**Child Safe Awareness Policy for Local Government**

**Recommendation 6.12 of the Royal Commission into Institutional Responses to Child Sexual Abuse**

**Consultation Paper 2022**

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# Background

The Department of Communities is seeking feedback on a draft Child Safe Awareness Policy for Local Government which aims to reduce the risk of harm and child abuse in local communities.

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) recognised local governments’ critical role in community development and community safety, particularly roles that impact on child safety, and identified the opportunity to integrate their direct responsibilities to children with their wider role within the community.

The Royal Commission considered the role of local governments in assisting community-based institutions in their local area to become child safe, with support from governments at the national, state and territory levels. The Child Safety Awareness Policy has been drafted in response to Recommendation 6.12 of the Royal Commission, which was accepted in principle by the Western Australian (WA) State Government.

**Recommendation 6.12**

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 four functions:

1. Developing child safe messages in local government venues, grounds, and facilities.
2. Assisting local institutions to access online child safe resources.
3. Providing child safety information and support to local institutions on a needs basis.
4. 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.

# Policy development process

The Department of Communities, supported by the Department of Local Government, Sport and Cultural Industries consulted with the local government sector about the recommendation for Child Safety Officers and the related functions in 2020–21. The findings from the consultation were reported in a [Summary of Findings Report](https://www.wa.gov.au/government/publications/child-safety-officers-local-government-consultation) and found local governments were supportive of creating child safe environments and building the capacity of their communities to increase child safety, with a strong preference to embed the recommended functions across all relevant local government functions rather than establish a designated Child Safety Officer role.

In June 2022, the Department of Communities hosted a co-design process with more than 35 representatives from local government across the state to develop a draft policy template for local government regarding their role in fulfilling the functions of Recommendation 6.12.

The Department is now consulting with local governments and other key stakeholders on the draft policy.

The Child Safe Awareness Policy is part of a program of work being led by the State Government in response to the Royal Commission’s recommendations and relevant to local governments. The work aims to increase child safety and wellbeing in WA and includes:

1. Coordinating the development of Child Safe Awareness Policy for Local Governments.
2. Introducing changes to mandatory reporting of child sexual abuse requirements which will phase in new reporter groups, including early childhood workers in November 2024.
3. Supporting the development of a Reportable Conduct Scheme (RC Scheme) to facilitate reporting allegations of employee misconduct involving children and young people.  The RC Scheme is regulated by the Parliamentary Commissioner Amendment (Reportable Conduct) Bill 2021 (RC Bill).  If the RC Bill is passed by the Parliament a staged implementation of the RC Scheme will occur.
4. Developing policy advice to inform the introduction of a legislative framework for a model of independent oversight of the National Principles for Child Safe Organisations (National Principles).

# Key policy discussions

The Child Safe Awareness Policy for Local Government builds on an existing commitment by local governments to promote safety in their community, whilst raising the profile of the rights of children and young people to be safe from harm and abuse. Key discussion points in the policy co-design process in relation to recommendation 6.12 and being child safe included:

* policy functions
* child safe organisations
* zero tolerance
* role of State Government and others.

**Policy Functions**

During the co-design process, the four child safe functions recommended by the Royal Commission were adapted at the request of local government representatives to suit the WA context.

The Child Safe Awareness Policy is specific to the external functions of local governments within the community. Participants in the co-design process wanted to ensure the purpose of the policy was clear and that the policy itself was flexible enough to allow local governments to adapt it to their local context. The following table explains how and why the functions were adapted.

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| **Recommended Function**  a) Developing child safe messages in local government venues, grounds and facilities.  **Revised Recommended Function**  Develop a process to deliver child safe messages (for example at local government venues, grounds and facilities and events).  The recommended function was reworded with the intent that child safe messages would be centrally developed by State Government or relevant third party, which local government would then deliver and distribute in ways that meet the needs of local communities. This recognises the diversity of local governments and communities across WA. The co-design group also wanted to extend the function to include events. |
| **Recommended Functions**   1. Assisting local institutions to access online child safe resources. 2. Providing child safety information and support to local institutions on a needs basis. 3. 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.   **Revised Recommended Function**  Connect local community groups, organisations and stakeholders to child safe resources (including culturally safe and inclusive resources).  These three functions were consolidated into a single function;   * define what local ‘institutions’ might refer to in a local context * extend the function beyond online safety * recognise that the support provided by local governments often relates to raising awareness and sharing information.   The co-design group also wanted to expand the scope to other high-risk groups of children and young people who may need targeted support and recognising that these children and young people may belong to multiple diverse groups requiring culturally safe and inclusive resources. |

**Child Safe Organisations vs Child Safe Awareness**

Being a child safe organisation means embedding a child safe culture across all activities and services, with staff providing child safe and friendly environments and interactions. Local governments are already taking action, in some way, to be child safe.

The Child Safe Awareness Policy is focused on the external role of local governments as community leaders. The policy aims to reduce the risk of child harm and abuse in our communities by encouraging child safe messaging and environments where the rights and voices of children and young people are a priority.

The co-design process recognised that local governments are at different points in the journey to becoming child safe. The Child Safe Awareness Policy will contribute towards local governments becoming child safe in preparation for the introduction of a legislative framework for the implementation of the National Principles within organisations.

**Zero Tolerance**

The co-design group considered whether there should be a formal commitment to zero tolerance of child abuse by local governments. Everyone agreed child abuse and harm should never be tolerated. The group also considered the varying capabilities and capacity of local governments to be able to promote, implement and comply with zero tolerance.

There was a range of preparedness and readiness for local governments to adopt and enact a zero-tolerance position. The group ultimately agreed to commit to a zero-tolerance approach, recognising that there is significant change in relation to the prevention of child abuse occurring at a state-wide level.

**Role of State Government and others**

Other organisations continue to have responsibility for child protection, responding to allegations of abuse and enhancing the safety of children within organisations that care for them.

State Government (and/or another third party) will;

* consider options for developing child safe messages from a centralised location
* develop a Reportable Conduct Scheme, the legislation for which is currently before Parliament
* develop policy advice to inform the introduction of a legislative framework for child safe organisations and a model of independent oversight of the National Principles in WA.

Department of Communities is responsible for:

* assessing child abuse allegations and/or concerns.

Western Australian Police Force is responsible for:

* responding to allegation of criminal offences (e.g., physical, and sexual assault).

**Policy obligations**

Each Local Government is expected to have a child safe awareness policy in response to the Royal Commission’s Recommendation 6.12. The child safe awareness policy template is provided for each Local Government to adapt to suit their local circumstances and requirements. Local Governments have discretion as to how they adapt the policy template and implement the agreed functions, and also how they will monitor their activity and report their outcomes.

Once the child safe awareness policy template has been finalised, it will be distributed to local governments. Centrally developed resources will be available to support implementation.

# Providing input

The draft Child Safe Awareness Policy is now available to local governments and other key stakeholders for comment.

A non-mandatory information session about the draft policy is being held online on Thursday, 14 July from 10.00am-12.00pm. If you would like to attend, please RSVP via email to [csaroyalcommission@communities.wa.gov.au](mailto:csaroyalcommission@communities.wa.gov.au).

Wherever possible, endorsed responses are preferred. It is recommended that local government officers seek a position in relation to the policy from their respective councils during the consultation period to inform the organisation's feedback. Local governments are encouraged to seek feedback from officers in key roles who are likely to have responsibilities under the policy. The draft policy is attached.

Local governments are invited to provide direct feedback by providing responses to the consultation questions below. Feedback can be sent to [csaroyalcommission@communities.wa.gov.au](mailto:csaroyalcommission@communities.wa.gov.au) by Close of business Friday, 12 August 2022.

**Consultation Questions**

Do you have any comment/feedback in relation to the **purpose** of the policy as explained in the policy statement?

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Do you have any comment/feedback in relation to the **principles** guiding the policy?

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Do you have any comment/feedback in relation to the **roles and responsibilities** within the policy?

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Do you have any concerns about the policy?

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What is needed to support the implementation of the policy by local governments?

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Please specify any additional general feedback in relation to the policy you would like to provide.

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