

Community and Stakeholder Engagement Report

Child Safeguarding Policy (Stage 1 of 1)

Impact level: Three

Report date: 1 September 2020

Contents

1.	Summary.....	2
1.1.	Engagement date.....	2
1.2.	Who we engaged	2
1.3.	How we engaged	3
2.	Background.....	3
3.	Engagement approach.....	3
3.1.	Engagement objective(s).....	3
4.	Findings	4
5.	Verbatim comments	5

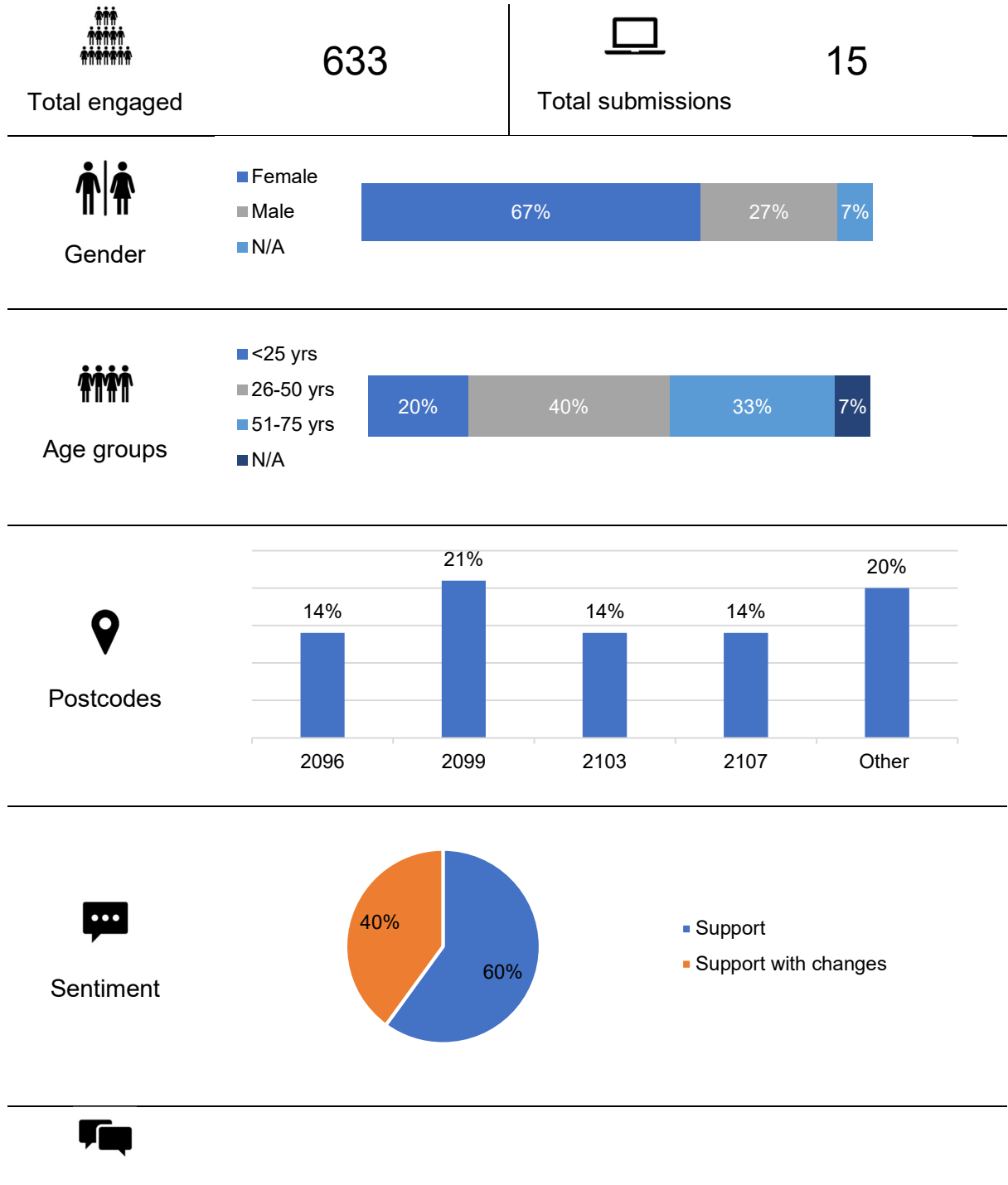
1. Summary¹

This report outlines the community and stakeholder engagement conducted as part of the Child Safeguarding Policy project.

1.1. Engagement date

26 June to 9 August 2020

1.2. Who we engaged



¹ Community and stakeholder views contained in this report do not necessarily reflect the views of the Northern Beaches Council or indicate a commitment to a particular course of action.

Feedback themes	Support for document Training	Procedures Reporting
-----------------	----------------------------------	-------------------------

1.3. How we engaged

	Visitors: 508	Visits: 633
Your Say		
	Community Engagement newsletter: 1	Distribution: 20,000
Electronic Direct Mail	Council eNews: 2	Distribution: 70,000

2. Background

Northern Beaches Council is committed to becoming a Child Safe Organisation and has a responsibility to adopt preventative and responsive systems, policies and practices to safeguard children and young people (those aged under 18 years) from harm and abuse.

The purpose of the draft Child Safeguarding Policy is to provide a set of overarching practices aligned to the Child Safe Standards recommended by the Royal Commission that demonstrates Council's commitment to child safety.

The development of the Child Safeguarding Policy was in response to a Notice of Motion at a Council Meeting on 17 December 2019, requesting that Council prioritise the development of a policy position in respect of Child Safeguarding.

The draft policy will apply to all workers of Northern Beaches Council including Councillors, employees, trainees, work experience and internships, volunteers, agents, consultants, contractors and employees of contractors irrespective of whether or not they work with or have direct contact with children and young people.

3. Engagement approach

The Child Safeguarding Policy community engagement was planned, implemented and reported in accordance with Council's [Community Engagement Matrix](#) (2017).

3.1. Engagement objective(s)

- Build community and stakeholder awareness of the Policy and other relevant information (inform)
- Provide accessible information so community and stakeholders can participate in a meaningful way (inform)
- Identify community and stakeholder concerns, professional knowledge and values (consult)

4. Findings

15 submissions were received during the public exhibition of the draft policy held between 26 June and 9 August 2020.

Overall, all comments were supportive of the draft policy. Positive feedback included:

- the quality of the written document including the content and material. In particular, that the policy covers the roles and responsibilities of Council staff regarding child safety
- the policy reflects a good standard of practice for Council.

Other key suggestions were to include:

- a section on 'information for families' would ensure that parents and care givers are informed and involved in the safeguarding process
- hirers of Council facilities such as community and sports centres, and surf clubs
- plan and timetables of release and implementation are needed
- a process for reporting child abuse.

Comments also highlighted that:

- appropriate training for all Council staff is needed to ensure they can recognise and respond to child safety issues effectively
- different operational areas of Council should have their own specific policy and individualised procedures
- all Council staff should complete a Working With Children checks.

5. Verbatim comments

Any personal information and weblinks have been redacted.

	Submission	Action
1	<p>The policy could be more inclusive by ensuring council staff are trained to engage with young people who experience disabilities. This population is very vulnerable.</p>	<p>We have reviewed the policy and made the following addition " be aware of the different ways children and young people express concerns or distress and disclose harm including children and young people who have a disability and may be more vulnerable."</p>
2	<p>My name is [REDACTED] and I currently teach Child Protection through accredited and non accredited training, as well as advise on best practice. I am currently delivering training for two R.T.O's [REDACTED], as well as consulting on this matter. I think a Child Safe Guarding Policy is essential, however reading through your draft policy I notice crucial errors in your document. For example you mention Family and Community Services (FaCS) as being the Government body responsible when FaCS no longer exists and has not done for some time. The relevant body is the Department of Communities and Justice. There are also other errors and information that is incomplete. I say respectfully that making documentation accurate, that relates to policies and procedures particularly in an area as important as child protection and safeguarding is essential. [REDACTED]</p>	<p>We have reviewed the policy and have updated the reference to reflect the relevant body, now called Department of Communities and Justice. Additionally, we have provided a copy of this Policy to the NSW Office of Children's Guardian, who are currently supporting Local Governments to become Child Safe Organisations. The NSW Office of Children's Guardian have been working with Local Government to develop more targeted and appropriate training for our workers and a range of corresponding resources.</p>
3	<p>All council staff should undergo (and have to pass) a working with children check to be eligible to work for Council. Does our community want people who have failed a working with children check representing our Council?? The community should feel at ease that anybody wearing a Council logo is a trustworthy person that can be approached safely.</p>	<p>Working with Children Checks (WWCC): When considering if a person needs a WWCC the legislation prescribes certain roles. When determining if a worker needs a WWCC, Council will consider what the worker actually does within their role - do they have direct physical or face to face contact with children, as a normal part of their work? Many roles work in a fleeting capacity with children and young people, or the work is in fact not directly with</p>

		<p>children and is incidental to their work as a whole. This is why child safe strategies are so important including implementing child safe recruitment and screening practices, training and induction programs, ensuring the code of conduct explicitly addresses behaviours of people when working alongside people under 18, such as language used around children, how to give a child directions, how to report a fellow volunteer for inappropriate behaviour etc.</p> <p>https://www.legislation.nsw.gov.au/view/html/inforce/current/act-2012-051#pt.2-div.1</p> <p>Additionally, under the privacy principles an organisation may only collect personal information that is reasonably necessary for their work.</p> <p>https://www.oaic.gov.au/privacy/your-privacy-rights/your-personal-information/collection-of-personal-information/</p>
4	Very well written.	No action.
5	I support this policy as it provides education and awareness training to more people in our community (council employees, volunteers etc). It is hoped that they can then be advocates for children and their safety, hopefully reducing abuse of children and young people in our community.	No action.
6	Policy seems to cover all aspects of child safety from the councils point of view.	No action.
7	Mandatory reporting of all child abuse allegations, not just when we form a 'reasonable belief'. Limited training limits our ability to adequately develop the skills to know if child abuse has occurred. ALL suggested, possible and reported cases must be referred to professionals for assessment.	A reasonable belief is terminology used by the NSW Office of Children's Guardian "If you believe on reasonable grounds that a child or young person is at risk of significant harm, you should contact the NSW Child Protection Helpline on 132 111." We have reworded the sentence to say, "We all have a responsibility to report if we have formed a reasonable belief that abuse has occurred." Council will provide training to all staff and clear reporting lines on What staff should report, When they should report and Who they should report to as part of our implementation phase.
8	Also make mandatory reporting for all council staff for any alleged child abuse	Under the Children and Young Persons (Care and Protection) Act 1998 a select group of people are defined as Mandatory Reporters, and consequently it is not possible for all staff across Council to take on this requirement. We have updated 'Reporting and Responding to a Child Safety Concern' to more clearly indicate

		<p>which Council staff are classed as Mandatory Reporters and have a responsibility to recognise and respond to safety, welfare or wellbeing concerns for children and young people. In addition, we have added Mandatory Reporters within the definitions.</p> <p>Mandatory reporters are people who deliver the following services, wholly or partly, to children as part of their paid or professional work:</p> <ul style="list-style-type: none"> • Health care (e.g. registered medical practitioners, specialists, general practice nurses, midwives, occupational therapists, speech therapists, psychologists, dentists and other allied health professionals working in sole practice or in public or private health practices) • Welfare (e.g. psychologists, social workers, caseworkers and youth workers) • Education (e.g. teachers, counsellors, principals) • Children’s services (e.g. child care workers, family day carers and home-based carers) • Residential services (e.g. refuge workers) • Law enforcement (e.g. police) • A person in religious ministry or a person providing religion-based activities to children (e.g. minister of religion, priest, deacon, pastor, rabbi, Salvation Army officer, church elder, religious brother or sister) • Registered psychologists providing a professional service as a psychologist to adults.
9	<p>This is fantastic and I wish the creative arts industry such as Dance were made to adopt these policies.</p> <p>Currently the Dance industry is unregulated and I have spent three years trying to get someone to act on a teacher and dance organisation that did not take child abuse claims seriously. This teacher still has a current WWCC and shouldn't.</p>	No action.

10	<ol style="list-style-type: none"> 1. what type of training more specifically and from where (organisation) so that employees learn about signs of abuse and how to handle a child in such a situation 2. I noticed that parents weren't mentioned - Should parents be screened as well if they are in a role that involves children that are not their own, then they must be subject to the policy as are other staff and volunteers. Perhaps the policy document can clarify this. 3. Locations? Where is this policy will be implemented? Is it covering all concerning places? All Council facilities should be included, and all of those facilities should, I think, be appropriately signposted as being included in the Child safeguarding policy. 4. Risk assessment - which one? Are experts involved in this choice? 5. Working with children - I don't believe WWC is enough to identify people with history of abuse. Thank you 	<ol style="list-style-type: none"> 1. Training: The NSW Office of Children's Guardian is currently in the process of developing a training program and a number of resources for staff in Local Government. 2. Parents: This policy applies to all workers of Northern Beaches Council including Councillors, employees, trainees, work experience and internships, volunteers, agents, consultants, contractors and employees of contractors irrespective of whether or not they work with, or have direct contact with children and young people. This would include parents where they are a regular volunteer in a service. Volunteers who are working with children and young people would never be left unsupervised by a staff member 3. Council Facilities: Council services run out of Council facilities are covered by the policy. The policy will support Council facility hirers, groups and lessees who conduct activities that involve children and young people, will be required under the hiring and lease agreements to comply with NSW Child Protection Legislation, this includes undertaking Working with Children Check, and adopting their own Child Safeguarding Policy. These groups will be referred to the NSW Office of the Children's Guardian for additional support and guidance. 4. Risk Assessments: Thorough risk assessments will play an important role in supporting a child safe culture and safe environment. When undertaking these we will consider and address risks to children both before and as they arise. Our risk management process will consider the types of contacts that arise with children and young people within the organisation, the various risk factors relevant to each division and a range of mitigation strategies. The NSW Office of Children's Guardian has been key in providing training and resources to support Local Government in unpacking and
----	--	--

		<p>implementing the Child Safe Standards.</p> <p>5. Working with Children Checks WWCC: When considering if a person needs a WWCC the legislation prescribes certain roles. When determining if a worker needs a WWCC, Council will consider what the worker actually does within their role - do they have direct physical or face to face contact with children, as a normal part of their work? Many roles work in a fleeting capacity with children and young people, or the work is in fact not directly with children and is incidental to their work as a whole. This is why child safe strategies are so important including implementing child safe recruitment and screening practices, training and induction programs, ensuring the code of conduct explicitly addresses behaviours of people when working alongside people under 18, such as language used around children, how to give a child directions, how to report a fellow volunteer for inappropriate behaviour etc. .</p> <p>https://www.legislation.nsw.gov.au/view/html/inforce/current/act-2012-051#pt.2-div.1 Additionally, under the privacy principles an organisation may only collect personal information that is reasonably necessary for their work.</p> <p>https://www.oaic.gov.au/privacy/your-privacy-rights/your-personal-information/collection-of-personal-information/</p>
11	<p>I believe this policy will better protect children who are working with council. The policy being enacted by council will set a positive precedent for society in terms of the way they treat children, it will make children feel safer when interacting with council and will educate all council workers on ways they can protect children no just at work but outside too. The only problem I see arising with this policy is the reduction in relationships between children and council workers. I can see this happening as council workers become hyper sensitive to breaching the policy and to avoid this, they distance themselves completely from young</p>	No action.

	people. Overall I believe this policy will have a positive impact on society and should be enacted as soon as possible.	
12	Overall, this policy seems to be a good standard of practice for all departments and individuals within the council who socialise, communicate and work with children and young people.	No action.
13	<p>If the findings of The Royal Commission Into Institutional Responses to Child Sex Abuse teach us anything, it is that child sexual predators live in legal loopholes and rely on others not taking responsibility. As Northern Beaches residents, we applaud the initiative of NBC in drafting a policy to protect our local children. As experts in different aspects of child sexual assault, we caution that this draft leaves too many loopholes and allows some parties to avoid responsibility.</p> <p>[REDACTED]</p> <p>We make the following comments regarding the draft; Our primary concern: It appears, though it is not clear, that the policy DOES NOT apply to the longterm hirers of Council facilities. Facilities being community halls, sports centres and surf clubs. Cumberland Council, a forerunner in bringing their child safe policies in line with the 10 National Principles, DO include facility hirers in their child safe policy. Is Council taking the retrograde step of choosing to take no responsibility for what goes on in its facilities that are hired out to groups and organisations? We implore the Council to include hirers of Council facilities in their Child Safeguarding Policy. For our suggestion on how this can be achieved, please see below under the heading Suggested Rules for Hirers.</p> <p>Our second major concern is whether Council has conducted a child-contact self-audit? Its not possible to assess whether the policy is</p>	<p>1. Venue Hirers: Council Services operated in Council facilities are covered by the policy. With regard to Council facility hirers, groups and lessees who conduct activities that involve children and young people will be required to comply with NSW Child Protection Legislation under the hiring and lease agreements. This includes undertaking a 'Working with Children Check' and adopting their own Child Safeguarding Policy. These groups will be referred to the NSW Office of the Children's Guardian for additional support and guidance.</p> <p>2. Risk Assessments: Thorough risk assessments will play an important role in supporting a child safe culture and safe environment. When undertaking these we will consider and address risks to children and young people both before, and as they arise. Our risk management process will consider the types of contacts that occur with children and young people within the organisation, the various risk factors relevant to each division and implementing a range of mitigation strategies including such things as policies, procedures, training and compliance, and child safe recruitment and screening practices.</p> <p>3. Standards of behaviour: Council's code of conduct will explicitly address expected behaviours of people including when working alongside people under 18, such as language used around children, how to give a child directions, how to report a fellow worker for inappropriate behaviour etc.</p> <p>As part of the implementation phase Council will provide training / induction to</p>

adequate if there is not information to understand the risks. What are all the ways that Council activities and facilities involve interactions with children, or that initiates contact between children and others who would otherwise not be known to them? Short Sample of Contact Points with children – holiday programs, Kimbriki, Coastal Environment Centre, Rangers, Customer service, facility hire, community centres, surf clubs, sports fields, swimming pools, skate parks, public toilets. What is the appropriate policy for all of these instances and how does policy flow to the formulation of procedures for each of these Contact Points with children?

Specific comments on the document

Page 1 Scope – applies to ‘workers’ which includes Councillors, employees, trainees, work experience and internships, volunteers, agents, consultants, contractors and employees of contractors” but it is unclear whether a venue hirer is included.

Page 3, under ‘Training’ where Council conducts ongoing programs involving children, those children too could receive age-appropriate information about protective behaviours, risks, and reporting channels. For over 12s, they should also be informed that if they violate safety guidelines, there will be consequences, including the mandatory requirement to report the matter to police and authorities.

Standards of Behaviour

Consequences of breaches are not clear (other than it being grounds for internal disciplinary action or dismissal!) Consequences for breaches of the Standards of Behaviour should include the prospect of referral to police and authorities, and it should be clear that sexual abuse of children is a crime, and there are severe penalties and prison sentences for such crimes.

Risk Management

Policy includes: “ensuring that third party contractors have appropriate measures in place to safeguard children and young people.” This of course needs to include hirers, but it must be stated clearly.

Reporting and Responding

all workers that will include clear reporting lines so that workers are aware of what should be reported, when it should be reported and who it should be reported to. All allegations and reports will be taken seriously, and will be investigated by the Complaints Resolution Team, reported to the Office of Children’s Guardian and whenever required also reported to the Police and the Department of Communities and Justice.

4. Risk Management with regard to third party contractors and facility hirers, groups and leases: Third party contractors who are engaged by Council to provide a service to children and young people will be included within the scope of this policy. Facility hirers, groups and lessees who conduct activities that involve children and young people, will be required under the hiring and lease agreements to comply with NSW Child Protection Legislation, this includes undertaking Working with Children Check, and adopting their own Child Safeguarding Policy. These groups will be referred to the NSW Office of the Children’s Guardian for additional support and guidance.

5. Reporting and Responding – the Child Safeguarding Policy provides the Council’s overarching position. Additional procedures around reporting and responding to a child safety concern have been further broken down and include the following steps

- a. Identifying reportable allegations
- b. Heads of entities and reportable conduct responsibilities
- c. Risk management following a reportable allegation
- d. Planning and conducting an investigation
- e. Recognising and managing conflicts of interests
- f. Record keeping
- g. Disclosing information to children, parents and carers
- h. Making a finding of reportable conduct
- i. Information for employees

6. Definitions – We have adopted suggested word change “behaviour that causes significant emotional or

The policy states; “All children, young people, families, and Council’s workforce will know what to do and who to tell if they observe abuse or are a victim of abuse, and if they notice inappropriate behaviour.” How? There is nothing else in the policy document that suggests how parents and children will know what to do or who to tell. It is not in the Training section and there is no Information section (see note below about an ‘Information to Families’ section under the heading Overall comments).

Definitions

There seems to be a typo on page 7 (or it is badly worded). The list of reportable conduct includes “behaviour that causes significant emotional or psychological harm to a child” and then goes on to list examples of three behaviours in children who have suffered harm. It would be best phrased as “behaviour that causes significant emotional or psychological harm to a child. Indicators to look out for in assessing whether a child has suffered harm may include: - Behaviour patterns that are out of character - Regressive behaviour - Anxiety or self-harm”

Overall comments

National Principle 3 is not addressed! What part of the policy ensures that parents are informed and involved? Suggested solution; under part 3 Practices, add a category for Information to families. Parents and caregivers should be aware of the policies and practices that are relevant to the activities in which their child participates. Council should endeavour to have a ‘parent rep’ for all ongoing regular activities involving children. The parent rep can serve as another contact point for complaints and concerns. Also under Information to Families, there should be a requirement for appropriate signage in venues and facilities to inform children that they have a right to feel safe and what they can do if they don’t. National Principle 10 is only partially addressed. NBC is on the path to having a policies document, but there are no procedures detail and no apparent plan or timetable to develop one. The excellent example set by Surf Life Saving Australia shows what can be achieved in terms of documenting vision, policy and procedures and making that accessible, easy to read and to implement.

psychological harm to a child” Indicators to look out for in assessing whether a child has suffered harm may include:

- Behaviour patterns that are out of character
- Regressive behaviour
- Anxiety or self-harm”

<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/reportable-conduct-scheme/employers-faq/legal-definitions>

7. National Principle 3 – Additional overarching statements have been added to the draft policy to demonstrate Council’s commitment to engaging children and families and ensuring policies are accessible.

“Council will promote community engagement with children, their families and identified community stakeholders, such as children with disabilities, CALD communities and Aboriginal communities in accordance with the Community Engagement Policy.

Council will routinely provide a range of ways to allow children to provide feedback or raise concerns. We will listen to their view, respect what they say and involve them when we make decisions, especially about matters that directly affect them.” Council is committed to child safeguarding and ‘Northern Beaches Council acknowledges that protecting the safety of children and young people is a whole of community responsibility and is everyone’s business.’ How each division puts this into practice may look slightly different and this would be detailed within individual service unit’s procedures.

8. National Principle 10 – The Draft Policy is an overarching statement and if approved by Council will then set in motion the cascading of the finer details much of which you have indicated in your submission. The surf lifesaving website is very comprehensive and will be a good point of reference for our future work with the Policy.

Next steps

NBC should clearly declare that long-term hirers of council facilities that involve children ARE included in the NBC Child Safeguarding Policy. NBC should conduct and disclose an audit of all the ways the organisation involves or affects children; holiday programs, Kimbriki, Coastal Environment Centre, Rangers, Customer service, facility hire, community centres, surf clubs, sports fields, swimming pools, skate parks, public toilets etc, then craft a set of relevant procedures. If it is necessary for the various Divisions to have their own Child Safeguarding policies, then it should still be a work of the highest levels within Council and affirmed by the Councillors. We don't want Divisions limiting their procedures for reasons of convenience, expedience, or cost-savings NBC should commit to formulating a set of user-friendly procedures that are appropriate for the various operations of council. This should be a transparent process that is open to wider input.

More on the Hirer question

If Council is deliberately avoiding any involvement with spaces for hire, this is contrary to the Council's statement in the draft policy "Northern Beaches Council acknowledges that protecting the safety of children and young people is a whole of community responsibility and is everyone's business." And again under the Risk management Heading "ensuring that third party contractors have appropriate measures in place to safeguard children and young people."

For legal interpretation on the widened net of responsibility set down by recent legislation, refer

[REDACTED]

Suggested Rules for Hirers

Except for single event hirers, and except for activities that don't involve children, all hirers of Council facilities must follow these rules; 1. The organisation or group must have adopted their own Child Safeguarding policy. There is a recommended template here, created by the NSW Office of the Children's Guardian

[REDACTED]

	<p>[REDACTED]</p> <p>Every organisation also needs to be familiar with this document;</p> <p>[REDACTED]</p> <p>2. The policy must include the requirement that the parents of all newly enrolling child participants receive a copy of the policy, and the organisation must, each term, facilitate the appointment of a parent rep. The parent rep must be available as a contact point for concerns of other parents by some service such as mobile phone or Whatsapp.</p> <p>3. All staff and volunteers in the organisation who have contact with children must undertake a WWC and must submit a copy of each WWC to Council once every two years. There is an updated system now in NSW that makes this much quicker, easier and effective.</p> <p>4. There must be at least some age-appropriate signage in the venue, to inform children that they have a right to feel safe and what they can do if they don't. [REDACTED]</p> <p>[REDACTED]</p>	
14	Submission not publicly available as it contains information of a sensitive, personal and prejudicial nature.	No action.
15	Submission not included as it related to a technical issue filling out the submission form	No action.