


Policy

Early Years Policy - Family Violence

Date of Adoption	New Policy		
Adoption Method	<input type="checkbox"/> Council	<input type="checkbox"/> CEO	<input checked="" type="checkbox"/> Director Community
Director Signature	Signed by:  A4566C08D5B4450...		Date 25-11-2024
Responsible Officer and Unit	Samantha Waymouth, Coordinator Early Years Services		
Nominated Review Period	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Every 4 years	<input type="checkbox"/> Other (<i>please specify</i>)
Last Endorsement Date	New Policy		
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Macedon Ranges Shire Council acknowledges the Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Peoples as the Traditional Owners and Custodians of this land and waterways. Council recognises their living cultures and ongoing connection to Country and pays respect to their Elders past, present and emerging. Council also acknowledges local Aboriginal and/or Torres Strait Islander residents of Macedon Ranges for their ongoing contribution to the diverse culture of our community.

DOCUMENT HISTORY	Version	Date	Author
Initial Draft			
Second Draft			
Final Draft			
Approval			

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Purpose/Objective

This policy outlines the range of supports available to children, families and staff affected by family violence and outlines Macedon Ranges Shire Council's reporting requirements in relation to family violence.

Policy Statement

Values

Macedon Ranges Shire Council is committed to:

- zero tolerance to family violence
- promoting collaborative, multi-agency practice and information sharing
- promoting a shared understanding of family violence across the community, including Aboriginal and diverse communities
- providing a culturally safe response, recognising victim survivor as the expert in their own experience and including and supporting them to make decisions about their own safety and wellbeing.

Scope

This policy applies to the approved provider, persons with management or control, nominated supervisor, persons in day-to-day charge, early childhood teachers, educators, staff, students, volunteers, parents/guardians, children, and others attending the programs and activities of Macedon Ranges Shire Council.

RESPONSIBILITIES	Approved provider and persons with management	Nominated supervisor and persons in day-to-day	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
R indicates legislation requirement, and should not be deleted					
Fulfilling legal obligations, including mandatory reporting and duty of care obligations (<i>refer to Definitions</i>) (<i>refer to Attachment 1</i>)	R	R	R		R
Undertaking child safety reviews and developing an action plan to maintain Child Safe Standards (<i>refer to Definitions</i>) at Macedon Ranges Shire Council	R	√	√		√
Following processes in identifying family violence (<i>refer to Attachment 2</i>)	R	R	R		R
Ensuring processes for responding to and reporting are followed when there are significant concerns for the safety, health or wellbeing of a child at the service	R	R	R		R
Creating a culturally safe environment (<i>refer to Definitions</i>) for safe disclosure of family violence and respond to disclosures sensitively, with empathy and without judgement	√	√	√		
Collaborating with specialist services to make an informed decision and promote collaborative practice around children and families where relevant (<i>refer to Attachment 2</i>)	√	√	√		
Staff identified by [Service Name] to use the Information Sharing Schemes (<i>refer to Definitions</i>) can proactively share and request relevant information and must respond to requests from other information sharing entities (<i>refer to Definitions</i>) under the Child Information Sharing Scheme and Family Violence Information Sharing Scheme. Both schemes are relevant where a child is involved in a family violence context.	R	R	R		
Sharing relevant information under privacy law or other legislative authorisation (<i>refer to Privacy and Confidentiality policy</i>).	R	R	R		

Engaging with specialist services or professionals who are appropriately qualified to support the particular needs of the child or family (<i>refer to Attachment 2</i>)	√	√	√		
Ensuring confidential information is only shared with relevant authorities to the extent necessary to promote the wellbeing or safety of a child or group of children, consistent with the best interests of that child/ren (<i>refer to Privacy and Confidentiality policy</i>).	R	R	R		R
Maintaining co-operative relationships with appropriate services and/or professionals in the best interests of children and their families	√	√	√		
Notifying the approved provider or person with management or control immediately on becoming aware of a concern, complaint or allegation regarding the safety, health and welfare of a child at Macedon Ranges Shire Council		R	R	R	R
Maintaining confidentiality at all times (<i>refer to Privacy and Confidentiality Policy</i>)	R	R	R	√	R
Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy	R	√	√		√

Background

Family violence is a widespread and serious problem in Australia, which can have serious consequences for individuals, families and the community. Family violence has profoundly negative effects on children, whether they are directly targeted, witness the violence or are aware of the violence in the family. Children can suffer from a variety of physical, spiritual, emotional, mental and developmental effects as a result of family violence. Long term effects of trauma from family violence can be carried into adulthood and result in a range of detrimental emotional, mental and behavioural problems.

Family violence differs from other forms of violence; it is generally underpinned by a pattern of coercion, control and domination by one person over another. While family violence can begin at the start of a relationship, it can also increase and change over time. There are times where there is increased risk, including pregnancy and separation (or attempted separation). Family violence is generally part of a longer-term pattern, rather than a one-off event.

The Royal Commission into Family Violence (the Commission) delivered its report in March 2016, with 227 recommendations. The Commission recommended the review and redevelopment of the Family Violence Risk Assessment and Risk Management Framework (also known as the Common Risk Assessment Framework [CRAF]), and to embed it into the Family Violence Protection Act 2008 (Vic) (FVPA). The Victorian Family Violence Multi-Agency Risk Assessment and

Management Framework (MARAM) updates and replaces the CRAF and is informed by consultations with more than 1650 practitioners, subject matter experts, and evidence-base reviews.

The MARAM Framework outlines:

- an approach to practice which is underpinned by the framework principles
- four conceptual 'pillars' for organisations to align their policies, procedures, practice guidelines and tools
- information to support a shared understanding of the experience of risk and its impact on individuals, families and communities
- expectations of practice that are underpinned by a shared understanding of the range of roles across the service system, and consistent and collaborative practice
- an expansion of the range of organisations and sectors who will have a formal role in family violence risk assessment and risk management practice.

The MARAM Framework can be used by all services that come into contact with individuals and families experiencing family violence. The MARAM Framework creates a shared responsibility between individual professionals, services and whole sectors. This allows the service to provide more options to keep victim survivors safe, and for a stronger, more collaborative approach that can keep perpetrators in view and accountable for their actions and behaviours.

The Family Violence Information Sharing Scheme (FVISS) (*refer to Definitions*) has been established under Part 5A of the Family Violence Protection Act 2008, enabling relevant information to be shared between prescribed information sharing entities [ISEs] (*refer to Definitions*) to assess and manage family violence risk. The Child Information Sharing Scheme [CISS] (*refer to Definitions*), established under Part 6A of the Child Wellbeing and Safety Act 2005, enables prescribed ISEs (*refer to Definitions*) to share information with each other in order to promote the wellbeing and safety of children, including in situations where family violence is suspected or established as being present. Guidelines issued under each of the information sharing schemes require ISEs (*refer to Definitions*) to refer to the MARAM Framework where family violence is present.

The Information Sharing Scheme does not change child safety obligations. It complements existing privacy laws (*refer to Privacy and Confidentiality Policy*) and will enhance the ability of early

education and care services to meet child wellbeing and safety responsibilities under the Child Safe Standards (*refer to Definitions*) and comply with mandatory reporting and other reporting obligations.

The Information Sharing Scheme will enable services to request and share information and collaborate earlier and more proactively to support outcomes for children and their families and streamline their experience across services. It removes barriers for ISEs (*refer to Definitions*) to share information as they allow information to be shared before serious risk or threat occurs, allowing earlier identification of needs or issues and early support for children and families.

Furthermore, while mandatory reporting is often a one-way information exchange, CISS (*refer to Definitions*) and FVISS (*refer to Definitions*) allow ISEs (*refer to Definitions*) to request information back and have an ongoing dialogue to promote the wellbeing and safety of children and manage dynamic risks.

Child Link will be a web-based platform that displays information about a child to authorised key professionals who have responsibility for child wellbeing and safety. Child Link will show limited but critical information, such as a child's participation in early childhood and education services. Information displayed on Child Link will only be accessible to authorised users. Most users will be professionals who have regular contact with children and families and will be able to identify and intervene early where there is a wellbeing or safety concern. Professionals will need to be authorised by a designated senior staff member within their service to gain access to Child Link. Child Link will become operational by December 2021, with authorised professionals progressively onboarded from 2022 onward. Professionals will have to undertake mandatory training before gaining access to Child Link.

Definitions

The terms defined in this section relate specifically to this policy.

Term	Definition
Child	A person who is under the age of 18 years (which includes infants and adolescents).
Child FIRST	A Victorian community-based intake and referral service linked with Family Services. Child FIRST links vulnerable children, young people

	and their families to support services, including where required Child Protection
Child Information Sharing Scheme (CISS)	Enables Information Sharing Entities (ISEs) (refer to Definitions) to share information to promote the wellbeing or safety of children
Child Protection Service (also referred to as Child Protection)	The statutory child protection service provided by the Victorian Department of Families, Fairness and Housing to protect children and young people at risk of abuse and neglect. This service also works closely with Family Services (including Child FIRST) to support the assessment and engagement of vulnerable children and families in community-based services
Child Safe Standards	In Promotes the safety of children, prevent child abuse, and ensure organisations have effective processes in place to respond to and report all allegations of child abuse.
Culturally safe	To practice in a culturally safe way means to carry out practice in collaboration with the service user, with care and insight for their culture, while being mindful of one’s own. A culturally safe environment is one where people feel safe and where there is no challenge or need for the denial of their identity.
Duty of Care	A common law concept that refers to the responsibilities of organisations and staff to provide people with an adequate level of protection against harm and all reasonably foreseeable risks of injury. In the context of this policy, duty of care refers to the responsibility of education and care services and their staff to provide children with an adequate level of care and protection against foreseeable harm and injury.
Family violence	Behaviour that occurs in family, domestic or intimate relationships that is physically or sexually abusive; emotionally or psychologically abusive; economically abusive; threatening or coercive; or is in any other way controlling that causes a person to live in fear for their safety or wellbeing or that of another person. In relation to children, family violence is also defined as behaviour by any person that causes a child to hear or witness or otherwise be exposed to the effects of the above

	behaviour. This definition includes violence within a broader family context, such as extended families, kinship networks and communities.
Family Violence Information Sharing Scheme (FVISS)	Enables Information Sharing Entities (refer to Definitions) to share information to facilitate assessment and management of family violence risk to children and adults.
Information Sharing Entities (ISEs)	Are authorised to share and request relevant information under the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme (the Schemes) and required to respond to requests from other ISEs. All ISEs are mandated to respond to all requests for information.
Mandatory reporting	<p>The legal obligation of certain professionals and community members to report when they believe, on reasonable grounds, that a child needs protection from harm.</p> <p>A broad range of professional groups are identified in the Children, Youth and Families Act 2005 as ‘mandatory reporters’, including:</p> <ul style="list-style-type: none"> ● all educators with post-secondary qualifications in the care, education or minding of children and employed or engaged in an education and care service or a children’s service. ● all proprietors, nominees of a children’s service, approved providers, and nominated supervisors of an education and care service. ● educators registered with the Victorian Institute of Teaching (VIT).

References

- > Child protection in early childhood (PROTECT): www.education.vic.gov.au
- > Family Violence Multi Agency Risk Assessment and Management Framework Practice Guides: www.vic.gov.au
- > Family Violence Multi-Agency Risk Assessment and Management Framework: www.vic.gov.au
- > Foundation Knowledge Guide: www.vic.gov.au
- > Information Sharing and Family Violence Reforms Contextualised Guidance: www.vic.gov.au
- > MARAM Framework: summary for organisational leaders: www.vic.gov.au

Related Policies

- > Early Years Policy - Child Safe Environment and Wellbeing
- > Complaints Policy
- > Early Years Policy - Delivery and Collection of Children
- > Early Years Policy - Incident, Injury, Trauma and Illness
- > Early Years Policy - Inclusion and Equity
- > Early Years Policy - Interactions with Children
- > Participation of Volunteers and Students
- > Privacy Policy
- > Early Years Policy - Staffing
- > Early Years Policy - Supervision of Children

Related Legislation

Relevant legislation and standards include but are not limited to:

- > Child Safe Standards (Vic)
- > Child Wellbeing and Safety Act 2005
- > Child Wellbeing and Safety (Information Sharing) Regulations 2018 (Vic)
- > Children, Youth and Families Act 2005 (Vic)
- > Education and Care Services National Law Act 2010
- > Education and Care Services National Regulations 2011
- > Family Violence Protection Act 2008
- > Family Violence Protection (Information Sharing and Risk Management) Regulations 2018
- > National Quality Standard, Quality Area 2: Children’s Health and Safety and Quality Area 6: Collaborative Partnerships with Families and Communities
- > Privacy and Data Protection Act 2013 (Vic)

The most current amendments to listed legislation can be found at:

- Victorian Legislation – Victorian Law Today: www.legislation.vic.gov.au
- Commonwealth Legislation – Federal Register of Legislation: www.legislation.gov.au

Evaluation

In order to assess whether the values and purposes of the policy have been achieved, the approved provider will:

- > seeking feedback from early childhood teachers, educators, staff, parents/guardians, children, management and all affected by the policy regarding its effectiveness. This can be done via surveys, questionnaires and formal or informal interviews with stakeholders

- > monitoring implementation, compliance, complaints and incidents in relation to the policy and procedures
- > keeping up to date with current legislation, research, policy and best practice
- > observing changes to the service environment e.g. increased/decreased enrolments
- > revising the policy and procedures in light of the above
- > notifying all stakeholders affected by this policy at least 14 days before making any significant changes to this policy or its procedures, unless a lesser period is necessary due to risk (*Regulation 172 (2)*).

Attachments

- > Attachment 1: Mandatory reporting- [D24-129403 - Early Years Policy - Family Violence- Attachment 1 - Mandatory Reporting \(View\)](#)
- > Attachment 2: Identifying family violence - [D24-129404 - Early Years Policy - Family Violence- Attachment 2 - Identifying Family Violence \(View\)](#)