

# CHILD AND YOUTH PROTECTION POLICY

## SCOPE

This policy applies to all councilors, employees, contractors, volunteers of Banana Shire Council.

## LEGISLATION

Child Protection Act 1999  
 Work Health and Safety Act 2011  
 Local Government Act 2009  
 Local Government Regulations 2012  
 Child Care Act 2002  
 Child Care Regulations 2003  
 Education and Care Services National Law (Queensland) Act 2011  
 Education and Care Services National Regulations under the Education and Care Services National Law 2011  
 Commission for Children and Young People and Child Guardian Act 2000  
 National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018  
 National Disability Insurance Scheme Act 2013  
 Human Rights Act 2019 (Qld)  
 Working with Children (Risk Management and Screening) Act 2000 (Qld)  
 Banana Shire Council Child and Youth Protection Policy

## OBJECTIVE

The purpose of this policy is to provide for and create safe environments for children, young people and vulnerable people as outlined in the Child Protection Act 1999.

## DEFINITIONS

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| Council     | Banana Shire Council   |
| Councillors | Councillors include the Mayor, Deputy Mayor and other Councillors of Banana Shire Council, unless specifically identified  |
| CEO         | Chief Executive Officer, Banana Shire Council  |
| Child/Youth | A child/youth is an individual under 18 years (as outlined in the Child Protection Act 1999)   |
| Blue Card   | A card issued and managed by Blue Card Services to provide eligibility for a person to work in the areas of child-related work covered by the Commission for Young People and Child Guardian Act |

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| Exemption Cards         | Exemptions cards are only held by police officers with the Queensland Police Service and teachers registered with the Queensland College of Teachers—and only required for work outside of a person's professional duties and issued and managed by Blue Card Services |
| Council Staff / Workers | Includes employees, contractors, volunteers and all others performing work on behalf of Council  |
| Manager / Supervisor    | Includes persons appointed to positions with responsibility for staff management   |
| Services                | Services provided to the community by Council, including libraries, the provision of community assistance and Community Resource Centre services   |

## ROLES & RESPONSIBILITIES

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| Councillors, Banana Shire Council          | Develop and draft policies and procedures that provide direction to Council on how services will comply with Child Protection Act 1999.<br><br>Be familiar with Council's legislative requirements regarding human rights.  |
| CEO  | Lead the development of a quality service culture that supports Child Protection.<br><br>Apply due diligence to manage and monitor compliance with the Child and Youth Protection Policy and associated procedure.<br><br>Support staff competence and compliance with this Child and Youth Protection Policy and associated procedure. |
| Director                                   | Apply due diligence to manage and monitor compliance with the Child and Youth Protection Policy and associated procedure.<br><br>Support staff competence and compliance with this Child and Youth Protection Policy and associated procedure.  |
| Manager / Supervisor                       | Apply due diligence to manage and monitor compliance with the Child and Youth Protection Policy and associated procedure.<br><br>Support staff competence and compliance with this Child and Youth Protection Policy and associated procedure.  |
| Staff, volunteers, contractors and clients | Comply with the Child Protection Policy and Procedure.  |

## POLICY

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Banana Shire Council is committed to due diligence and duty of care in ensuring all children and young people engaged in our programs and services are protected from harm and abuse and are able to access these programs and services in a safe and secure manner.

Banana Shire Council has written procedures in place which ensure compliance with the requirements of the Work Health and Safety Act 2011, Child Protection Act 1999 and the Working with Children Act 2000.

- All children and young people who are involved in Banana Shire Council programs and services have a right to feel and be safe.
- It is a requirement that all Council staff who work with children and young people have appropriate statutory documentation including a **Blue Card or Exemption Card and NDIS Worker Screening Check**.
- It is a requirement that all Council staff who work with people with disability aged over 18 have appropriate statutory documentation including a **Yellow Card or an NDIS worker Screening Check**.
- Council will endeavour to ensure best practice approach is undertaken in recruitment of staff who work with children or young people.
- Council will ensure that legislative requirements in respect of child safety will be adhered to, monitored and appropriate changes made to practices as required.
- Council will provide appropriate training and support for staff to provide a safe environment for children and young people.

## EXPECTED STANDARDS OF BEHAVIOUR IN THE WORKPLACE

All employees must ensure their behaviour towards and relationships with children reflect proper standards of care in accordance with Banana Shire Council policies and procedures. To ensure conduct is appropriate and meets legislative requirements for child protection, the expected standards of behaviours of Council staff in relation to children and young people in the workplace are outlined below:

- Act in the best interests of all children and young people.
- Respect the rights of children and young people as enshrined in the United Nations Convention of the Rights of the Child (1991).
- Recognise children and young people as active citizens participating in different communities such as family, children's services and schools.
- Create and maintain safe, healthy environment, spaces and places, which enhance children's and young people's learning, development, engagement, initiative, self-worth, dignity and show respect for their contributions.

- Work to ensure children, young people and families with additional needs can exercise their rights.
- Work to ensure children and young people are not discriminated against on the basis of gender, age, ability, economic status, family structure, lifestyle, ethnicity, religion, language, culture, or national origin.
- Acknowledge children and young people as competent learners and build active communities of engagement and enquiry.
- Attend relevant training provided by Banana Shire Council to provide a safe environment for children and young people.
- Escalate any issues related to Child Safety to the immediate supervisor or manager or an EMT member.

When Banana Shire Council receives any information alleging harm to a child or young person, it will deal with the situations compassionately and fairly to minimize any likely harm to the extent it can be reasonably made, as outlined in the Banana Shire Council Child Protection Procedure and in accordance with legal obligations under the reporting processes described in the Child Protection Act 1999 and the Working with Children Act 2000.

The Council will ensure that lawful policies, procedures and child safety risk management strategies are adhered to by all council staff. All staff will participate in regular training on Child Protection, Incident Reporting, Risk Management and Work Health & Safety. Updates of any aspects of these processes will be communicated through staff meetings, individual supervision meetings in CEO Update and/or through any other relevant method.

## HUMAN RIGHTS

Council has adopted a Human Rights Policy seeking to protect the 23 human rights guaranteed by the Human Rights Act 2019. This policy and associated procedures should be read in conjunction with the Human Rights Policy and procedure and the requirements of the Human Rights Act 2019 and associated regulations, and actions undertaken pursuant to this policy should preserve and protect those rights.


## PROCEDURE

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Procedures as approved and issued by the Chief Executive Officer, and subject to further revision, amendment and issue under the authority of the Chief Executive Officer.

## CERTIFICATION

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 CHIEF EXECUTIVE OFFICER  
 BANANA SHIRE COUNCIL

21/12/20  
 DATE