



Department of
**Local Government, Sport
and Cultural Industries**



Child Safeguarding Policy

1 Purpose

The purpose of this policy is to outline the responsibilities of the Department of Local Government, Sport and Cultural Industries (DLGSC) and Cultural Statutory Authorities (CSAs) in relation to child related work or interaction by all employees, contractors, volunteers and third-party organisations, to keep children safe and well and promote and protect their rights.

This policy should be read in combination with the Child Safeguarding Framework (Framework), which operationalises this policy and outlines the processes required for employees to implement child safe practices, maintain a child safe environment, and build a child safe culture across all areas of the department's work

2 Scope

This policy applies to all DLGSC and CSA employees whether by way of permanent appointment, secondment, casual, fixed term contract, or traineeship. This policy also applies to all volunteers, interns, and work experience students.

If required, DLGSC will perform the recruitment and recommendation of CSA Board members with consideration of this Policy and the Framework. The CSAs are responsible for ensuring Board members meet their ongoing employment compliance in relation to this Policy and the Framework.

Any DLGSC business area procuring goods and/or services must also appropriately screen and induct contractors including in relation to DLGSC's child safeguarding requirements. Refer to the Framework for additional information regarding procurement contracts.

3 Objectives

The DLGSC and the CSAs recognise that all children are entitled to participate safely in vibrant, inclusive, and connected WA communities, free from harm. The DLGSC and CSAs are committed to ensuring any employees, volunteers and contractors undertaking child-related work and/or interacting with children, do so in a manner which promotes and protects children's safety and wellbeing.

Child safeguarding is the responsibility of all business and operational areas of DLGSC and the CSAs. This Policy aims to assist DLGSC and CSA employees to understand the organisation's approach to child safeguarding and employees' roles and responsibilities in adhering to child safeguarding requirements and recognising and responding to child safeguarding matters.

Through the Policy and accompanying Framework, and in line with the National Principles for Child Safe Organisations, DLGSC and the CSAs commit to:

1. Clearly **communicate** the position and intent of DLGSC and CSAs regarding child safeguarding to internal and external stakeholders, including funded individuals or organisations engaging in child-related work.
2. Be **consistent** in recognising DLGSC and CSA employees are accountable for child safeguarding practices.
3. Implement a **complaint management policy and process** that is clear and child focused, thereby enabling DLGSC or the CSAs to respond immediately and appropriately to any complaint of harm against a child.
4. **Support employees** undertaking child-related work or interacting with children by providing appropriate on-going training and resources to ensure they are equipped knowledge, skills, and awareness necessary to keep children and young people safe.
5. Implement appropriate **recruitment and screening procedures** for roles that involve child-related work or interaction, so they prioritise child safety and require relevant qualifications and registrations, such as Working with Children Checks, and they are undertaken in accordance with the Recruitment, Appointment and Selection Policy and related procedure.
6. Ensure all employees abide by DLGSC's Code of Conduct and complete mandatory child safeguarding and other relevant on-going **training** so that they are able and empowered to adhere to child safeguarding requirements and recognise and respond appropriately to child safety issues.
7. Regularly **review and improve** child safeguarding policies and procedures to align with local and/or national child safeguarding legislative changes and best practice approaches.
8. Implement policy and procedural changes as required in order to **meet obligations** under the [Reportable Conduct Scheme](#)

4 Definition of terms

Child/ren: For the purposes of this Policy and Framework, "Child/ren" refers to any person under 18 years of age, and in the absence of positive evidence of age, means a person apparently under 18 years of age.

Child abuse: Occurs when a child has been subjected to physical, sexual abuse or other exploitation, including child grooming, or emotional abuse, neglect, or exposure to violence, including family and domestic violence. It may involve ongoing, repeated, or persistent abuse, or arise from a single incident.

Child interaction (contact): Contact includes any form of physical contact, any form of oral communication, whether face-to-face, by telephone or otherwise, and any form of electronic communication, but does not include contact in the normal course of duties between an employer and an employee or between employees of the same employer. (*Working with Children (Screening) Act 2004* (WA), section 4)

Child-related work: For the purposes of this Policy and the Framework, child-related work is defined as:

- a. work activities where contact (physical, face-to-face, oral, written, or electronic contact) between an employee, volunteer or contractor and a child would reasonably be expected as a normal part of the work and such contact is not occasional (infrequently or irregularly) and incidental (occurring by chance) to the work; or
- b. work that requires a Working with Children Check (WWCC) in WA as outlined in the *Working with Children Check (Screening) Act 2004*.

Child safeguarding: Relates to the actions DLGSC and CSAs take to promote the safety and wellbeing of children in their care, and to protect them from harm.

Child safe organisation: An organisation that creates a culture and environments, adopts strategies, and takes action to promote child wellbeing and prevent harm to children.

Complaint: Under this Policy, includes an allegation (written or verbal) expressing dissatisfaction in, or concerns about, the conduct of DLGSC, DLGSC employee/s, a DLGSC funded individual, service or organisation, and handling of a prior concern.

Contractor/s: Means an independent service-provider employed on a contract for service basis to provide material or labour to perform a service or undertake a task.

Contracts/Agreements: For the purposes of this Policy and the Framework, the terms 'contract/s' and 'agreement/s' include, but are not limited to:

- funding agreements
- partnership agreements
- grant contracts
- sponsorship agreements
- any other contract between DLGSC and financially supported individuals or organisations

Contracts for the procurement of goods and/or services are included in this terminology only when the contractor is undertaking, or has the potential to undertake, child related work. These contracts must also include DLGSC's Child Safeguarding Requirements clause as referenced in point 2.3.3 of this Framework.

Cultural Statutory Authority: Means the Art Gallery of Western Australia, Arts and Culture Trust, State Library of Western Australia, and Western Australian Museum.

Customer: A person or organisation receiving advice, a service, using the facilities, engaging in an interaction or business relationship, or any other person or organisation having an interest in the functions or activities of DLGSC or a Cultural Statutory Authority.

Department/DLGSC: For the purposes of this Policy, this term refers to the Department of Local Government, Sport and Cultural Industries, excluding its Statutory Authorities unless otherwise advised.

Employees: For the purposes of this Policy, an employee is any person employed in, or engaged by DLGSC or a Cultural Statutory Authorities whether as a permanent appointment, secondment, casual, fixed term contract, or traineeship.

Funded individual or organisation: An individual or organisation which receives direct financial support from DLGSC as a grant:

- for the purpose of developing and/ or delivering child-related work
- for an activity with potential for child interaction
- an individual or organisation which receives a procurement or contract from DLGSC in the delivery of child-related work or potential activity resulting in child interaction.

Harm: Harm in relation to a child, includes harm to the child's physical, emotional, or psychological development. (*Children and Community Services Act 2004*, Section 3, p3)

Intern: A person employed temporarily for the purpose of gaining work experience.

Volunteer: A person over 18 years of age engaged for unpaid child related work on behalf of DLGSC or a Cultural Statutory Authority. A funded organisation is responsible for ensuring volunteers engaged by them abide by the organisation's Code of Conduct or similar, receive relevant child safeguarding training and/or hold a Working with Children Check.

Wellbeing: Of a child, includes:

- the care of the child
- the physical, emotional, psychological, and educational development of the child
- the physical, emotional, and psychological health of the child
- the safety of the child.¹

¹ Children and Community Services Act 2004, section 3

Working with Children Check: A compulsory screening strategy for people engaging in child- related work in Western Australia and the Christmas and Cocos (Keeling) Islands.

Volunteer: A person over 18 years of age engaged for unpaid child related work on behalf of the DLGSC or a Cultural Statutory Authority.

Young people: For the purposes of this Policy and Framework see the definition of “Child/ren”.

5 Risk management context

It is important that DLGSC and the CSAs have a clear, comprehensible, and accessible procedure for managing risks to child safety.

This Policy, the Framework and related policy and procedures (listed in Section 8) are key control mechanisms for ensuring the safety of children who interact with any DLGSC and CSA employees.

All DLGSC and CSA employees must actively identify child safety risks that may arise at an operational level. In alignment with the DLGSC and CSA Risk Management Frameworks (RMF), identified risks must be incorporated into the operational risk registers and control mechanisms for ongoing monitoring and management and to facilitate continuous improvement.

6 Policy requirements

6.1 Employees and other persons to which this Policy applies

All employees and other persons to which this Policy applies as set out under item 2. titled ‘Scope’ of this Policy are responsible for:

- ensuring compliance with this policy, where relevant, when considering the development of new, or existing, programs or projects;
- ensuring all employees undertake mandatory on-going child safeguarding training and any other specialised training relevant to their role;
- monitoring any child safety complaints arising from their work and complying with the DLGSC or CSA Complaint Management Policy and/or Procedures;
- notifying Corporate Governance, or CSA equivalent, of all complaints received in relation to a child, which will then be recorded in the respective complaint register; and
- supporting employees to make notifications under the Reportable Conduct Scheme or through other child safety reporting mechanisms.

6.2 Managers/Directors

Managers and Directors are responsible for:

- ensuring compliance with this policy, where relevant, when considering the development of new, or existing, programs or projects;
- ensuring all employees undertake mandatory on-going child safeguarding training and any other specialised training relevant to their role;
- monitoring any child safety complaints arising from their work and complying with the DLGSC or CSA Complaint Management Policy and/or Procedures;
- notifying Corporate Governance, or CSA equivalent, of all complaints received in relation to a child, which will then be recorded in the respective complaint register; and
- supporting employees to make notifications under the Reportable Conduct Scheme or through other child safety reporting mechanisms.

6.3 Executive Directors/Cultural Statutory Authority Equivalent

Executive Directors or CSA equivalents (including CSA Directors) are responsible for:

- reinforcing employee behaviours and decisions in accordance with DLGSC's Code of Conduct;
- being a central contact for their employees to discuss risks associated with any child- related work undertaken by them;
- ensuring that all employees are aware of the relevant child safety complaints management process;
- providing support to managers and directors in relation to the risk exposure to employees;
- determining the risk owners within their team/s responsible for managing and responding to child safety risks in their business area and recording these in an operational risk register;
- reporting high and extreme risks to DLGSC or a CSA arising from child-related work to the appropriate internal authority, this may include the DLGSC Corporate Executive, Human Resources team, Work Health and Safety team, Deputy Director General, Director General or CSA equivalents.

6.4 Human Resources

Human Resources are responsible for:

- ensuring the DLGSC Code of Conduct is reviewed and updated in alignment with employees' child safety responsibilities;

- updating and maintaining adherence to relevant employee screening policy, procedures and processes including Working with Children Check and criminal record checking obligations;
- supporting the development and implementation of child safety related training and reporting to Corporate Executive, or CSA equivalent, of training completion; and
- progressing notifications and completing investigations as required by the Reportable Conduct Scheme.

6.5 Child Safeguarding Implementation Unit

The Child Safeguarding Implementation Unit is responsible for, but not limited to:

- providing oversight of the Framework and the DLGSC Child Safeguarding Risk Register; assisting in the ongoing development, and promotion, of child safe practices and culture across DLGSC and CSAs in line with legislative requirements as well as State and National best practice approaches;
- organising and chairing the cross-departmental Child Safeguarding Working Group and engaging with external groups as required;
- leading the evaluation, review and updating of the Policy and Framework with input from relevant stakeholders;
- providing input or leading responses on child safety to any call for submissions which relate to, or impact DLGSC and the CSAs (such as Royal Commission into Institutional Responses to Child Sexual Abuse recommendation implementation audits or other internal management audits); and
- reporting to DLGSC Corporate Executive as required.

6.6 Director General/Chief Executive Officers of the Cultural Statutory Authorities

The Director General and Chief Executive Officers of the CSAs are responsible for:

- ensuring that appropriate strategies and procedures are in place to preserve the integrity, responsiveness, and accountability of DLGSC or CSA and all employees, in relation to the management of child-related work or interactions where appropriate; and
- meeting obligations to report allegations or convictions of child abuse by employees, volunteers or contractors as required by the Reportable Conduct Scheme to the WA Ombudsman.

7 Evaluation

This Policy and the Framework will be reviewed every two years at a minimum and in accordance with risk reporting requirements as outlined in DLGSC's RMF.

The effectiveness of this Policy and Framework will be assessed against the following criteria:

- **Compliance** – the extent to which DLGSC is applying child safeguarding practices and policy alignment to current legislation.
- **Communication** – the extent to which information about this Policy and Framework is communicated to employees (type and frequency of communications).
- **Accessibility** – the extent to which employees have understood this Policy and Framework (type of training made available and completion rates).

8 Related guidance

8.1 DLGSC internal documents

- [Code of Conduct](#)
- DLGSC Child Safeguarding Framework
- [DLGSC Complaint Management Policy](#)
- [DLGSC Complaint Handling Procedure](#)
- [DLGSC Risk Management Policy](#)
- [DLGSC Risk Management Framework](#)
- [DLGSC Risk Management Procedures](#)
- [Employment Screening Policy](#)
- [Employment Screening Procedures](#)
- [Recruitment, Selection and Appointment Policy Recruitment, Selection and Appointment Procedures](#)
- [Work Placement Guidelines](#)
- Refer to relevant Cultural Statutory Authority risk and complaints management policies and procedures.

8.2 Legislation and compliance context

- [Public Sector Management Act 1994](#)
 - Section 7: Public administration and management principles
 - Section 8: Human resource management principles
 - Section 9: Principles of conduct by public sector bodies etc.
- [Auditor General Act 2006](#)
- [Children and Community Services Act 2004 Corruption, Crime and Misconduct Act 2003 Criminal Code Act Complication Act 1913](#)
 - Chapter XIII Corruption and abuse of office

- [*Disabilities Services Act 1993 Environmental Protection Act 1986 Equal Opportunity Act 1984*](#)
- [*Financial Management Act 2006*](#)
- [*Industrial Relations Act 1979 Parliamentary Commissioner Act 1971*](#)
- [*Parliamentary Commissioner Amendment \(Reportable Conduct\) Act 2022 Procurement Act 2020*](#)
- [*Public Interest Disclosure 2003 State Records Act 2000*](#)
- [*Statutory Corporations \(Liability of Directors\) Act 1996 Treasurer's Instructions*](#)
- [*Work Health and Safety Act 2020*](#)
- [*Working with Children \(Screening\) Act 2004*](#)

9 Document information

Approved by:	Corporate Executive	Date: 27/03/2024
For:	The Department of Local Government, Sport and Cultural Industries	
Endorsed by:	Chief Executive Officer	Date: 13/02/2024
For:	Arts and Culture Trust	
Endorsed by:	Deputy Director/ Director Corporate Services	Date: 19/02/2024
For:	Art Gallery of Western Australia	
Endorsed by:	Chief Executive Officer	Date: 22/02/2024
For:	State Library of Western Australia	
Endorsed by:	Director Strategy and Governance	Date: 22/04/2024
For:	Western Australian Museum	
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9.1 Revisions

Record any amendments to the policy made after the initial approval.

Version	Date	Reviewer	Details of revision
Three (3.0)	October 2023	Tom Fleming, Child Safeguarding Unit	Amendments made including incorporation of Reportable Conduct Scheme obligations and HR processes

9.2 Version history

A version is created upon initial approval and thereafter when significant amendments are made. List any committee endorsement and the approval details.

Version	Date	Name & Position / Committee	Status / Notes
One (1.0)	June 2021	Director General	Approved
Two (2.0)	October 2022	Chair, Corporate Policy Committee	Corporate Policy Committee Chair (DDG C&P) approved minor amendments
Three (3.0)	31 January 2024	Corporate Policy Committee	Endorsed
Three (3.0)	27 March 2024	Corporate Executive	Approved