring that any risk an employee may pose to a child(ren) is assessed and managed while responding to reportable allegations. This should be a dynamic process:

- An initial assessment on receipt of a reportable allegation should be based on all relevant information known at that time;
- The risk assessment should be revisited and – where appropriate – adjusted during the investigation, as new information becomes known;
- A final risk assessment should be undertaken at the end of the investigation.

At each stage, the assessment should inform any decision about risk management – that is, action that will be taken to address identified risks. It is important to record why the decision was made to take, or not take, any action following an initial, subsequent and final risk assessment.

Read more: [Risk management following a reportable allegation](#)

4. **Planning and conducting an investigation:** [Planning and conducting an investigation \(fact sheet\)](#)
5. **Recognising and managing conflicts of interests:** [Recognising and managing conflicts \(fact sheet\)](#)
6. **Keeping Records:** [Keeping Records \(fact sheets\)](#)
7. **Disclosing information to children, parents and carers:** [Disclosing information to children, parents and carers](#)
8. **Making a finding of reportable conduct:** [Making a finding of reportable conduct](#)
9. **Information for employees:** [Information for employees](#)
10. **Information for employers:** [Information for employers](#)

Reportable Conduct Scheme	
The head of a relevant entity must notify the Office of the Children's Guardian within 7 business days of becoming aware of any reportable allegation or conviction.	7-Day Notification Form
By 30 calendar days after becoming aware of a reportable allegation or conviction, the head of a relevant entity must provide either the investigative report ("entity report") or, if the investigation is not complete, an interim report.	30-Day Interim Report Form
Once the head of entity is satisfied that the investigation has been concluded, they must, as soon as practicable, provide the Office of the Children's Guardian with an entity report unless the Children's Guardian has given a written exemption or the head of the relevant entity has a reasonable excuse.	Entity Report Form

Resources

Generic Online Safety Resources:

[Australian Human Rights Commission Child Safe Organisations toolkit with eSafety Commissioner](#)

[Bravehearts keeping kids safe online](#)

[Crimestoppers - eSafety and your child](#)

[Cybersmart; Australian Communications and Media Authority \(ACMA\) for parents, teachers, children and young people](#)

[DOE – supervising children online advice](#)

[eSafety – Parents, Carers, Students, Seniors and Educator packages](#)

[eSafety - Promoting an esafe club culture \(sporting\)](#)

[eSafety - Toolkit for schools](#)

[Playing IT Safe | How to stay safe online](#)

[Head to Health Covid-19 support](#)

[NSW Police](#)

[Staysmartonline; Australian Cyber Security Centre for businesses](#)

[Staysmartonline; Australian Cyber Security Centre for parents](#)

[Student Wellbeing Hub - for carers, educators and young people](#)

[ThinkUKnow resources \(national crime prevention program\)](#)

Resources to assist the sector during COVID-19

[The Association of Children's Welfare Agencies \(ACWA\)](#)

[DCJ- NSW Communities and Justice essential services website](#)

[DCJ and NCOSS service provider information and video resources for Covid-19](#)

[Jericho Road \(Presbyterian Social Services\) Covid-19 Resources](#)

[NCOSS- Community sector resource on Covid-19](#)

[NSW Health FAQ](#)

[NSW Office of Sport Update](#)

[Youth Action- general advice for youth sector to prepare for COVID](#)

General mental health support for everyone during COVID-19

[Lifeline](#)

[Headspace resources for young people](#)

[Kids helpline](#)

Responsible Officer

Executive Manager

Review Date

At least every four years or as required

Revision History

Revision	Date	Change	TRIM #
1			
2			