

Child Safety and Wellbeing Policy

Policy type	Administration
Function	Organisation
Policy Owner	Corporate Governance
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1. Introduction

Cassowary Coast Regional Council (Council) is committed to promoting and protecting the safety, wellbeing and interests of children and young people and acting in the best interest of children. We have zero tolerance for child abuse. All children, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, or family or social background, have equal rights to protection from abuse.

Everyone working for Council is responsible for the care and protection of children and for reporting information about child abuse.

In Queensland, under the *Child Protection Act 1999*, there is a legal responsibility of mandatory reporting for everyone. You must make a report if you reasonably believe a child has been harmed or exploited, or that a child is likely to be harmed or exploited.

You are safeguarded under the law from legal or professional liability if you make a report in good faith.

Council has an unequivocal commitment to ensuring the safety and wellbeing of children and young people. While the issue of reporting concerns in relation to child sexual abuse and exploitation are clear and straight forward, concerns in regards to child.

This policy is aligned with the *Child Safe Organisations Act 2024* and its standards, ensuring that Council operates as a Child Safe Organisation.

2. Purpose

Council is committed to embedding the National Principles for Child Safe Organisations, including child safety being embedded in organisational leadership, governance, and culture; children and young people being informed about their rights; and equity being upheld and diverse needs respected. Other aims of this policy are to:

- protect children from exploitation and abuse;
- work towards embedding an organisational culture of child safety;
- ensure that all parties are aware of their responsibilities for identifying possible occasions for child abuse and for establishing controls and procedures for preventing such abuse and/or detecting such abuse when it occurs;

- ensure that the 'best interests of the child' principle is always paramount, including the need to protect the child from harm, to protect their rights and to promote his or her development;
- establish, maintain and uphold required standards of conduct and behaviour in all contact and dealings with children at all times;
- ensure that, if there are reasonable grounds to suspect that a child or children are at risk of exploitation or abuse or have been abused, or abuse is disclosed, the correct reporting procedure is followed and, where practicable and available, follow up support is provided or arranged by CCRC;
- ensure that CCRC staff and anyone in contact or working with children in connection with services and activities provided by CCRC are obliged to abide by laws relevant to child safety and child protection;
- ensure that all cases of disclosed or suspected child exploitation and abuse are handled in a consistent, thorough and timely manner and in accordance with the requirements of relevant legislation

3. Scope

This policy applies to all staff including students on work placement, interns, volunteers, contractors and other personnel whether employed directly by Council, on contract, or via a sub-contract agreement providing any service at any Council workplace. Compliance with this policy applies to all staff at all times including outside of business hours e.g. personal time, holidays (domestic and international).

Implementation of this policy is the responsibility of all staff, contractors, volunteers and other personnel. Compliance and monitoring is the responsibility of line Managers.

All staff are required to sign the **attached** Child Safety and Wellbeing Code of Conduct.

4. Definitions

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

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

Child abuse material – is material that depicts (expressly or implicitly) a child as a victim of torture, cruelty or physical abuse.

Child exploitation and abuse – is one of more of the following:
 committing or coercing another person to commit an act or acts of abuse against a child
 possessing, controlling, producing, distributing, obtaining or transmitting child exploitation material
 committing or coercing another person to commit an act or acts of grooming or online grooming



Child pornography – is material that depicts a person, or is a representation of a person, who is, or appears to be, under 18 years of age and is engaged in, or appears to be engaged in, a sexual pose or sexual activity, or is in the presence of a person who is engaged in a sexual pose or activity, and does that in a way that a reasonable person would regard as being, in all circumstances, offensive.

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

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

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

Grooming – is behaviour that makes it easier for an offender to procure a child for sexual activity, including online grooming.

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

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

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

Physical abuse – is when a person in a position of power or trust deliberately hurts or threatens to injure a child.

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

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

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

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



Sexual abuse – the use of a child for sexual gratification by an adult or a significantly older child or adolescent. Sexually abusive behaviours can include fondling genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling breasts, voyeurism, and exhibitionism and exposing the child to, or involving the child in pornography.

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

5. Principles

Council provides services to the community within the Cassowary Coast Region. Children and young people have the right to be safe and protected. Council acknowledges the paramountcy in providing children with safe environments where children’s rights, needs and interests are met.

In seeking achieve these ends, Council strives to be a Child Safe Organisation and in doing so consciously and systematically:

- Creates an environment where children’s safety and wellbeing is the centre of thought, values and actions;
- Places emphasis on genuine engagement with and valuing of children;
- Creates conditions that reduce the likelihood of harm to children and young people;
- Creates conditions that increase the likelihood of identifying any harm; and
- Responds to any concerns, disclosures, allegations or suspicions of harm.

6. Responsibilities

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

The CEO and Executive Leadership Team are responsible for:

- Dealing with and investigation reports of misconduct by staff including contractors and volunteers;
- Making reports to the relevant authorities of suspected or actual child harm;
- Ensuring that all staff, contractors, and volunteers are aware of relevant laws, organisational policies and procedures, and the organisation’s Code of Conduct;
- Ensuring that all staff, contractors and volunteers are aware of their responsibilities and obligations in regards to child safety and wellbeing; and
- Ensure that all staff have current working with children and/or vulnerable persons clearance in accordance with Queensland and Commonwealth legislation.



All Managers must ensure that they:

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

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

- Familiarise themselves with the relevant laws and the Code of Conduct;
- Ensure they are aware of who to report concerns about a child's safety or welfare within the CCRC workplace and work related activities;
- Report any reasonable belief that a child's safety is at risk to the relevant authorities such as the police and/or the Department of Child Safety, Youth and Women and fulfil their obligations as mandatory reporters;
- Report any suspicion that a child's safety may be at risk to their manager (or, if their manager is involved in the suspicion, to a responsible person in the organisation); and
- Provide an environment that is supportive of all children's emotional and physical safety.
- Develop and implement a Child Safe Risk Management Plan as required under the Child Safe Organisations Act.

Employment of New Personnel

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

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

Child Safe Recruitment and Screening

All identified persons must provide and retain a current "Working with Children" (Blue Card) and associated checks. If working with children is a requirement of a particular role, Council will ensure child safety-focused interview questions and referee checks during recruitment processes; and document and retain evidence of compliance with recruitment and screening processes.

Cultural Safety

Council is committed to ensuring cultural safety for Aboriginal and Torres Strait Islander children and young people, as well as children from culturally and linguistically diverse backgrounds. This includes providing culturally appropriate services and engaging with communities to understand their unique needs.

Provision of the Policy

All staff members, volunteers and other personnel must:

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

Training and Awareness

All identified persons are:

- required to be aware of and familiar with the requirements of this Policy;
- must participate in child protection awareness training (including the obligations under this policy to protect children and how to report concerns or allegations about child abuse); and
- include specific modules on recognising and responding to harm, cultural safety, and empowering children to speak up.

Council must maintain a register of those persons who have been trained.

Related forms, policies and procedures	Information Privacy and Confidentiality Policy Anti-Discrimination Policy Performance and Misconduct Policy Code of Conduct for Team Members Councillor Code of Conduct
Relevant legislation	<i>Child Protection Act 1999 (Qld)</i> <i>Information Privacy Act 2009 (Qld)</i> <i>Child Safe Organisations Act 2024</i>
Reference and resources	Australian Human Rights Commission – National Statement of Principles for Child Safe Organisations Australian Human Rights Commission – Child Safety and Wellbeing Policy Cultural Safety for Aboriginal and Torres Strait Islander Children and Young People: A Background Paper to Inform Work on Child Safe Organisations: January 2018 United Nations Convention on the Rights of the Child Queensland Family & Child Commissioner Child Safe Organisations Act 2024 Standards

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