



GLEN EIRA
CITY COUNCIL

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BRIGHTON EAST
CARNEGIE
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ELSTERNWICK
GARDENVALE
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ORMOND
ST KILDA EAST

GLEN EIRA CITY COUNCIL COUNCILLOR CHILD SAFEGUARDING POLICY

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Approved by:
Council

Policy Category: Discretionary Council Policy

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1. TITLE

Councillor Child Safeguarding Policy

2. OBJECTIVES

To outline Council's commitment to a culture that prioritises the safety and wellbeing of all children and young people, and child safeguarding practices that prevent children and young people from abuse and harm.

3. SCOPE

This Policy applies to all Glen Eira City Council Councillors.

4. DEFINITIONS

Term	Meaning
Adult	Any person 18 years of age and above
Child/Young Person	Any person aged below 18 years of age
Child Abuse	Types of child abuse can include: - Physical violence – can occur when a person intentionally or recklessly uses physical force against, with or in the presence of a child without their consent, which causes or could cause child harm. Physical violence can also occur when someone intentionally or recklessly causes a child to believe that physical force is about to be used against them without their consent. Physical violence can include hitting, punching, kicking, pushing or throwing something that strikes a child. It also includes words or gestures that cause a child to believe that they are about to suffer physical violence. - Sexual abuse – when a person uses power or authority over a child to involve them in sexual activity. It includes a broad range of behaviours involving a sexual element that are committed against, with or in the presence of a child. Child sexual abuse does not always involve force. In some circumstances, a child may be manipulated into believing that they have brought the abuse on themselves, or that the abuse is an expression of love. Sexual offences may involve contact, like touching or penetration. They also includes acts that do not involve physical contact like 'flashing', possessing child abuse material or grooming. - Sexual misconduct – includes a variety of sexualised behaviours against, with or in the presence of a child. These behaviours may not meet the threshold for

Term	Meaning
	a sexual offence but can still pose a significant risk to children. Behaviours can include inappropriate conversations of a sexual nature, comments that express a desire to act in a sexual manner, or in some cases, behaviour that crosses a professional boundary, such as having or seeking to establish an inappropriate or overly personal or intimate relationship with a child. • Emotional or psychological harm – can occur as a result of experiencing another form of child abuse or in circumstances that involve persistent verbal abuse, coercive or manipulative behaviour, hostility towards a child, humiliation, belittling or scapegoating, conveying to a child that they are worthless, unloved, inadequate, or rejected or causing a child to frequently feel frightened • Neglect – a failure to meet the basic needs of a child (such as their wellbeing and safety). Neglect can arise as a result of a single event or a combination of different events. Neglectful behaviours can include: • Supervisory neglect - failure to appropriately exercise adequate supervision or control • Physical neglect - failure to meet physical needs eg. appropriate food, clothing, shelter or hygiene • Educational neglect - failure to ensure formal educational needs are met • Emotional neglect - failure to provide adequate nurturing, encouragement and support <i>Commission for Children and Young People</i>
Council	Glen Eira City Council, whether constituted before or after the commencement of this Policy
Councillor Conduct Officer	The Councillor Conduct Officer is appointed by the Chief Executive Officer under section 150 of the Local Government Act 2020. The Councillor Conduct Officer provides administrative and operational support associated with Council’s internal resolution procedure and councillor conduct framework processes to councillors, arbiters, councillor conduct panels and the Principal Councillor Conduct Registrar.
Reasonable Belief	A reasonable belief is a belief based on facts that would lead a reasonable person to believe the alleged conduct may have occurred. A reasonable belief is more than a suspicion – there must be some objective basis for the belief. However, it does not require certainty. For example a person is likely to have a reasonable belief if they: • observed the conduct themselves • heard from a child that the conduct occurred • received information from another source (including another person who witnessed the conduct or misconduct) <i>Commission for Children and Young People</i>

5. POLICY

5.1 Councillors

Whilst undertaking their Councillor role, all Councillors are responsible for supporting the safety, participation, wellbeing and empowerment of children and young people. Leadership responsibilities and behavioural expectations for Councillors when engaging with children and young people in our community are to:

- Treat all children and young people with respect, regardless of race, colour, sex, gender identity, sexual orientation, language, political or other opinion, nationality, cultural background, financial status, disability or other characteristics.
- Listen, take seriously and respect the ideas, opinions and concerns of children and young people.
- Respect the privacy of children and young people and their families/carers.
- Report any conflicts of interest (such as an outside relationship with a child or young person and/or their family/carers) that may impact on the role of a Councillor.
- Observe professional boundaries with children and young people at all times.

In the conduct of their duties, Councillors must not:

- Condone or participate in illegal, unsafe, abusive, or harmful behaviour against, with or in the presence of a child or young person. This includes physical violence, sexual abuse, sexual misconduct, emotional or psychological harm and neglect, in both physical and online environments.
- Discuss intimate, sexualised or violent topics with or in the presence of children or young people.
- Engage with children and young people while under the influence of alcohol or prohibited drugs or offer children or young people alcohol, and/or other drugs, cigarettes, vaporisers or any other substances that may be harmful.
- Initiate unnecessary physical contact with children or young people or touch a child or young person in a way that falls outside what is reasonable for undertaking the duties of a Councillor.
- Develop a 'special' relationship with a child or young person or show favouritism or a preference that may be deemed as 'grooming' behaviour, e.g. offering gifts or providing special treatment.
- Engage in any form of contact or interaction, whether in person, online, or through other means, with children, young people or their families/carers, in connection with any Council activity, including programs, events and services, where such contact or interaction is not directly related to the official duties and responsibilities of a Councillor
- Take, use or publish photographs or videos of children and young people at any Council related activity, including programs, events and services, without appropriate

consent.

- Post images or information about children and young people at any Council related activity, including programs, events and services, on personal (not related to the Councillor role) social media, social networking applications, gaming accounts or online platforms etc.
- Access Council records or disclose personal or sensitive information of children or young people and their family/carers for purposes unrelated to the Councillor role and/or without consent from the child or young person and their family/carer unless required under legislation

5.2 Working with Children Checks

5.2.1 Councillors must maintain a current Working with Children Clearance throughout their term as a Councillor.

5.2.2 Councillors will provide the Chief Executive Officer with a copy of their Working with Children which will be securely stored.

Councillors will ensure that Glen Eira City Council is included in the organisations listed on their Working Children Clearance and that Working with Children Victoria is notified of changes to personal details within 21 days.

5.2.3 If a Councillor is unable to obtain a Working with Children Clearance or they receive an exclusion or interim exclusion from working with children during their Councillor term, they must restrict their Councillor activities to ensure they do not have unsupervised interactions (direct or indirect) with children and young people.

5.3 Training and Education

5.3.1 Councillors must participate in child safeguarding training every two years.

5.4 Reporting Allegations, Concerns and Complaints

5.4.1 Councillors must report breaches of the Model Councillor Code of Conduct (as it pertains to child safety and wellbeing) and any Council child safeguarding policies and procedures relevant to Councillors, to the Chief Executive Officer or Councillor Conduct Officer.

5.4.2 Councillors must report a reasonable belief that child abuse or harm has occurred, is occurring or is at risk of occurring in a Council service or facility and/or they receive a disclosure of child abuse or harm to Victoria Police and the Chief Executive Officer. Concerns, allegations or complaints of child abuse and harm regarding the Chief Executive Officer should be reported to Victoria Police and the Mayor. Refer to 4.4.1 for allegations, concerns and complaints regarding a Councillor.

5.4.3 If a Councillor witnesses a child safety and wellbeing incident, in the conduct of their Councillor duties or believes a child or young person is in immediate danger, they should:

- Call 000 for urgent Police or medical assistance to respond to immediate safety or health concerns; and
- Immediately notify the Chief Executive Officer.

5.5 Councillor Allegations, Investigations and Fair Procedures

5.5.1 In the event that a Council staff member is notified of child abuse allegations in relation to a Councillor, or a breach of the Councillor Child Safeguarding Policy or Model Councillor Code of Conduct (as it pertains to child safety and wellbeing), the staff member will notify either their manager, supervisor, the Councillor Conduct Officer or the Chief Executive Officer.

5.5.2 The manager or supervisor should report the allegation referred to in 5.5.1 to the Councillor Conduct Officer and Chief Executive Officer.

5.5.3 The Councillor Conduct Officer or Chief Executive Officer will notify relevant authorities in line with legislative obligations in relation to reports made under 5.5.1 or 5.5.2 of this Policy.

5.5.4 It is expected that Councillors will cooperate with any investigation process and will be provided with the opportunity to respond to the allegations. A Councillor who is the subject of an investigation should, on a 'without admission basis', voluntarily take a leave of absence during the course of the investigation.

At the conclusion of the investigation a confidential investigation report will be provided to the Councillor Conduct Officer for consideration and the appropriate action to recommend.

5.5.5 Council is committed to the protection of all individuals who report suspected child abuse in good faith. Detrimental action must not be taken against any individual who reports an allegation of child abuse in good faith.

5.6 Privacy

5.6.1 The collection and storage of any information in relation to this Policy will be in line with Council's Privacy and Health Records Policy.

5.6.2 Council may disclose information collected in relation to this Policy to relevant authorities where permitted or required by law.

6. LEGISLATIVE COMPLIANCE

This policy has been assessed as being compatible with the *Charter of Human Rights and Responsibilities Act 2006 (Vic)*.

In line with the Gender Equality Act 2020 (Vic), a Gender Impact Assessment is not required for this policy.

7. ASSOCIATED COUNCIL DOCUMENT

Model Councillor Code of Conduct

Privacy and Health Records Policy

8. EXTERNAL REFERENCE/RESOURCE

Charter of Human Rights and Responsibilities Act 2006

Child Wellbeing and Safety Act 2005

Crimes Amendment (Protection of Children) Act 2014

Local Government Act 2020

Worker Screening Act 2020



GLEN EIRA
CITY COUNCIL

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