



## (C15) SAFEGUARDING CHILDREN AND ADULTS AT RISK

### 1. POLICY OBJECTIVE

The purpose of this policy is to outline the Shire of Derby/West Kimberley's (the Shire's) approach to safeguarding the children and adults at risk who access our facilities, services, and programs, through maintaining their human rights, safety and ensuring freedom from abuse and neglect.

### 2. POLICY SCOPE

This policy and all related procedures apply to all the Shire's Council Members, employees, volunteers, and stakeholders (see definitions).

### 3. POLICY DEFINITIONS

**Employees** includes all paid workers, including, but not limited to officers and contractors.

**Volunteers** includes all unpaid workers, who are volunteering for any Shire activities.

**Stakeholders** is used to define all people engaged in Shire activities or working with the Shire outside of Elected Members, employees and volunteers; including but not limited to, service users, participants, and community partners.

**Abuse** is defined as any of the following: emotional, psychological, physical, sexual abuse, neglect, witnessing family violence, sexual exploitation, bullying and harm. Grooming is also a behaviour of concern, defined below.

**Emotional or psychological abuse** occurs when a child or young person does not receive the love, affection or attention they need for healthy emotional, psychological and social development.

Such abuse may involve repeated rejection or threats to a child or young person. Constant criticism, teasing, ignoring, threatening, yelling, scapegoating, ridicule and rejection or continual coldness are all examples of emotional abuse. These behaviours continue to an extent that results in significant damage to the child or young person's physical, intellectual or emotional wellbeing and development.

**Physical abuse** occurs when a person subjects a child or young person to non-accidental physically aggressive acts. The abuser may inflict an injury intentionally, or inadvertently as a result of physical punishment or the aggressive treatment of a child.

**Sexual abuse** occurs when an adult involves a child or young person in any sexual activity. Sexual abuse also occurs when a child or young person involves another child or young person in any sexual activity. Perpetrators of sexual abuse take advantage of their power, authority or position.

**Witnessing family violence** is a specific form of emotional and psychological abuse. Witnessing family violence occurs when children or young people are forced to live with violence between adults in their home. It is harmful to children and young people. It can include witnessing violence or the consequences of violence. Family violence is defined as violence between members of a family or extended family or those fulfilling the role of family in a child or young person's life.

Exposure to family violence places children and young people at increased risk of physical injury and harm and has a significant impact on their wellbeing and development.



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**Sexual exploitation** occurs when children or young people are forced into sexual activities that are then recorded in some way and/or used to produce pornography. Such pornography can be in the form of actual photos or videos or published on the internet. Exploitation can also involve children or young people who are forced into prostitution.

## **Harm**

to a child or young person, is any detrimental effect of a significant nature on the child or young person's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by:

- Physical, psychological or emotional abuse or neglect;
- Sexual abuse or exploitation;
- A single act, omission or circumstance; or
- A series or combination of acts, omissions or circumstances.

**Neglect** is the persistent failure or deliberate denial to provide the child or person at risk with the basic necessities of life.

## **Bullying**

Bullying involves the inappropriate use of power by one or more persons over another less powerful person or group and is generally an act that is repeated over time. Bullying has been described by researchers as taking many forms which are often interrelated and include:

- Verbal (name calling, put downs, threats);
- Physical (hitting, punching, kicking, scratching, tripping, spitting);
- Social (ignoring, excluding, ostracising, alienating); or
- Psychological (spreading rumours, stalking, dirty looks, hiding or damaging possessions).

## **Grooming**

Grooming is a term used to describe what happens when a perpetrator of abuse builds a relationship with a child or young person with a view to abusing them at some stage. There is no set pattern in relation to the grooming of children. For some perpetrators, there will be a lengthy period of time before the abuse begins. Other perpetrators may draw a child in and abuse them relatively quickly. Some abusers do not groom children but abuse them without forming a relationship at all.

Grooming can take place in any setting where a relationship is formed, such as leisure, music, sports and religious activities, or in internet chatrooms, in social media or by telecommunication.

## **4. POLICY STATEMENT**

The Shire, and all its Elected Members, employees, volunteers and stakeholders have a legal, moral, and purpose-driven responsibility to safeguarding children and adults at risk.

We are committed to:

- Protecting children and adults at risk from all forms of abuse, bullying and exploitation;
- Creating and maintaining a child safe culture that is understood, endorsed and put into action by all the individuals who work for, volunteer, govern or access the Shire programs, facilities and/or services;
- Acknowledging that protecting children and adults at risk is everyone's business; and



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- Managing behaviour of all our Elected Members, employees, volunteers, and stakeholders in an appropriate and safe manner, to the best of our ability.

We believe every person has a right to access services from the Shire without threat, intimidation or abuse from its Elected Members, employees, volunteers, and other stakeholders or any other person.

We understand we have a responsibility to ensure no person is neglected or exploited by Elected Members, employees, volunteers and other stakeholders, or any other person, to the best of our ability.

Whilst we take responsibility for the actions of our Elected Members, employees, volunteers, and other stakeholders, we will not tolerate any abuse, neglect, or exploitation of them. The Shire will take appropriate and reasonable action to protect the legal and human rights of our representatives.

## **Ensuring Our Commitment to Safeguarding**

To ensure our commitment to safeguarding is met, we will:

- Put in place a management structure that supports and develops Elected Members, employees, volunteers and stakeholders in their roles.
- Provide all the employees with the necessary support to enable them to fulfil their roles. This will include regular and appropriate development and supervision.
- Provide regular opportunities to clarify and confirm the policy and procedures in relation to children and adults at risk's protections and welfare. This will include ongoing training with regards to understanding the principles and intent of this policy.
- Listen to all concerns voiced by Elected Members, employees, volunteers and stakeholders regarding keeping children and adults at risk safe from harm.
- Provide opportunities for Elected Members, employees, volunteers and stakeholders to receive formal debriefing and counselling arising from incidents of child or adults at risk abuse.
- Use best practice standard in the recruitment, screening and employment of the employees and volunteers so as they will not harm, abuse or exploit children and adults at risk who are involved in our programs and services.
- Maintain an environment for children and adults at risk to be safe and to feel safe.

## **5. BREACH OF POLICY**

It is a serious breach of this policy, and possibly the law, if any Elected Member, employee, volunteer or stakeholder harms or exploits children and adults at risk who are involved in any of our services.

Breaches of this policy include, but are not limited to:

- Sexually assaulting children or adults at risk who are involved in one of our programs;
- Physically assaulting children or adults at risk who are involved in one of our programs;
- Verbally abusing, denigrating or bullying children or adults at risk who are involved in one of our programs;
- Sexually harassing children or adults at risk who are involved in one of our programs;
- Taking, reproducing and/or distributing photos of children or adults at risk without the consent of their guardians; and
- Publishing any materials containing images of children or adults at risk who are involved in one of our programs that can be used for the sexual gratification of others.



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We expect that our Elected Members, employees, volunteers and stakeholders will not contravene any policies, regulations or laws in relation to the safety and protection of children and adults at risk. Any breaches will be dealt with immediately and in line with the law.

## **6. FURTHER INFORMATION**

The management have the right to make discretionary decisions regarding implementation of this policy, and related procedures, provided that safeguarding children and adults at risk is the priority when making these decisions.

For further information on this policy, and the related procedures, contact the Shire's Chief Executive Officer. See website for contact details.



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Policy Details			
<b>Original Adoption Date:</b>	29 February 2024. Item 12.3 Res. 09/24	<b>Review Frequency:</b>	2 years
		<b>Next Review Due:</b>	February 2026
<b>Policy Implementing Officer or Team:</b>	Operations and Strategic Development Department	<b>Policy Reviewer:</b>	Executive Director of Operations and Strategic Development
<b>Legislative Head of Power (Act, Regulation, or Local Law):</b>	Child Care Services Act 2007 Children and Community Services Act 2004 Civil Liability Act 2002 Corruption, Crime and Misconduct Act 2003 Equal Opportunity Act 1984 Freedom of Information Act 1997 Local Government Act 1995 National Principles for Child Safety Organisations Parliamentary Commissioner Act 1971 Public Interest Disclosure Act 2003r Public Sector Management Act 1994 United Nations Convention on the Rights of the Child (CRC) Work Health and Safety Act 2020 Working with Children (Criminal Record Checking) Act 2004		
<b>Related Documents (other Policies, Operational Procedures, Delegations, etc.):</b>	Australian Childhood Foundation National Safeguarding Standards.  National Disability Insurance Scheme Quality and Safeguarding Commission Standards.  Policy C4 Violence and Aggression Policy C8 Public Comments by Councillors and CEO Policy C10 Code of Conduct Behaviour Complaints Management Policy Policy PC1 Risk and Opportunity Management Policy PC4 Work Health Safety Policy  CEO Directive D-CP2 Code of Conduct (Employees)  SDWK Procedures relating to Safeguarding including Mandatory Reporting (under development).  Expected Behaviours when working with Children and Young People - Guidelines		
Version Control Council Meeting Review Details:			
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