



SERVICES DELEGATED COMMITTEE

MINUTES

(Open to the public)

Monday 15 March 2021

Council Chamber, 8 Inglesby Road, Camberwell and Delivered Online.

Commencement 6.35pm

Attendance
Councillor Jane Addis (Chairperson)
Councillor Garry Thompson (Mayor)
Councillor Jim Parke
Councillor Felicity Sinfield
Councillor Victor Franco
Councillor Wes Gault
Councillor Di Gillies
Councillor Lisa Hollingsworth
Councillor Cynthia Watson
Councillor Susan Biggar
Councillor Nick Stavrou

Apologies Nil

Officers

Phillip Storer	Chief Executive Officer
Daniel Freer	Director Places and Spaces
Carolyn McClean	Director Community Support
Shiran Wickramasinghe	Director Urban Living
Carolyn Terry	Executive Manager People Culture & Development
David Thompson	Manager Governance and Legal
Nick Lund	Manager Liveable Communities
Fiona Brown	Manager Community Planning and Development
Helen Pavlidis	Senior Governance Officer
Alana Smith	Senior Economic Development Officer
Nicole Mclean	Communication Lead

Table of contents

1.	Adoption and confirmation of the minutes	3
2.	Declaration of conflict of interest of any councillor or council officer	3
3.	Presentation of officer reports	
3.1	Boroondara City Council Motions to the Australian Local Government Association (ALGA) National General Assembly (NGA) of Local Government	3
3.2	Child Safe Policy	4
3.3	Burwood Village Shopping Centre - Marketing and Business Development Fund	5
3.4	Camberwell Shopping and Business Centre - Marketing and Business Development Fund	8
3.5	Additional Information 2021-22 Round 2 Small Grants (Biannual) Allocation	14
4.	General business	15
5.	Urgent business	15
6.	Confidential business	15

1. Adoption and confirmation of the minutes

MOTION

Moved Councillor Thompson

Seconded Councillor Biggar

That the minutes of the Services Delegated Committee meeting held on 8 February 2021 be adopted and confirmed.

CARRIED

2. Declaration of conflict of interest of any councillor or council officer

Councillor Biggar and Councillor Watson. Refer to Item 3.5 Additional Information 2021-22 Round 2 Small Grants (Biannual) Allocation.

3. Presentation of officer reports

3.1 Boroondara City Council Motions to the Australian Local Government Association (ALGA) National General Assembly (NGA) of Local Government

This report informs councillors and seeks endorsement of a proposed motion regarding the current volunteer management activity (VMA) funding arrangements that is proposed to be put forward to the Australian Local Government Association (ALGA) National General Assembly in June 2021.

Motions carried by the National General Assembly become Resolutions. These resolutions are then considered by the ALGA Board when setting national local government policy and will also feed into the Australian Council of Local Government processes.

There were no speakers wishing to make submissions to Council for this item.

MOTION

Moved Councillor Hollingsworth

Seconded Councillor Watson

That the Services Delegated Committee resolve to adopt the motion (as annexed to the Minutes) to be put forward to the Australian Local Government Association (ALGA) National General Assembly in June 2021.

CARRIED

3.2 Child Safe Policy

The purpose of this report is present the Child Safe Policy to the Services Delegated Committee for adoption (see **Attachment 1**).

The 2013 Victorian Parliamentary Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations (the Betrayal of Trust Inquiry), identified a number of significant failures that prevented appropriate responses to safeguard children to ensure the absence of neglect and abuse. In response, the Victorian Government introduced compulsory minimum standards for organisations that provide services to children to help protect children from all forms of abuse. These Standards were enacted through an amendment to the Child Safety and Wellbeing Act, 2005, which came into effect on 1 January 2017.

In response, Council developed a Statement of Commitment (see **Attachment 2**) to being a child safe organisation and a Reporting Process for staff, councillors, volunteers and contractors to report incidents of child abuse and neglect, introduced mandatory child safe training, extended the requirement for some employees and volunteers to obtain a Working with Children Check (WWCC) and Police Checks to additional staff groups and volunteers, and amended the staff and Councillor Codes of Conduct.

The work involved in building a child safe organisation is an ongoing multi-faceted process of learning and continuous improvement. Since the Standards were introduced four years ago, further guidance on their implementation is available. In addition, the Reportable Conduct Scheme has been introduced to improve organisation's responses to allegations of child abuse by its workers and volunteers. Together, the Child Safe Standards and Reportable Conduct Scheme strengthen the capacity of organisations to prevent and properly respond to allegations of child abuse.

Given the size and complexity of Council and its many touchpoints with children, it is recommended that the Statement of Commitment be replaced with a Child Safe Policy. The Policy can provide a framework for all of Council's child safe-related documents and processes and apply to councillors, staff, volunteers and contractors. It can also include compliance with the Reportable Conduct Scheme, which was introduced after Council's adoption of the Statement of Commitment. Reference to the scheme and the Child Safe Standards in a policy is important, as compliance with these are two key components of being a child safe organisation.

There were no speakers wishing to make submissions to Council for this item.

MOTION

Moved Councillor Sinfield

Seconded Councillor Thompson

That Services Delegated Committee resolve to adopt the Child Safe Policy as annexed to the minutes, as a replacement of Council's Statement of Commitment, 27 March 2017.

CARRIED

3.3 Burwood Village Shopping Centre - Marketing and Business Development Fund

This report seeks a resolution from Council to introduce and give public notice of its intention to declare the Burwood Village Special Rate and Charge (proposed Scheme) as required under Section 163 of the *Local Government Act 1989* (1989 Act).

Despite the introduction of the *Local Government Act 2020* (2020 Act), the legislative scheme governing Council declarations for rates currently remains under Part 8, Division 1 of the 1989 Act. Presently, there is no equivalent provision in the 2020 Act. Therefore, section 163 of the 1989 Act still applies to defraying expenses of advertising, promotion, centre management, business development and other incidental expenses associated with the encouragement of commerce in centres and is still applicable to Council's scheme renewal process for the Burwood Village Shopping and Business Centre's (Centre) proposed special rate and charge scheme.

The current five year special rate and charge scheme will expire on 30 June 2021 and the Burwood Village Traders' Association (BVTA) has requested that Council introduce a special rate and charge for the Centre to apply for five years from 1 July 2021 to 30 June 2026 (inclusive) (**Attachment 1**).

The proposed Scheme renewal, if declared by Council, will support the Centre in achieving the vision and actions outlined in the Burwood Village Traders' Association Strategic Business Plan 2021-2026 (Strategic Plan) (**Attachment 2**) and ensure it is well placed to respond to ongoing competition from other centres as well as providing opportunities for growth and development of the retail, services and hospitality businesses, helping the Centre to remain competitive and viable into the future.

The special rate and charge is to be levied on all rateable land primarily used or adapted or designed to be used for commercial purposes within the Centre.

There are currently 101 rateable properties included in the proposed Scheme renewal as shown in the Plan outlined in **Attachment 3**. Further details of the proposed Scheme renewal are outlined in **Attachment 4**. In summary the following is proposed:

- The area of the special rate includes properties along Toorak Road bounded by Warrigal Road to the east and Outlook Drive to the west and including a small number of properties on Warrigal Road to the south and north of Toorak Road.
- A rate of 0.09 cents in the dollar of the Capital Improved Value (CIV) will be levied on each rateable property in the proposed Scheme renewal area subject to a minimum charge of \$550 in years one, two and three and a minimum charge of \$600 in the fourth and fifth years payable per occupancy per annum. As has been the case for previous schemes, the BVTA has decided not to set a maximum charge.
- No Consumer Price Index (CPI) will be applied to the rate in the dollar during the term of the proposed Scheme renewal.

The minimum charges, the rate in the dollar of the CIV and area plan have not changed from those in the current scheme 2016-2021.

The BVTA Committee has been actively involved in the formulation of the proposed Scheme renewal and has considered the needs of the Centre and the current economic climate including the impact of COVID-19 in striving to minimise costs to businesses and property owners associated with delivering the marketing and promotion program for the Centre.

The proposed Scheme renewal, if declared, is anticipated to raise approximately \$90,365 in the first year with a total levy of approximately \$455,337 expected over five years. The amount levied is likely to increase along with increases in the CIV of rateable properties over the life of the proposed Scheme due to revaluations. Supplementary valuations can also result in variations in the CIV of rateable properties and thus the amount levied.

Council's decision to proceed with initiating this process does not commit Council to the introduction of the proposed Scheme renewal. Council will consider any submissions and objections received at a future meeting in accordance with the Act. Council will then be able to decide whether or not to proceed with the proposed Scheme renewal, after having considered all submissions and objections. This process is further described under 'Objection/Submission Process' in Section 5 of this report.

1 speaker in support of the officers' recommendation addressed the meeting.

MOTION

Moved Councillor Hollingsworth

Seconded Councillor Thompson

That Council resolve to:

- 1. Receive and note the request from the Burwood Village Traders' Association (BVTA) to commence the statutory process for the proposed declaration of a special rate and charge for a Marketing and Business Development Fund for the Burwood Village Shopping and Business Centre (the Centre) for five years, commencing 1 July 2021.**
- 2. Give notice of its intention to declare a special rate and charge for the Centre in accordance with Section 163 of the Local Government Act 1989 as follows:**
 - (a) a Burwood Village Special Rate and Charge be declared for a period of five years commencing on 1 July 2021 and concluding on 30 June 2026.**
 - (b) the Burwood Village Special Rate and Charge be:**
 - (i) declared for the purpose of defraying expenses of advertising, promotion, centre management, business development and other incidental expenses associated with the encouragement of commerce in the Centre, which Council considers is or will be of special benefit to those persons required to pay the Burwood Village Special Rate and Charge; and**

- (ii) **implemented by carrying out or enabling to be carried out activities that help achieve the purpose ("the function");**
- (c) **the following be specified as the manner in which the Burwood Village Special Rate and Charge so declared will be assessed and levied:**
 - (i) **A rate of 0.09 cents in the dollar of the Capital Improved Value (CIV) will be levied on each rateable property in the proposed Scheme renewal area subject to a minimum charge of \$550 per annum in years one, two and three and a minimum charge of \$600 per annum in the fourth and fifth years payable per occupancy per annum.**
 - (ii) **For the purposes of this paragraph, the CIV of each parcel of rateable land is the CIV of the parcel of land at the time of levying the special rate and charge in each year (as the CIV may alter during the period in which the special rate and charge is in force, reflecting any revaluations and supplementary valuations which take place).**
- (d) **the following be specified as the area for which the special rate and charge is so declared: the area highlighted in the plan annexed to this report ('the area'), (Attachment 3)**

For the purposes of this paragraph, the area can be described generally as follows:

The area of the special rate includes properties along Toorak Road bounded by Warrigal Road to the east and Outlook Drive to the west and including a small number of properties on Warrigal Road to the south and north of Toorak Road.

- (e) **the following be specified as the land in relation to which the Burwood Village Special Rate and Charge is so declared:**

all land within the area primarily used, or adapted or designed to be used, for commercial purposes.
- (f) **the following be specified as the total amount of performing the function and the total amount of the special rate and charge to be levied: the amount of approximately \$90,365 in the first year of the scheme with a total amount of approximately \$455,337 over the five years of the scheme having regard to adjustments in the CIV of the rateable properties and the minimum charges as described in paragraph 2(c) of this resolution or such other amount as is lawfully levied as a consequence of this resolution.**
- (g) **for the purposes of section 163(2B) of the *Local Government Act 1989*, the benefit ratio, being the estimated proportion of the total benefits of the scheme to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the special rate and charge, is 100%, as the community benefit is considered to be nil.**

- (h) the following be specified as the criteria to be used as the basis for levying the special rate and charge: ownership of any land described in paragraph 2(e) of this resolution.
 - (i) the owners of the land described in paragraph 2(e) of this resolution will, subject to further resolution of Council, pay the special rate and charge in the following manner: on the same date or dates as Council's general rates are due.
 - (j) Council will, subject to the *Local Government Act 1989*, require a person to pay interest on any special rate and charge which that person is liable to pay and has not been paid by the date specified for its payment.
3. That Council records the reasons for the proposed declaration is because in Council's opinion the Burwood Village Special Rate and Charge is or will be of special benefit to the persons required to pay it and is an exercise of its powers and functions in the best interests of the local community and for the peace, order and good government of its municipal district.
 4. Direct public notice of the proposed declaration of the Burwood Village Special Rate and Charge be published in The Age newspaper, and that written notice also be given to each person who will be liable to pay the special rate and charge generally as set out in the Public Notice and Letter to those liable to pay that are annexed to this report.
 5. Consider any submissions and objections received by Council in accordance with sections 163A, 163B and 223 of the *Local Government Act 1989* at the Council meeting on Monday 28 June 2021 or such other date as Council subsequently determines.

CARRIED

3.4 Camberwell Shopping and Business Centre - Marketing and Business Development Fund

This report seeks a resolution from Council to introduce and give public notice of its intention to declare the Camberwell Special Rate and Charge Scheme (proposed Scheme) as required under Section 163 of the *Local Government Act 1989* (1989 Act).

Despite the introduction of the *Local Government Act 2020* (2020 Act), the legislative scheme governing Council declarations for rates currently remains under Part 8, Division 1 of the 1989 Act. Presently, there is no equivalent provision in the 2020 Act. Therefore, section 163 of the 1989 Act still applies to defraying expenses of advertising, promotion, centre management, business development and other incidental expenses associated with the encouragement of commerce in centres and is still applicable to Council's scheme renewal process for the Camberwell Shopping and Business Centre's proposed special rate and charge scheme.

The current five year special rate and charge scheme will expire on 30 June 2021 and the Camberwell Centre Association (CCA) has requested that Council introduce a special rate and charge for the Camberwell Shopping and Business Centre (Centre) to apply for five years from 1 July 2021 to 30 June 2026 (inclusive), **(Attachment 1)**.

The proposed Scheme renewal, if declared by Council, will support the Centre in achieving the vision and actions outlined in the Camberwell Centre Strategic Business Plan 2021-2026 (Strategic Plan), (**Attachment 2**) and ensure it is well placed to respond to ongoing competition from other centres as well as providing opportunities for growth and development of the retail, services and hospitality businesses, helping the Centre to remain competitive and viable into the future.

The special rate and charge is to be levied on all rateable land primarily used or adapted or designed to be used for commercial purposes within the Camberwell Centre Shopping and Business Centre.

There are currently 692 rateable properties included in the proposed Scheme renewal as shown in the Plan outlined in **Attachment 3**. Further details of the proposed Scheme renewal are outlined in **Attachment 4**. In summary the following is proposed:

- A rate of 0.045 cents in the dollar of the Capital Improved Value (CIV) be levied on each rateable property in the proposed Scheme renewal area subject to minimum and maximum charges per occupancy per annum (Table 1).
- Consumer Price Index (All Groups Melbourne) (CPI) will be applied each financial year to the rate in the dollar and the minimum and maximum charges.

Precinct	Minimum and Maximum per annum
<u>Primary (Core) Area (Zone 1):</u> Ground and upper level properties on Burke Avenue, part Wills Street, part Burke Road, part Riversdale Road, part Camberwell Road, part Prospect Hill Road, part Station Street and part Railway Parade	<u>Ground level</u> Minimum - \$600 Maximum - \$5000 <u>Upper level/s</u> Minimum - \$300 Maximum - \$1000
<u>Primary (Peripheral) Area (Zone 1A):</u> Ground and upper level properties located north of the railway line to Victoria Road along part Burke Road and part Cookson Street	<u>Ground level</u> Minimum - \$300 Maximum - \$3000 <u>Upper level/s</u> Flat rate - \$300
<u>Secondary Area (Zone 2):</u> Ground and upper level properties on part Camberwell Road, part Riversdale Road, part Burke Road, part Railway Parade and part Prospect Hill Road	Flat rate - \$300

Table 1: Minimum and maximum rates per occupancy per annum. The minimums and maximums are prescribed by the Association and have not changed from those in the current scheme 2016 - 2021.

The CCA Committee has developed the formulation of the proposed Scheme renewal and has considered the needs of the Centre and the current economic climate in striving to minimise costs to businesses and property owners associated with delivering the marketing and promotion program for the Centre.

The proposed Scheme reduces the current rate (cents in the dollar of the CIV) for all areas from 0.05 to 0.045 which delivers a benefit to commercial properties in the shopping centre whereby they may pay the same or less, depending on the valuation of the property and the relevant minimum and maximum charges. It is anticipated that this approach will assist in mitigating the impacts of Covid-19 Table 1: Minimum and maximum rates per occupancy per annum

The proposed Scheme renewal, if declared, is anticipated to raise approximately \$520,000 in the first year with a total levy of approximately \$2,600,000 expected over five years. The amount levied is likely to increase each year given the application of the CPI to the rate in the dollar and the minimum charges, along with likely increases in the CIV of rateable properties over the life of the proposed Scheme. Supplementary valuations can also result in variations in the CIV of rateable properties and thus the amount levied.

Council's decision to proceed with initiating this process does not commit Council to the introduction of the proposed Scheme renewal. Council will consider any submissions and objections received at a future meeting in accordance with the Act. Council will then be able to decide whether or not to proceed with the proposed Scheme renewal, after having considered all submissions and objections. This process is further described under 'Objection/Submission Process' in section 5 of this report.

1 speaker in support of the officers' recommendation addressed the meeting.

MOTION

Moved Councillor Gillies

Seconded Councillor Biggar

That Council resolve to:

- 1. Receive and note the request from the Camberwell Centre Association (CCA) to commence the statutory process for the proposed declaration of a special rate and charge for a Marketing and Business Development Fund for the Camberwell Shopping and Business Centre (the Centre) for five years, commencing 1 July 2021.**
- 2. Give notice of its intention to declare a special rate and charge for the Centre in accordance with Section 163 of the *Local Government Act 1989* as follows:**
 - (a) a Camberwell Special Rate and Charge be declared for a period of five years commencing on 1 July 2021 and concluding on 30 June 2026.**
 - (b) the Camberwell Special Rate and Charge be:**
 - i. declared for the purpose of defraying expenses of advertising, promotion, centre management, business development and other incidental expenses associated with the encouragement of commerce in the Centre, which Council considers is or will be of special benefit to those persons required to pay the Camberwell Special Rate and Charge; and**

- ii. implemented by carrying out or enabling to be carried out activities that help achieve the purpose ("the function").
- (c) the following be specified as the manner in which the Camberwell Special Rate and Charge so declared will be assessed and levied:
- i. in Primary Area (Zone 1) - in the first year of the special rate and charge scheme, a rate of 0.045 cents in the dollar of Capital Improved Value (CIV) of each rateable property required to pay the special rate and charge subject to the following minimum charges per occupancy per annum.

Precinct	Minimum and Maximum per annum
<u>Primary (Core) Area (Zone 1):</u> Ground and upper level properties on Burke Avenue, part Wills Street, part Burke Road, part Riversdale Road, part Camberwell Road, part Prospect Hill Road, part Station Street and part Railway Parade	<u>Ground level</u> Minimum - \$600 Maximum - \$5000 <u>Upper level/s</u> Minimum - \$300 Maximum - \$1000

- ii. in Primary Area (Zone 1A) - in the first year of the special rate and charge scheme, a rate of 0.045 cents in the dollar of Capital Improved Value (CIV) of each rateable property required to pay the special rate and charge subject to the following minimum charges per occupancy per annum.

<u>Primary (Peripheral) Area (Zone 1A):</u> Ground and upper level properties located north of the railway line to Victoria Road along part Burke Road and part Cookson Street	<u>Ground level</u> Minimum - \$300 Maximum - \$3000 <u>Upper level/s</u> Flat rate - \$300
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- iii. in Secondary Area (Zone 2) - in the first year of the special rate and charge scheme, a rate of 0.045 cents the dollar of Capital Improved Value (CIV) of each rateable property required to pay the special rate and charge subject to the following minimum charges per occupancy per annum.

<u>Secondary Area (Zone 2):</u> Ground and upper level properties on part Camberwell Road, part Riversdale Road, part Burke Road, part Railway Parade and part Prospect Hill Road	Flat rate - \$300
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The quantum of the rate in the dollar of the CIV of each property in the area, and the quantum of the minimum charges, will be adjusted on 1 July 2022 and on each anniversary of that date by the March quarter Consumer Price Index (All Groups, Melbourne) (CPI) during the 12 months preceding the end of that March quarter.

The CIV of each parcel of rateable land is the CIV of the parcel of land at the time of levying the special rate and charge in each year. The CIV may alter during the period in which the special rate and charge is in force, reflecting any revaluations and supplementary valuations which take place.

- (d) the following be specified as the area for which the special rate and charge is so declared: the area highlighted in the plan annexed to this report ('the area'), (Attachment 3).

For the purposes of this paragraph, the area can be described generally as follows:

- i. **Primary Area (Zone 1):** This zone includes ground and upper level/s properties on Burke Avenue, part Wills Street, part Burke Road, part Riversdale Road, part Camberwell Road, part Prospect Hill Road, part Station Street and part Railway Parade as shown on the Scheme boundary plan.
 - ii. **Primary (Peripheral) Area (Zone 1A):** This zone includes ground and upper level/s properties located north of the railway line to Victoria Road along part Burke Road and part Cookson Street as shown on the Scheme boundary plan.
 - iii. **Secondary Area (Zone 2):** This zone includes ground and upper level/s properties on part Camberwell Road, part Riversdale Road, part Burke Road, part Railway Parade and part Prospect Hill Road as shown on the Scheme boundary plan.
- (e) the following be specified as the land in relation to which the Camberwell Special Rate and Charge is so declared: all land within the area primarily used, or adapted or designed to be used, for commercial purposes.
- (f) the following be specified as the total amount of performing the function and the total amount of the special rate and charge to be levied: the amount of approximately \$520,000 in the first year with a total levy of approximately \$2,600,000 over the five years of the scheme having regard to adjustments in the CIV of the rateable properties and the application of CPI to the rate in the dollar and minimum charges as described in paragraph 2(c) of this resolution or such other amount as is lawfully levied as a consequence of this resolution.

- (g) for the purposes of section 163(2B) of the *Local Government Act 1989*, the benefit ratio, being the estimated proportion of the total benefits of the scheme to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the special rate and charge, is 100%, as the community benefit is considered to be nil.
 - (h) the following be specified as the criteria to be used as the basis for levying the special rate and charge: ownership of any land described in paragraph 2(e) of this resolution.
 - (i) the owners of the land described in paragraph 2(e) of this resolution will, subject to further resolution of Council, pay the special rate and charge in the following manner: on the same date or dates as Council's general rates are due.
 - (j) Council will, subject to the *Local Government Act 1989*, require a person to pay interest on any special rate and charge which that person is liable to pay and has not been paid by the date specified for its payment.
3. That Council records the reasons for the proposed declaration is because in Council's opinion the Camberwell Special Rate and Charge is or will be of special benefit to the persons required to pay it and is an exercise of its powers and functions in the best interests of the local community and for the peace, order and good government of its municipal district.
 4. Direct public notice of the proposed declaration of the Camberwell Special Rate and Charge be published in The Age newspaper, and that written notice also be given to each person who will be liable to pay the special rate and charge generally as set out in the Public Notice and Letter to those liable to pay that are annexed to this report.
 5. Consider any submissions and objections received by Council in accordance with sections 163A, 163B and 223 of the *Local Government Act 1989* at the Council meeting on Monday 28 June 2021 or such other date as Council subsequently determines.

CARRIED

3.5 Additional Information 2021-22 Round 2 Small Grants (Biannual) Allocation

At the Services Delegated Committee (SDC) meeting on 8 February 2021, a report on the allocation of Round 2 of the Small Grants (Biannual) was discussed. At that meeting, the SDC recommended:

- To endorse the Small (Biannual) Grants funding allocations for Round Two 2020-21 of \$68,134.55 (as outlined in Attachment 1, as annexed to the minutes).
- Officers bring back a further report on the funding applications not recommended for approval and information to be provided include the funding applications and the officers' assessment of the funding applications to enable councillors to make an informed decision.
- Roll over unexpended funds to the 2021-22 Annual Community Strengthening Grants.

Two applications were not recommended for funding and further information was sought. This information and the two applications and associated staff assessments were provided to the Annual Community Grants Assessment Panel, which met on 18 February, so that further consideration could be given to the two applications not recommended for funding.

Councillor Biggar declared a General Conflict of Interest in Item 3.5 Additional Information 2021-22 Round 2 Small Grants (Biannual) Allocation in accordance with section 127 of the Local Government Act 2020 and the Governance Rules. Councillor Biggar advised the nature of the interest was 'I am a freelance writer and on occasion I have submitted articles that have been published to a publication that has applied for a grant'.

Councillor Watson declared a General Conflict of Interest in Item 3.5 Additional Information 2021-22 Round 2 Small Grants (Biannual) Allocation in accordance with section 127 of the Local Government Act 2020 and the Governance Rules. Councillor Watson advised the nature of the interest was 'my experience with a publication who applied for a grant'.

Councillor Biggar and Councillor Watson left the Council Chamber at 7.04pm prior to the consideration and vote on this item.

There were no speakers wishing to make submissions to Council for this item.

MOTION

Moved Councillor Gillies

Seconded Councillor Franco

That the Services Delegated Committee resolve to:

1. Endorse an additional Small (Biannual) Grants allocation for Round Two 2020-21 of \$1,500 (as outlined in Attachment 1, as annexed to the minutes).
2. Roll over unexpended funds of \$60,596.45 to the 2021-22 Annual Community Strengthening Grants.

LOST

MOTION

Moved Councillor Parke

Seconded Councillor Thompson

That the Services Delegated Committee resolve to roll over unexpended funds of \$62,096.45 to the 2021-22 Annual Community Strengthening Grants.

CARRIED

Councillor Biggar and Councillor Watson entered the Council Chamber at 7.14pm and resumed their respective seats.

4. General business

Nil

5. Urgent business

Nil

6. Confidential business

Nil

The meeting concluded at 7.15pm

Confirmed

Chairperson

Date

MINUTES ATTACHMENTS



Services Delegated Committee

Monday 15 March 2021

Attachments annexed to the minutes for the following items:

- 3.1 Boroondara City Council Motions to the Australian Local Government Association (ALGA) National General Assembly (NGA) of Local Government
- 3.2 Child Safe Policy

National General Assembly (NGA)

20 to 23 June 2021

Motions Submitted by Members

MOTION 1 VOLUNTEER MANAGEMENT ACTIVITY PROGRAM

Submitted by: Boroondara City Council

MOTION

The National General Assembly calls on the Australian Government to maintain the current volunteer management activity (VMA) funding arrangements for all volunteer support agencies and to increase the allocation in the next Federal Budget, as volunteering is key to keeping people feeling connected and supplied with essential services and critical support, particularly vulnerable, isolated and disengaged residents, at a time of high unemployment.

NATIONAL OBJECTIVE (MAX 100 WORDS)

[Why is this a national issue and why should this be debated at the NGA?]

The Department of Social Services has announced a redesign of the Volunteer Management Activity program.

Funding has been directed from 52 volunteer support services to state and territory volunteering peak organisations, with a focus on delivering services online. An equitable funding model is yet to be determined, but many localised volunteer support services may not receive funding.

Funded volunteer support services, including dedicated volunteering functions in local government, require ongoing, sustainable operational funding to continue meeting the needs of volunteering-involving organisations, volunteers and prospective volunteers. This includes prospective volunteers who are socially isolated, disengaged or experience barriers to finding opportunities to volunteer.

SUMMARY OF KEY ARGUMENTS (MAX 300 WORDS)

[Provide relevant background information and arguments in support of the motion to assist consideration of the motion.]

The Australian Government's investment in volunteer management must focus on delivering a federally funded program that meets the operational and resourcing needs of volunteer support services.

Volunteer support services need to maintain their current funding arrangements, so as not to disrupt the support offered to organisations and prospective volunteers who heavily rely on the localised support these services provide.

The program should not exclusively focus on the delivery of services online, but also:

- build the capacity of volunteer-involving organisations, particularly 'small' or 'medium' community organisations that require dedicated, ongoing support due to resourcing requirements

- drive the growth, sustainability and accessibility of local volunteer opportunities
- enhance opportunities for people from diverse backgrounds to volunteer, including people from culturally and linguistically diverse communities and people with a disability
- provide multiple pathways for prospective volunteers, both online and in person, to find relevant and meaningful volunteering opportunities.

The support delivered should include:

- updated, targeted freely available resources to support managers of volunteers with topics including the national standards for volunteer involvement, legal issues in managing volunteers, volunteer recruitment
- increased opportunities for managers of volunteers to participate in volunteering forums, networks, professional development workshops and community events
- resourcing to allow place-based support services to develop and deliver targeted initiatives, responsive to community trends
- promoting volunteerism in the community through strategic marketing and communications
- supporting individuals to find relevant and meaningful volunteer opportunities, particularly individuals who experience barriers to independently searching for volunteer opportunities online (i.e.: social isolation, age, access to technology, disability, cultural sensitivities).

Volunteer support services have been overwhelmed throughout the COVID-19 pandemic, experiencing a significant increased demand for volunteer placement while also managing volunteer management support for small-medium sized organisations that had to temporarily suspend programs, operate at a reduced capacity or upscale efforts to meet community demand.

Ceasing VMA funding during community recovery and at a time of high unemployment will damage the crucial structures volunteer support services provide the community sector. Most material aid and social support services rely heavily on volunteers and demand for these services will continue to remain high.

Funding to volunteer support services must be increased in the next Federal Budget to ensure that volunteering remains an important pathway to employment, social connection and positive mental wellbeing and building community resilience.

MINUTES ATTACHMENTS



Services Delegated Committee

Monday 15 March 2021

Attachments as annexed to the resolution:

3.2 Child Safe Policy

Child Safe Policy

March 2021

Responsible Directorate: Community Support
Authorised By: Council
Date of Adoption: 15 March 2021
Review Date: March 2025
Policy Type: Council

Table of contents

1	Introduction	3
1.1	Purpose	3
2	Background	3
2.1	The Child Safe Standards	3
2.2	The Reportable Conduct Scheme	4
2.3	Mandatory Reporting	5
3	Policy Context	5
4	Policy Statement	6
4.1	Our Commitment	6
4.2	Working with Children Checks (WWCCs).....	7
4.3	Code of Conduct.....	7
4.4	Responding to Child Safety Concerns.....	8
4.5	Roles and Responsibilities	8
4.6	Child Safe Standards of Behaviour.....	11
5	Governance.....	12
6	Regular review	12
7	References	12
7.1	Related documents.....	12
7.2	Definitions.....	13

1 Introduction

1.1 Purpose

The City of Boroondara has zero-tolerance towards abuse and neglect of children and young people. We are committed to the rights of all children and young people to feel safe and be safe when participating in Council activities, services and programs. It is important not to underestimate the relevance of child safety to our organisation. When child safety is taken for granted, the wellbeing of children and an organisation's reputation can be at risk. Engagement with a child or young person can happen incidentally and need not be planned or coordinated. Being a child safe organisation is therefore everyone's business.

The purpose of the Child Safe Policy is to ensure that councillors and all Council employees, volunteers and contractors are aware of Council's commitment to being a child safe organisation. It provides strategic and operational guidance to keep children safe, and outlines the responsibilities, procedures and practices that support this. It applies in all our operational environments and without fail wherever children and young people are participating in our organisation's activities, programs, services and/or facilities, as well as within the community of Boroondara when councillors, Council employees, volunteers and contractors are fulfilling their roles when children are present.

2 Background

There are many components that contribute to being a child safe organisation. This includes being compliant with the Child Safe Standards (the Standards) and the Reportable Conduct Scheme. Mandatory Reporting is also required for some professional groups.

2.1 The Child Safe Standards

The Standards were part of the response to the 2013 Victorian Parliamentary Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations (the Betrayal of Trust Inquiry). They were introduced via amendment to the *Child Safety and Wellbeing Act 2005*, and from January 2017, all Victorian organisations, which provide services for children, were required to comply with the Standards.

There are seven Standards to be met. They aim to promote the safety of children, prevent child abuse, and ensure organisations and businesses have effective processes in place to respond to and report all allegations of child abuse. The Standards require changes in organisational culture - embedding child safety in everyday thinking and practice, provide for a minimum standard of child safety across all organisations, and highlight that we all have a role to play to keep children safe from abuse.

The seven Standards are:

Standard 1: Governance and leadership - Strong and clear governance arrangements allow leaders to ensure child safety is a focus within their organisation

Standard 2: Clear commitment to child safety - Demonstrate your commitment to child safety by documenting how your organisation will meet its duty of care and responsibilities

Standard 3: Code of conduct - Establish clear expectations for appropriate behaviour with children

Standard 4: Human resource practices - Develop and implement human resource practices that reduce the risk of child abuse occurring within your organisation

Standard 5: Responding and reporting - All councillors, staff and volunteers must understand their role in keeping children safe, including their reporting responsibilities

Standard 6: Risk management and mitigation - To reduce the likelihood of harm organisations must think about and define the risks

Standard 7: Empowering children - Children have a right to be heard and have their concerns and ideas taken seriously.

Although all children are vulnerable, some children face additional vulnerabilities, namely Aboriginal children, children from culturally and linguistically diverse backgrounds and children with disabilities. Consequently, in applying each standard, organisations must embed the following three key principles:

- promoting the cultural safety of Aboriginal Children
- promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds
- promoting the safety of children with a disability.

While children's primary caregivers (parents/families) can be a protective factors against neglect and abuse, it takes many components to build a child safe organisation. The Standards help build a child safe culture within an organisation and ensure that organisations are accountable for the safety of children using their services and facilities. Compliance with the Standards is regulated and monitored by the Commission for Children and Young People.

Also relevant are the National Principles for Child Safe Organisations, which were developed following the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse and endorsed by the Council of Australian Governments in February 2019. The Victorian Government is conducting a review of the Standards and there is strong support to align the Standards with the National Principles.

2.2 The Reportable Conduct Scheme

Following the Victorian Parliament's Inquiry into the Handling of Child Abuse and other Non-Government Organisations in 2013, it was found that there was a need for independent scrutiny of organisations' systems and processes to respond to allegations of child abuse. The Reportable Conduct Scheme (the Scheme) requires organisations to respond to allegations of child-related misconduct made against workers (employees and contractors) and volunteers and report any allegations to the Commission for Children and Young People (the Commission). There are five types of 'reportable conduct':

- sexual offences committed against, with or in the presence of a child
- sexual misconduct committed against, with or in the presence of a child
- physical violence against, with or in the presence of a child
- any behaviour that causes significant emotional or psychological harm to a child
- significant neglect of a child.

The Commission has the power to receive allegations and findings of reportable conduct, assess an organisation's systems to prevent, notify and investigate reportable conduct, provide oversight of workplace investigations, investigate allegations in some circumstances, refer findings to professional registration bodies and the Working with Children Check Unit, build the capacity of organisations to respond to allegations of abuse and report to Parliament on performance of the scheme and trends. The Scheme does not replace or interfere with Police investigations.

2.3 Mandatory Reporting

Mandatory reporting refers to the legal requirement of certain professional groups to report a reasonable belief of child abuse to child protection authorities. In Victoria, under the Children, Youth and Families Act 2005, mandatory reporters must make a report to child protection authorities, if in the course of practising their profession or carrying out duties of their office, position or employment, they form a belief on reasonable grounds that a child is in need of protection from physical injury or sexual abuse. In Council, this will be relevant for some staff, which include but are not limited to nurses, youth workers and early childhood workers. For a complete list, refer to <https://providers.dhhs.vic.gov.au/mandatory-reporting>

3 Policy Context

In developing the Child Safe Policy, the following legislative framework is relevant:

- United Nations Convention on the Rights of the Child
- National Framework for Protecting Australia's Children 2009-2020
- Australian Human Rights Commission National Principles for Child Safe Organisations
- Victoria Child Safe Standards
- Victorian Reportable Conduct Scheme

Related Council policies are:

- Child Safe Reporting Process
- Councillor Code of Conduct
- Staff Code of Conduct
- Employment and Background Checks Policy
- Council Volunteer Policy
- Council Privacy and Data Protection Policy
- Draft Children and Young People Action Plan
- Community Engagement Policy

The Boroondara Community Plan 2017 - 2027 is Council's key strategic document. Our vision is for a vibrant and inclusive city meeting the needs and aspirations of its community. Theme 1 - Your Community, Services and Facilities, and the following strategies are relevant:

Strategy 1.3 Deliver, facilitate and advocate for services and programs that promote health, wellbeing, safety and a sense of community.

Strategy 1.6 Create and maintain public areas, facilities, amenities, footpaths and spaces that are inviting, clean and appropriately lit to increase social connection and improve perceptions of safety.

Strategy 1.7 Support the community's capacity to create and maintain safe neighbourhoods, in partnership with relevant State and Federal Government services, community groups and traders.

Strategy 1.10 Develop a strategic response to improving the safety of public places, Council's facilities and events and take action as required to help protect community participation.

Theme 7 Civic Leadership and governance, is also relevant, as our community told us they value being listened and responded to.

Also of importance are our health priorities, particularly preventing injury and violence, as we are committed to striving to enhance the wellbeing for people who live, work and play in Boroondara.

4 Policy Statement

Keeping children and young people safe is a shared responsibility within the City of Boroondara. We have developed a framework of policies and procedures to address risks to child safety and to establish a safeguarding culture and practices for the children and young people using organisation's activities, programs, services and/or facilities.

4.1 Our Commitment

The City of Boroondara is committed to the safety and well-being of children and, as such, is committed to creating and maintaining a child safe organisation. We understand that child safety is everyone's responsibility.

We have zero tolerance of child abuse and are committed to actively contributing to a child safe city where children are protected from abuse.

Our commitment will be enacted through the implementation and monitoring of the Child Safe Standards, as specified under the Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015.

We will ensure the safety of children by:

- documenting our commitment to safeguarding children and young people from abuse and neglect and communicating our commitment to all of councillors, staff, volunteers and contractors
- educating Council's workforce, councillors, volunteers, contractors and the community about the safety of children and young people. This includes understanding their role and the behaviour we expect
- providing environments that are safe for children and young people when delivering services and programs, including online, physical or psychological environments
- embedding processes that safeguard children and young people from abuse across all aspects of our operation

- responding appropriately and ensuring children are taken seriously if they raise concerns in relation to their safety and well-being
- listening to the voices of children and young people, particularly as we plan and deliver programs and services
- recognising diversity and promoting engagement with children from Aboriginal and Torres Strait Islander backgrounds, culturally and linguistically diverse backgrounds and children and young people with a disability.
- having appropriate screening processes in place to minimise the likelihood that we or a contractor recruit a person who is unsuitable to work or volunteer with children and young people
- making our Child Safe Policy and procedures accessible, online and in forms that are easy to understand.

4.2 Working with Children Checks (WWCCs)

Designated staff, volunteers and contractors are required to have a current Working with Children Check (WWCC). These roles have been selected based on legislative requirements and Child Safe Standards risk assessment). They:

- work/volunteer in services and programs that care for/educate/support children whether supervised or unsupervised (e.g. school crossing supervisors, youth services, maternal child health and immunisation nurses) OR
- are required to work with or visit a child based service (child care centre, kindergarten, school) on a regular basis (e.g. project architect for child related facility) OR
- are not engaged in work that is specifically child-related but do have direct contact with children (e.g. library staff, home support staff where child family members may be present in the home environment, playground maintenance staff) AND
- may reasonably be expected to come into direct contact with children on a regular basis during the course of their work or whilst representing Council. This includes attendance at community events where children or families are participating.

Regular contact with children refers to 'on at least six occasions per calendar year'.

Councillors may choose to obtain a volunteer WWCC in view of their representational role. Councillors may also be exempt from holding a WWCC if they are a teacher with the Victorian Institute of Teaching or a Victorian or Australian Federal Police Officer.

4.3 Code of Conduct

Council has a Code of Conduct that outlines the expectations and requirements for how Council staff, volunteers and contractors will behave that is in alignment with our values, and prioritises integrity in relationships to ensure positive outcomes for our community. In addition, some staff within the organisation are also required to adhere to professional Codes of Conduct and/or practice standards. Some professionals are also mandated to report physical and sexual abuse of children and young people e.g. Maternal and Child Health Nurses.

Councillors have a Code of Conduct that reflects their representational role. It outlines councillors' support for Council's zero tolerance approach to child abuse and its adherence

to the Victorian Child Safe Standards and related legislation including Failure to Disclose, Failure to Protect and Grooming offences.

4.4 Responding to Child Safety Concerns

Council has legal obligations in relation to the reporting of child abuse. If a person is unsure as to whether to report, they should contact the Council Child Safety Officer to discuss their concerns, or in the case of councillors, the CEO. No staff, councillors, volunteers or contractors should investigate any disclosure of harm made to them. This is the role of the police or Department of Health and Human Services Child Protection.

A chart outlining the child safety reporting process for staff **can be found on [Boroondara A-Z](#)**

4.5 Roles and Responsibilities

Safeguarding children and young people is a shared responsibility within our organisation. It is the responsibility of all councillors, employees, volunteers and contractors to create and maintain a child safe culture. Responsibilities are outlined in the table below.

Councillors	<p>Councillors set the strategic direction of Council and represent the interests of the municipality. They:</p> <ul style="list-style-type: none"> • are aware of and understand their obligations under the relevant legislation, Councillor Code of Conduct and Council's policies and procedures in relation to child safety and wellbeing • may choose to obtain a volunteer WWCC or may be exempt on the basis of if they are a teacher with the Victorian Institute of Teaching or a Victorian or Australian Federal Police Officer • direct officers to provide an environment in facilities and activities which Council directly operates and provides activities where children and young people feel safe, empowered and can participate • participate in training/education in relation to identifying, preventing and reporting child abuse • report all concerns and reasonable beliefs in relation to a child or young person being abused or at risk of being abused to the Chief Executive Officer. All councillors are required to report child abuse whether it has or is, suspected to have taken place in the home, community or a Council service
Executive Leadership Team (ELT)	<p>The Executive Leadership Team is responsible for providing leadership and good governance for the organisation.</p> <p>ELT is responsible for strengthening Council's child safety and wellbeing culture. This will be achieved through ensuring:</p> <ul style="list-style-type: none"> • regular communication and discussions take place with staff on child safety to build a sense of child safety being everyone's responsibility • the organisation has appropriate policies and procedures in place for the prevention and reporting of child abuse • allegations of child abuse are reported and fully investigated • support is provided for all of Council in undertaking their child safety and wellbeing obligations.

	<p>Additionally: The Chief Executive Officer is also responsible for meeting specific obligations under the Reportable Conduct Scheme. These obligations include:</p> <ul style="list-style-type: none"> • notifying the Commission for Children and Young People within three working days of becoming aware of an allegation • investigating any allegations (subject to Police clearance on criminal matters) and notifying the Commission who is undertaking the investigation. • managing any risks to children • updating the Commission within 30 calendar days, providing information on the reportable allegation and any action taken • notifying the Commission of investigation findings and any disciplinary actions (or why no action was taken). <p>The CEO may also receive reports of suspected incidents of child abuse from councillors in line with the Child Safe Reporting Process.</p>
<p>Senior Leadership Team/ Coordinators and Team Leaders</p>	<p>Additionally:</p> <ul style="list-style-type: none"> • Promote regular discussion on child safety as being everyone’s responsibility. • Ensure all of Council has access to and are aware of their obligations under the relevant legislation, Code of Conduct and Council’s policies and procedures in relation to child safety and wellbeing. • Take reasonable steps to identify any potential risks to child safety and wellbeing within their department and that these risks are removed or minimised. • Ensure that all Council staff, volunteers and contractors receive and undertake regular training/education in relation to identifying, preventing and reporting child abuse. • Receive and refer any child safety concerns to Council’s Child Safety Officers and/or the relevant authority depending on the urgency of the issue. • Act to protect a child or young person and initiate internal processes for reporting and/or investigation of allegations, including the disciplinary process if required. • Ensure that confidentiality and privacy of all personal information is maintained in line with relevant legislation and Council’s policies and procedures.
<p>Management Steering Group (MSG)</p>	<p>Oversee the implementation of the Child Safe Policy and:</p> <ul style="list-style-type: none"> • ensure a child safe culture is a key focus and commitment across the organisation • develop documents required for implementation of the CSS • monitor compliance and non-compliance activities as they relate to the agreed CSS • provide leadership and guidance pertaining to any potential breaches of CSS policy and procedures • review organisational practice and develop recommendations arising out of any breaches to the CSS policy and procedures.
<p>Council staff and volunteers</p>	<ul style="list-style-type: none"> • Be aware of and understand their obligations under the relevant legislation, Code of Conduct and Council’s policies and procedures in relation to child safety and wellbeing.

	<ul style="list-style-type: none"> • Designated staff and volunteers to have WWCCs, noting staff who have regular contact with children refers to ‘on at least six occasions per calendar year’. • Provide an environment where children and young people feel safe, empowered and can participate. • Participate in training/education in relation to identifying, preventing and reporting child abuse; and additional training for those with particular responsibilities for children. • Report all concerns and reasonable beliefs in relation to a child or young person being abused or at risk of being abused to Council’s Child Safety Officers and/or the relevant Manager. All Council staff, volunteers or contractors are required to report child abuse whether it has or is, suspected to have taken place in the home, community or a Council service.
<p>People and Culture</p>	<p>Additionally: Recruitment</p> <ul style="list-style-type: none"> • Conduct all recruitment practices in line with Council’s recruitment and selection guideline requirements for child related work. • Ensure appropriate child safety checks and screening is undertaken prior to offering positions according to the Employment and Background Checks Policy. • Ensure all designated new staff and contractors have WWCCs • Ensure employees and contractors have access to and are aware of the Child Safe Policy and procedures. • Ensure that new workers, volunteers and contractors complete compulsory Induction on commencement with Council. <p>Training</p> <ul style="list-style-type: none"> • Provide information (including Code of Conduct) relating to the Child Safe Standards and Policy via training / induction material and make available to managers, team leaders and coordinators for dissemination. • Manage Council’s Child Safe Policy. • Manage Council’s disciplinary procedures as they apply to the Child Safe Policy. • Support the application of relevant recruitment and pre-employment screening processes to select appropriate staff to work with children. • Support staff to build resilience and cope with child abuse incidents, for example through resilience training, and Council’s Employee Assistance Program (EAP) counselling service. • Reflect a culture of child safety in Organisational Development activities.
<p>Child Safety Officers</p>	<p>Additionally:</p> <ul style="list-style-type: none"> • Act as the first point of contact for receiving reports of child safety concerns or allegations of abuse. • Support the notification of child safety concerns or allegations to relevant authorities. • Assist alleged victims and their families to access counselling and support services.

	<ul style="list-style-type: none"> • Provide support to affected councillors, Council staff, volunteers, contractors and/or community members through Council's Employee Assistance Program or other appropriate organisations.
Labour hire, agency employees and contractors	<ul style="list-style-type: none"> • Agency/Labour Hire workers and contractors share responsibility for the prevention and reporting of child abuse or suspected child abuse. • Council will ensure that the same standards that apply to Council also apply to agency/labour hire workers and contractors under their contractual obligations and reflect this with standard clauses in our procurement processes.
Licence/ lease holders	<ul style="list-style-type: none"> • Lessees / licensees of Council facilities will be obligated under the lease / licence to conduct their activities at Council venues in accordance with the Child Safe Standards and Reportable Conduct Scheme.
Council grant recipients	<ul style="list-style-type: none"> • Council grant recipients will be required to conduct their activities in accordance with the Child Safe Standards and Reportable Conduct Scheme.

4.6 Child Safe Standards of Behaviour

Acceptable Behaviours

- Adherence to Council's Child Safe Policy and Child Safe Reporting Process at all times as well as the appropriate Code of Conduct
- Take all reasonable steps to protect children from child abuse
- Treat all children with respect and in the context of their age and development
- Listen and respond to the views and concerns of children, particularly if they are disclosing child abuse or are concerned with their own safety or that of another
- Promote the cultural safety, participation and empowerment of Aboriginal children
- Promote the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds
- Promote the safety, participation and empowerment of children with a disability
- Ensure as far as practicable that adults/Council staff, volunteers or contractors are not left alone with a child or young person. If this is a recognised, necessary part of the service being provided for child or young person, this should be documented and overseen by a direct manager of the adult/Council person
- Report any child safety concerns or allegations of abuse to a Child Safety Officer. If it is reasonably believed a child or young person is at immediate risk of abuse this should be reported to police immediately
- Encourage children to contribute in relevant organisational consultations where appropriate and possible, especially on issues that are important to them as members of their community

Unacceptable Behaviours

- Developing any 'special' relationships with children that could be viewed as favouritism and/or grooming
- Exhibiting behaviours with children which may be construed as unnecessarily physical
- Putting children at risk of child abuse
- Doing things of a personal nature that a child or young person can do for themselves, e.g. toileting or changing clothes
- Engaging in open discussions of a mature or adult nature in the presence of children
- Utilising inappropriate language in the presence of children
- Expressing personal views on cultures, race or sexuality in the presence of children and young people
- Discriminating against any child or young person, including because of culture, race, ethnicity, religion or disability
- Forming relationships or having contact with a child, young person or their family outside of their role at Council without the knowledge and/or consent of a Child Safe Officer and the appropriate line manager e.g. babysitting. Incidental contact e.g. seeing people in the street does not fall into this category.
- Having any online contact with a child, young person or their family unless necessary for the purpose of conducting Council business.
- Ignoring or disregarding any suspected or disclosed child abuse

5 Governance

A Management Steering Group (MSG) will oversee the implementation and monitoring of the Child Safe Policy as set out in section 4.4. This group will include relevant positions as determined by the Chief Executive Officer. Terms of Reference will govern the operation of the MSG.

6 Regular review

This policy will be reviewed and updated annually and following significant incidents if they occur. Feedback received from families and children will be considered as part of the review process. Where possible we will do our best to work with local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability when reviewing this policy.

7 References

7.1 Related documents

- Child Wellbeing and Safety Act 2005
- Children, Youth and Families Act 2005
- Commission for Children and Young People Act 2012
- Victorian Working with Children Act 2005 and Amendment 2014
- Charter of Human Rights and Responsibilities Act 2006
- Victorian Child Safe Standards
- National Principles for Child Safe Organisations
- Victorian Reportable Conduct Scheme
- United Nations Convention on the Rights of the Child

- Early Childhood Australia – Code of Ethics
- Charter of Human Rights and Responsibilities Act 2006
- Privacy & Data Protection Act 2014
- Commonwealth Privacy Act 1988
- Public Records Act 1973
- Disability Act 2006

7.2 Definitions

Aboriginal/Torres Strait Islander Child	<p>A person under the age of 18 who:</p> <ul style="list-style-type: none"> • is of Aboriginal or Torres Strait Islander descent • identifies as being of Aboriginal or Torres Strait Islander origin, and is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander Community
Adult	Any person aged 18 years of age and above
Child/Young Person	Any person aged below 18 years of age
Child Abuse	<p>Types of child abuse can include:</p> <ul style="list-style-type: none"> • physical abuse – occurs when a child suffers or is likely to suffer significant harm from an injury inflicted either intentionally or through the inadvertent consequence of physical punishment or physically aggressive treatment of a child • sexual abuse – occurs when an adult uses their authority to involve a child in sexual activity. This activity could be fondling genitals, masturbation, vaginal or anal penetration by a finger, penis or any other object, voyeurism or exhibitionism • emotional or psychological abuse – occurs when a child is repeatedly rejected, isolated, humiliated or threatened or through witnessing family violence. This may include continued name calling, put downs etc. • neglect – is the failure to provide a child with the basic necessities of life, which may include nutrition, clothing, shelter, supervision and medical attention to the extent the child's health and development is or is likely to be significantly harmed • family violence – is any violent or threatening behaviour including physical, verbal, emotional, psychological, sexual, financial or social abuse that occurs in any current or previous family, domestic or intimate relationship • grooming – targets communication including online communication with a child under the age of 16 or their parents with the intent of committing child sexual abuse. Grooming does not necessarily involve sexual activity or discussion. It is the establishment of a relationship with the

	<p>child, parent or carer for the purpose of facilitating sexual activity at a later time</p> <ul style="list-style-type: none"> • racial, cultural and religious abuse – is behaviour that demonstrates contempt, ridicule, hatred or negativity towards a child because of their race, culture or religion. It may be direct or indirect by demonstrating a lack of cultural respect and awareness or failing to provide positive images about another culture
Children from culturally and/or linguistically diverse backgrounds	A child or young person who identifies as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of their parents' identification on a similar basis
Child Safe Standards	<p>The Child Safe Standards are a central feature of the Victorian Government's response to the Betrayal of Trust Inquiry and aim to improve the way organisations that provide services for children and young people, prevent and respond to child abuse that may occur within their organisations</p> <p>The Standards are:</p> <ol style="list-style-type: none"> 1. Strategies to embed an organisational culture of child safety, including through effective leadership arrangements 2. A Child Safe Policy or Statement of Commitment to Child Safety 3. A Code of Conduct that establishes clear expectations for appropriate behaviour with children and young people 4. Screening, supervision, training and other human resource practices that reduce the risk of child abuse by new and existing personnel 5. Processes for responding to and reporting suspected child abuse 6. Strategies to identify and reduce or remove risks of child abuse Strategies to promote the participation and empowerment of children and young people
Child Safety	In the context of the Child Safe Standards, child safety means measures to protect children and young people from abuse
Children with a Disability	A disability can be any physical, sensory, neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child or young person's ability to undertake everyday activities. A disability can occur at any time in life. Children and young people can be born with a disability or acquire a disability suddenly through an injury or illness

	Some disabilities may be obvious while others are hidden
Code of Conduct	Framework that outlines the standards, values and behaviours expected at CoB to deliver the best possible outcomes for the community
Contractor	Any contractor or agency/labour hire worker who provides services or undertakes work on behalf of the City of Boroondara
Council	City of Boroondara Council, whether constituted before or after the commencement of this Policy
Councillor	Elected representative of the City of Boroondara
Harm	<p>Harm to a child, is any detrimental effect of a significant nature on the child’s physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm can be caused by:</p> <ul style="list-style-type: none"> • physical, psychological or emotional abuse or neglect; • sexual abuse or exploitation; • a single act, omission or circumstance; and • a series or combination of acts, omissions or circumstances.
Indicators of Abuse	<p>Physical abuse</p> <ul style="list-style-type: none"> • physical signs – unexplained bruises, cuts, burns, broken or fractured bones • behavioural signs – showing wariness or distrust of adults, wearing long-sleeved clothes on hot days (to hide injury), fear of specific people, change in academic performance <p>Sexual abuse</p> <ul style="list-style-type: none"> • physical signs – presence of sexually transmitted diseases, pregnancy, vaginal or anal bleeding or discharge, excessive or sudden increase in bed wetting or soiling • behavioural signs – displaying sexual behaviour or knowledge that is unusual for the child’s age, difficulty sleeping, nightmares, being withdrawn, clinginess, complaining of headaches or stomach pains, fear of specific people, showing wariness or distrust of adults, displaying aggressive behaviour <p>Emotional abuse</p>

	<ul style="list-style-type: none"> • physical signs – delays in emotional, mental or even physical development • behavioural signs – low self-esteem, high anxiety, aggressive or demanding behaviour, being withdrawn, passive or tearful, self-harming <p>Neglect</p> <ul style="list-style-type: none"> • physical signs – frequent hunger, malnutrition, poor hygiene, inappropriate clothing • behavioural signs – stealing food, staying at school outside of school hours, aggressive behaviour, misusing alcohol or drugs, academic issues <p>Family Violence</p> <ul style="list-style-type: none"> • physical signs – speech disorders, delays in physical development, bruises, cuts, welts, internal injuries • behavioural signs – aggressive language and behaviour, nervous and withdrawn, adjustment problems, passive and compliant behaviour, low tolerance and frustration, wariness or distrust of adults, demonstrated fear of parents/carers or of going home, anxiety and/or depression
<p>National Principles for Child Safe Organisations (National Principles)</p>	<p>The National Principles are designed to build capacity and deliver child safety and wellbeing in organisations, families and communities and prevent future harm. The Principles have been endorsed by all Commonwealth, State and Territory governments</p> <p>https://childsafe.humanrights.gov.au/national-principles</p>
<p>Position/Person of Authority</p>	<p>Is dependent on the degree of supervision, power or responsibility to remove or reduce substantial risk posed by an adult associated with Council. A position of authority can include councillors, executive management, managers, staff, volunteers and contractors</p>
<p>Reasonable Belief</p>	<p>A reasonable belief is not the same as having proof. The test for whether a belief is reasonable is whether a reasonable person in the same position would have formed the belief on the same grounds. This may include but not limited by:</p> <ul style="list-style-type: none"> • a child or young person stating they have been sexually abused • a child or young person stating they know someone who has been abused

	<ul style="list-style-type: none"> • someone who knows a child or young person stating that the child or young person has been sexually abused • professional observations of a child or young person’s behaviour or development leading a professional to form a belief that the child or young person has been sexually abused <p>Signs of sexual abuse leading to a belief that the child or young person has been sexually abused</p>
<p>Staff</p>	<p>Any permanent, part-time, temporary or casual employee of City of Boroondara</p>
<p>Substantial Risk</p>	<p>In the context of this policy a ‘substantial risk’ relates to the likelihood that a child or young person will become a victim of sexual abuse by a person associated with Council.</p> <p>A risk will be a substantial risk if a person forms the reasonable belief there is a significant likelihood or probability that a child or young person will become a victim of sexual abuse.</p> <p>There are a number of factors that may assist in determining whether a risk is a substantial risk. These include:</p> <ul style="list-style-type: none"> • the likelihood or probability that the child or young person will become the victim of a sexual offence • the nature of the relationship between a child or young person and the adult who may pose a risk to the child or young person • the background of the adult who may pose a risk to the child or young person, including any past or alleged misconduct • any vulnerabilities particular to a child or young person which may increase the likelihood that they may become the victim of a sexual offence • any other relevant fact which may indicate a substantial risk of a sexual offence being committed against a child or young person. <p>When determining whether a risk is substantial, the courts will consider a variety of factors, which may include those listed above. The courts will consider all the facts and circumstances of the case objectively, and will consider whether a reasonable person would have judged the risk of a sexual offence being committed against the child or young person as substantial. It is not necessary to prove that a sexual offence, such as indecent assault or rape, was committed</p>

<p>Volunteer</p>	<p>A member of the public when contributing directly to a Council program/service/event who:</p> <ul style="list-style-type: none"> • is registered as a Council volunteer; or • is part of any count with regard to volunteer hours contributed to Council programs/services/events <p>For the purposes of this Policy, the definition of a volunteer also includes students on work/student placement from an educational institution</p>
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