



# Discussion Paper on implementation of child safety officers in Local Governments

**WALGA Submission**

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## 1.0 Executive Summary and Recommendations

Recommendation 6.12 of the Royal Commission into Child Sexual Abuse (Royal Commission) provides:

*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 functions:*

- a) *Developing child safe messages in local government venues, grounds and facilities*
- b) *Assisting local institutions to access online child safe resources*
- c) *Providing child safety information and support to local institutions on a needs basis*
- d) *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.*

In December 2020, the Department of Local Government, Sport and Cultural Industries (DLGSC) and the Department of Communities released the “*Discussion paper on the implementation of child safety officers in local governments*” to guide the consultation on recommendation 6.12 of the Royal Commission. WALGA is appreciative of the consultation process that the Department of Communities and DLGSC have undertaken in relation to the recommendations of the Royal Commission as they relate to LG.

Consultation with the Local Government sector undertaken by WALGA determined that there is a wide range of capacity and capability within Local Governments in relation to child safety. Local Government is seeking clarity on the minimum requirements (including reporting requirements) relating to the function of Child Safety Officer.

Local Governments are concerned about staff welfare and the potential organisational risks related to having a *Child Safety Officer*. An alternative is for child safety to be approached as a *function* (similar to disability access and inclusion functions of Local Government) focused on education and facilitation, with clear delineation between State and Local Government roles and responsibilities.

### Recommendations

1. It is recommended that the State Government, in consultation with Local Government, develop a clear framework for the implementation of Recommendation 6.12 and in that framework approach child safety as a *function* (similar to disability access and inclusion) focused on education and facilitation within a LG, rather than an *officer*. This approach will provide a clear delineation between State and Local Government roles and responsibilities; limit risk to individual staff members; and enable LG to consider ways to strengthen child safety across all areas of the organisation, rather than focusing on one team or area of the organisation.

2. It is recommended that the scope of the Child Safety Officer function be clearly articulated, including minimum requirements and reporting requirements, and ensure that it does not cross over into of child protection work. Prioritising the development of a clear framework within which the child safety function sits will address this issue.
3. The State Government should provide capacity building support to Local Governments, through the provision of resources including the following:
  - supporting materials such as template policies, procedures and guidelines ;
  - consistent key messaging and resources to promote and share in venues and facilities and online;
  - examples of best practice, including case studies;
  - self-assessment tools to assist Local Government ; and
  - ongoing training and skills development for Local Government staff to ensure that they can adequately fulfil the child safety function, including online training options.
4. It is recommended that the State's independent oversight body is resourced to provide expert officers within each region to provide support and guidance to Local Government on child safety. This is similar to the approach in NSW where a Local Government child safety advisor is provided by the NSW Children's Guardian.
5. It will be necessary for the State or Commonwealth to provide funding for the delivery of the child safety function within smaller, less well resourced (Band 3 and Band 4) Local Governments, as they do not have the current capacity to fulfil the child safety function. Consideration should be given to an alternative model for delivery of the child safety function in regional and remote areas, utilising existing State Government agencies such as DLGSC/ Department of Communities outreach officers attached to the independent oversight body.
6. It is recommended that State Government and Local Government form a Working Group to guide further consultation and policy development on child safety.

## 2.0 Introduction

The Western Australian Local Government Association (WALGA) is the united voice of Local Government (LG) in Western Australia. The Association is an independent, membership-based organisation representing and supporting the work and interests of LGs in Western Australia.

WALGA provides an essential voice for its members: 139 LGs, 1,215 Elected Members and approximately 22,000 LG employees, as well as over 2.2 million constituents of LGs in Western Australia. The Association also provides professional advice and offers services that provide financial benefits to the LGs and the communities they serve.

## 3.0 Background

In December 2020 DLGSC and the Department of Communities released the “*Discussion paper on the implementation of child safety officers in local governments*” to guide the consultation on recommendation 6.12 of the Royal Commission.

Recommendation 6.12 of the Royal Commission into Child Sexual Abuse (Royal Commission) provides:

*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 functions:*

- e) Developing child safe messages in local government venues, grounds and facilities*
- f) Assisting local institutions to access online child safe resources*
- g) Providing child safety information and support to local institutions on a needs basis*
- h) 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.*

In developing this submission WALGA worked with our recently formed Child Safety Working Group and our Community Industry Reference Group. WALGA also hosted a series of online discussion workshops, which were co-facilitated by DLGSC and LG Professionals WA. The Department of Communities also participated in these sessions. 111 staff from 56 LGs participated in the online discussions, with participants ranging from CEOs to members with expertise in Community Development, Governance, HR, Recreation Services, and Libraries. Diverse LGs in terms of size, capacity and perspective participated. A list of participating LGs is attached at Appendix 1.

The majority of LG participants in the consultation process acknowledge LGs have a role to play in child safety. The main reservations expressed by LGs relate to uncertainty about the requirements and resourcing implications of the Child Safety Officer role, and concerns that

the skills and expertise expected of Child Safety Officers will exceed the skills and expertise of LG employees currently.

WALGA acknowledges that this is the State Government's first phase of consultation on Recommendation 6.12 and is focused on identifying opportunities and requirements for the Child Safety Officer role; therefore, LGs are not required to make a decision about resourcing implications at this stage. WALGA welcomes this early consultation with the sector, however a lack of clarity around the staged approach to the consultation and the timeline has caused some concern and confusion in the sector. WALGA recommends that the State Government and Local Government form a Working Group to guide further consultation and policy development.

While there were a wide range of views shared, some common themes emerged during consultation, which are outlined below. Section 4 responds to the discussion paper, and section 5 deals with further issues and opportunities raised by the sector.

## **4.0 Response to discussion paper questions**

### **4.1 Developing child safe messages in local government venues, grounds and facilities**

Currently, LGs deliver a range of messages within their venues, grounds and facilities, and have the capacity to deliver child safe messaging if they are provided with the appropriate resources.

Considerations:

- LGs expressed the need for consistent messaging between LGs and across other community-based organisations, so resources would need to come from one primary source.
- Most LGs requested the provision of standard templates, messaging and designs for quick and easy distribution. Some, such as the Shire of Meekatharra which has a large Aboriginal population, would prefer to tailor messaging to make it more effective in their local communities.
- There is the potential for a significant financial impact on LG, depending on the type of signage required. The City of Mandurah indicated that as a large LG with more than 300 venues, sign design, installation and maintenance would cost approximately \$150,000. The City of Rockingham also referred to the beach safety sign project, which required significant financial investment.
- There is a cost and resource implication for developing, transporting and installing signage. For example, the City of Wanneroo highlighted that the display of QR signs in over 300 community venues during the COVID response took many hours of staff time. The Shire of Gingin, with a small employee base, has 11 separate communities

(towns) within the Shire with multiple activity points in each, located at significant distances from each other.

- LGs currently deliver messages in relation to public health, community safety, events, and general community information, and consideration would need to be given to the risk of over-saturation of information that may result in community members not receiving the child safety message in a 'crowded' message environment, and how child safety messages could 'cut through' this.
- Not all LG facilities are LG run, so there will be added challenges with respect to displaying signage in such facilities. Local Governments will need to consider the inclusion of child safe information/ requirements in hirer's contracts and lease agreements. Support and guidance on this will be required.

Support requirements:

- Additional funding support may be required to assist LGs in displaying signage and materials, particularly those with large geographic areas to cover and/or large numbers of venues.

## 4.2 Assisting local institutions to access online child safe resources

Local Governments generally indicated this would be possible to undertake, as child safe messages could be incorporated into existing LG websites, social media, e-newsletters etc.

A suite of online templates and resources readily available for use, which direct the local community to the most appropriate information would be required. LGs have directed the community to relevant information during COVID19 and this approach could be replicated.

## 4.3 Providing child safety information and support to local institutions on an as needs basis

This function has created some concern about the role of LG because of the scope for LG staff to be drawn into actions that go beyond information sharing and beyond the scope of existing employee skills sets. Specifically, there is concern around staff being drawn into actions that are more appropriate for child protection services.

LGs made the following suggestions (noting the variation in LGs' size, structure and resourcing):

- Incorporate this function into existing roles such as a Club Development Officer, Community Development Officer, or Community Safety Officer, ensuring they know how to direct organisations to appropriate information or resources;
- Develop or use existing multi-agency working groups. For example, the Shire of Plantagenet are a small regional LG with only 1 FTE for community development (and no club development officer or community safety officer), so have limited capacity. The Shire found that an interagency working group during COVID19 was an effective way



of increasing their capacity to support the community. The City of Mandurah participate in an existing interagency Early Years Network, which they consider valuable, however this is driven by local Not For Profits. Additional resources may be required for LGs to establish or support such interagency groups.

- LG could provide support to the State Government to deliver information sessions for community organisations. LG could provide venues and promotion to local organisations, while the State Government could provide the expertise and knowledge in delivering the sessions.

#### Support Requirements:

- All relevant LG staff will require appropriate and adequate training in child safety matters. Types of training include:
  - Basic awareness training available for all LG employees
  - Mental health training
  - Protective behaviours training
  - Mandatory reporting
  - Gatekeeping
  - Suicide prevention
- Access to the appropriate information, resources, templates, and guidelines to support consistent messaging across the whole LG.
- Access to an expert support officer for information, guidance, resources, training and advice; similar to the Child Safe Coordinator for LG that sits within NSW Office of the Children's Guardian. See the general comments below for further detail on this.

It will be necessary for the State or Commonwealth to provide funding for the delivery of the child safety function within smaller, less well resourced (Band 3 and Band 4) Local Governments, as they do not have the current capacity to fulfil the child safety function. Consideration should be given to an alternative model for delivery of the child safety function in regional and remote areas, utilising existing State Government agencies such as DLGSC/ Department of Communities outreach officers attached to the independent oversight body.

#### 4.4 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.

Local Governments support the concept of working together with key government and community stakeholders to ensure that child safe approaches are culturally safe, disability aware and appropriate for children from diverse and vulnerable backgrounds.

### 5.0 General Comments on Discussion Paper

Whilst the discussion paper highlighted four key focus areas, the impact and implications of proposed Child Safety Officers in LG has raised a number of important issues from a LG perspective. Many LGs are also considering the implementation of the National Principles for Child Safe Organisations. Outlined below are some of the main concerns and issues raised by LG.

- Local Government Role

There is a wide range of capacity and capability in Local Governments in relation to child safety. Some larger metropolitan LGs indicated that they would likely have capacity to absorb this function into their existing work, while other LGs indicated that they have no capacity at all to do this work. Regardless of current capacity, a common concern is the resource implications, as a result of the lack of clarity on expectations of LG. Concerns raised primarily related to the scope of the Child Safety Officer role, and issues around the crossing into child protection work, and the emotional and psychological wellbeing issues for staff. In the absence of a clear understanding of the requirements and expectations of the Child Safety Officer role, it is challenging for LGs to provide information on what resourcing they might need. LGs seek clarity on the minimum requirements for the Child Safety Officer function, including reporting requirements. A checklist of minimum basic requirements has been suggested.

- Staff Welfare

Local Governments are concerned for the welfare of their staff and the potential organisational risks relating to having a Child Safety Officer. Some LGs are unclear on the difference between this role and a child protection officer, which is clearly outside the remit of LG operations.

At Page 8 of the discussion paper, it states

*“...it would be important for anyone in this role to have appropriate knowledge and understanding of child abuse and neglect..”*

This statement is a concern for many LGs. LG staff are generally not trained to deal with child abuse and neglect, and disclosures of abuse. LGs in smaller regional areas are particularly concerned, where communities are small and LG staff may personally know the parties involved. DLGSC and the Department of Communities have verbally assured LGs that the Child Safety Officer role is not the same as a child protection officer. A clear description of the Child Safety Officer role is required to allay this concern.

The State Government will also need to bolster child protection resources and capability in relevant State Government agencies, as there is likely to be an increase in reporting as the community becomes more vigilant.

WALGA recommends that the State Government should consider Child Safety as a *function* (similar to disability access and inclusion) within a LG, rather than an *officer*. This approach allows a clear delineation between State and Local Government roles and responsibilities; limits risk to individual staff members; and enables LG to consider ways to strengthen child safety across all areas of the organisation, rather than focusing on one team or area of the organisation. This approach also provides scalability that is more appropriate for such a diverse sector, rather than the 'one size fits all' approach of integrating a Child Safety Officer role into existing staff profiles at LGs.

Some LGs are considering more broadly the function of LG in child safety and whole-of-organisation approaches. The Cities of Wanneroo, Melville and Cockburn have each formed multi-disciplinary working groups (including community development, community safety, technical services, urban planning, governance, legal, facilities, marketing, communications and human resources staff) to consider the aspects of the organisation that can have a positive impact on child safety. All LGs deliver a diverse range of services and interact with a wide range of community, business and other organisations. The discussion paper focuses predominately on the community development aspects of LG, but, given the many 'touch points' with the community, it would be more advantageous for LGs to take a 'whole of organisation' approach to child safety. By way of example, in the course of visiting a premise, a LG Environmental Health Officer or Building Compliance Officer may believe they have witnessed a child being abused or exploited and they will need to know what to look for and how to report. In addition, LGs may need to consider the inclusion of conditions related to child safety in community grant applications and procurement agreements

- Responsibility for other organisations

LG is also concerned about the responsibility and accountability of LG staff required to liaise with community organisations and groups, and the potential consequences if an organisation or group is then found to not be child safe. Will LG be responsible for holding organisations and groups accountable for maintaining child safe principles and practices? While most LGs are willing to guide, inform and support community organisations as best they can, LG should not be held responsible for the actions or inactions of other organisations.

- State Framework

Many LGs accept that within their scope of work they have a supporting role to play in child safety, with the State Government bearing ultimate responsibility. However, there is a wide range of variation in LG capability and capacity to deliver the Child Safety Officer function.

By way of example, the City of Karratha acknowledge that they are well positioned to assist in child safety, but seek clarity on the National and State framework, as well as scope of work for LG, before they commit resources. The City of Melville indicated their desire to ensure that they have their own organisation well positioned as a child safe organisation, and with appropriate policies in place, before they commence working with the broader community. The Shire of Gingin considers child safety to be the role of State Government and not LG.

Even early adopters such as City of Wanneroo, City of Cockburn and City of Melville, which are working to implement the National Principles for Child Safe Organisations across the whole organisation, have indicated that developing an understanding of the role of LG in child safety is confusing and overwhelming. LGs would benefit from a clear delineation of the State Government's approach and role, and LGs.

It is recommended that the State Government, in consultation with Local Government, develop a clear framework for the implementation of Recommendation 6.12 and in that framework approach child safety as a *function* (similar to disability access and inclusion) within a LG, rather than an *officer*.

- Support and Resources

LGs require access to template policies, procedures and guidelines, and information to assist them with their child safety work. Some smaller LGs with limited resources requested template council reports and policies, which can be easily adapted. While many LGs prefer generic material, others have indicated a preference for material that is adaptable to local context (for example, the Shire of Meekatharra highlighted their local community knowledge puts them in the best position to determine what material is appropriate for their community).

There are also LGs looking for additional support and information such as checklists, guidance to establish child safety working groups and ideas of initiatives they can implement. State Government support for the development and sharing of best practice examples and case studies would be beneficial. This may be undertaken by the LG support function of the independent oversight body, or a State and Local Government child safety working group.

There will be a wide range of training requirements (as indicated in the answers above). Officers with a direct role will require specific training to support their work; however some LGs have expressed an interest in all employees having access to short online child safety awareness training. With such a large number of LGs and LG employees across the State (22,000 people), it is recommended that these training resources be developed and facilitated by the independent oversight body. Small regional LGs can have a high turnover with a small workforce, so they will need access to training on a regular and ongoing basis.

Additionally LGs will require ongoing access to expert advice and support. As mentioned previously, this could be similar to the NSW model where the oversight body (NSW Children's Guardian) provides a Local Government Child Safety Advisor to provide the sector with information and support in relation to child safety; or ideally multiple support officers located around the State, considering there are 139 LGs in Western Australia.

Department of Fire and Emergency Services (DFES) use a variation of this model to support LGs to meet their emergency management requirements. DFES have a District Emergency Management Officer based in each region, tasked with building LG capacity and enhancing cross-agency collaboration. The Department of Health (DOH) supports LGs in public health planning through providing access to regional DOH support officers, and LGs with access to these officers report finding the process considerably easier than those in regions without officer access.

Consideration should be given to an alternative model for delivery of the child safety function in regional and remote areas, utilising existing State Government agencies such as DLGSC/ Department of Communities outreach officers attached to the independent oversight body. Many smaller LGs do not have the capacity to appoint a child safety officer and don't have existing community safety or club development officers. These LGs will require funding for the delivery of the child safety officer function. Human resources could be shared between multiple LGs within a region (in much the same way that an EHO may work across several LGs).

Delivery of a pilot project in partnership with one or a small number of LGs would assist the sector. By way of example, the City of Mandurah received \$150,000 to assist in a trial of a family and domestic violence toolkit, and this made a significant contribution to the development of resources, community partnerships and workshops, which would otherwise not have been possible.

- LGs to be actively engaged in ongoing consultation and policy development

Feedback from WALGA's Child Safety Working Group and the recent online discussion sessions indicated that the majority of the sector is supportive of the implementation of the Royal Commission findings. Many LGs are committed to child safety and want to ensure that LGs play an effective and appropriate role.

To ensure a best practice and best-fit approach, WALGA recommends that State and Local Government establish a working group to guide ongoing consultation and policy development.

## 6.0 Appendix: Engagement Methods

### 6.1 Participants in online discussions

|                           |                                |
|---------------------------|--------------------------------|
| City of Albany            | Shire of Kellerberrin          |
| City of Armadale          | Shire of Kojonup               |
| Town of Bassendean        | Shire of Koorda                |
| City of Bayswater         | City of Mandurah               |
| City of Belmont           | Shire of Meekatharra           |
| Shire of Brookton         | City of Melville               |
| Shire of Bruce Rock       | Shire of Merredin              |
| City of Bunbury           | Shire of Mingenew              |
| City of Busselton         | Town of Mosman Park            |
| Town of Cambridge         | Shire of Mount Marshall        |
| City of Canning           | Shire of Nannup                |
| Shire of Capel            | City of Nedlands               |
| Shire of Carnamah         | Shire of Ngaanyatjaraku        |
| Shire Chittering          | City of Perth                  |
| City of Cockburn          | Shire of Plantagenet           |
| Shire of Collie           | Town of Port Hedland           |
| Shire of Cuballing        | Shire of Ravensthorpe          |
| Shire of Dardanup         | City of Rockingham             |
| Shire of East Pilbara     | Shire of Serpentine Jarrahdale |
| City of Fremantle         | Shire of Shark Bay             |
| Shire of Gingin           | City of Stirling               |
| Shire of Gnowangerup      | City of Subiaco                |
| City of Gosnells          | City of Swan                   |
| City of Greater Geraldton | Shire of Three Springs         |
| Shire of Harvey           | City of Vincent                |
| City of Joondalup         | City of Wanneroo               |
| City of Kalamunda         | Shire of West Arthur           |
| Shire of Katanning        | Shire of Wongan-Ballidu        |

### 6.2 Participants in WALGA Child Safety Working Group

|                   |                  |
|-------------------|------------------|
| City of Bayswater | City of Mandurah |
| City of Canning   | City of Melville |
| City of Cockburn  | City of Swan     |
| City of Gosnells  | City of Wanneroo |
| City of Joondalup |                  |

### 6.3 Participants in WALGA Community Industry Reference Group Meeting 26 February 2021

|                  |                                |
|------------------|--------------------------------|
| City of Cockburn | City of Melville               |
| City of Karratha | Shire of Serpentine-Jarrahdale |
| City of Mandurah | Town of Victoria Park          |

### 6.4 Written comments

|                  |                 |
|------------------|-----------------|
| City of Wanneroo | Shire of Gingin |
|------------------|-----------------|