

3.4. Council as a Child-Safe Organisation

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ATTACHMENTS	Nil
CSP LINK	5. Our Civic Leadership 5.1 Lead North Sydney's strategic direction 5.2 Strong civic leadership and customer focussed services

PURPOSE:

The purpose of this report is to provide an overview regarding Council's compliance as a Child Safe organisation and background as to actions taken to date.

EXECUTIVE SUMMARY:

The NSW Government amended the Children's Guardian Act 2019 to include the Child Safe Scheme. It came into operation on 1 February 2022. The amendment will enable the Office of the Children's Guardian (OCG) to audit an organisation's systems and processes to ensure compliance with the Child Safe Scheme. Council is working with the Sport and Recreation Committee to ensure the obligations under the Child Safe Scheme are met by Council and the Committee's members.

RECOMMENDATION:

1. THAT the Sport and Recreation Committee receive a verbal update and presentation on this topic.

Background

Royal Commission into Institutional Responses to Child Sexual Abuse

There were several recommendations and new pieces of legislation that arose from the findings of the Royal Commission into Institutional Responses to Child Sexual Abuse. On 15 December 2017 the Royal Commission presented a final report to the Governor-General, from the five-year inquiry into institutional responses to child sexual abuse and related matters. The report was made up of 17 volumes and contains 409 recommendations. Both the Australian Government and the NSW Government responded to the recommendations in June 2018.

National Redress Scheme

On 5 March 2020, LGNSW hosted a special briefing with the NSW Attorney-General, the Hon. Mark Speakman MP, to understand new obligations under the National Redress Scheme for survivors of institutional child sexual abuse. The National Redress Scheme was part of the Federal Government's response to the Royal Commission into Institutional Responses to Child Sexual Abuse.

The NSW Government committed to the National Redress Scheme back in March 2020, and with this commitment councils were signed up to the Scheme. Councils, and mayors specifically, have obligations under these reforms. While historical cases of child abuse in councils and council-run institutions are expected to be rare, mayors may be asked to personally apologise to past victims if abuse has occurred within their institution, ie Family Day Care.

The NSW Government's response focused on three areas: justice for victims; criminal justice and sentencing; and child safe institutions and prevention.

Councils as leaders in the community and providers of services to children have a responsibility to ensure councils are child safe institutions. One key recommendation from the NSW Government Response for councils is 6.12 which states:

With support from governments at the national, state and territory levels, local governments should designate child safety officer positions from existing staff profiles to carry out the following functions:

- a. developing child safe messages in local government venues, grounds, and facilities*
- b. assisting local institutions to access online child safe resources*
- c. providing child safety information and support to local institutions on a needs basis*
- d. supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds. (Accepted in principle)*

Child Safe Committee

In December 2020, Council's Child Safe Committee was formed to bring together representatives from across the organisation to develop an action plan to ensure Council was meeting the key outcomes of being a Child Safe Organisation.

The Action Plan is based on the 10 Child Safe Standards being:

1. Leadership and culture
2. Children's participation
3. Families and communities
4. Equity and diversity
5. Suitability of workers
6. Complaint handling
7. Knowledge and skills
8. Physical and online environments
9. Continuous improvement
10. Policies and procedures

Currently representatives include People & Culture, Communications & Events, Community Development, Library Services, Parks & Reserves, Youth Services, Family Day Care, Rangers & Parking Services, Parking Stations, Road Safety, IT, Procurement, Bush Regeneration and Leisure & Aquatics.

Changes to the Children's Guardian Act 2019 requires the head of a child safe organisation, in this case, the General Manager, to ensure the Child Safe Standards are implemented through systems, policies and processes.

The Children's Guardian (Child Safe Scheme) Act has recently legislated that head of agency of a child safe organisation must have a working with children check (WWCC). The General Manager and any staff who act in the role must have a Working with Children Check.

Council can demonstrate its compliance through meeting the basic requirements outlined in Section 8D of the Children's Guardian Act 2019:

- Statement of the organisation's commitment to child safety
- Child Safe Policy
- Code of Conduct
- Complaint Management Policy & procedure (Reportable Conduct)

- Human Resources Policy
- Risk Management Plan

Consultation requirements

Community engagement is not required.

Legislation

The NSW Government amended the Children's Guardian Act 2019 to include the Child Safe Scheme. It came into operation on 1 February 2022.