



City of Greater Geraldton Child Safety & Welfare Procedure

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1. PURPOSE & OBJECTIVE

The City of Greater Geraldton is committed to creating a culture and environment where the safety and welfare of children is paramount. This shall be achieved through the commitment to implementing the Western Australia Government directive and National Principles for Child Safe Organisations across its operations.

2. STATEMENT

The City supports child safety and welfare in our community, and when accessing our facilities and in the care of our services.

All persons undertaking work with Children (**PWWC**) must uphold and promote the protection of children and respond appropriately where concerns are identified.

The City is committed to the ongoing education of children, young people and families, staff, volunteers, contractors and key stakeholders about their rights, responsibilities and reporting processes relating to child safety and welfare.

3. SCOPE

The procedure applies to all City workers, agency workers, contractors, work experience students, trainees and volunteers.

4. RESPONSIBILITIES

| Title | Responsibilities |
|---|---|
| The City | Plays a leadership role in our community to support relevant organisations to be child safe and promote child safe practices. Although the City is not legally responsible for providing oversight of compliance with child safe practices, it will take any reasonable steps to engage with persons who utilise City facilities to operate in alignment with the National Principles for Child Safety and Council Policies. Will determine which roles across the organisation will directly support the implementation of the Child Safe Awareness policy. This is further supported in the City's Child Safety and Welfare Procedure. |
| The Council | Are responsible for providing leadership for the good governance of Council by acting as a responsible partner in fostering and developing an organisational culture that has zero tolerance for child abuse. Council will advocate in the best interests of children, to create and sustain a community in which children are safe and protected from abuse. |
| The Chief Executive Officer and Directors | Are responsible for driving the culture of zero tolerance for child abuse and ensuring that the organisation has effective controls in place for child safety and welfare. |
| Managers, Facility Managers and Child Safety Officers | Shall ensure this policy and the City's Child Safety and Welfare Procedure are followed. |



| Title | Responsibilities |
|---------------------------------------|---|
| All staff, volunteers and contractors | Must familiarise themselves with the relevant laws, the City's Code of Conduct and all relevant policies and procedures in relation to child safety and comply with all requirements. |

5. DEFINITIONS

| Term | Definition |
|--------------------------------------|--|
| Abuse | Abuse is an act, or a failure to act, towards or on behalf of a child that may result in harm. It can occur on one occasion or multiple occasions. Sometimes the impact of multiple events leads to harm that becomes cumulative in nature. Types of abuse include physical, emotional and sexual abuse, and neglect. |
| Child/Children | In accordance with Section 3 of the <i>Children and Community Services Act (2004)</i> means a person under 18 years of age, and in the absence of positive evidence as to age, means a person who appears to be under 18 years of age. |
| Child Safe Organisation | <p>Is defined in the Royal Commission Final Report as one that:</p> <ul style="list-style-type: none"> • creates an environment where children's safety and wellbeing are at the centre of thought, values, and actions • places emphasis on genuine engagement with and valuing of children and young people • creates conditions that reduce the likelihood of harm to children and young people • creates conditions that increase the likelihood of identifying any harm, and • responds to any concerns, disclosures, allegations, or suspicions of harm. <p>Implementation of the National Principles for Child Safe Organisations give effect to the above and note that in the context of local governments, this would involve referring concerns to the Department of Communities or WA Police to respond as appropriate.</p> |
| Child safe | For the purpose of the policy and this procedure, child safe means protecting the rights of children and young people to be safe by taking actions that can help prevent harm and abuse. |
| Harm | Harm, in relation to a child, means any detrimental effect of a significant nature on the child's wellbeing, whether caused by a single act, omission or circumstance; or a series or combination of acts, omissions or circumstances. |
| Persons Working with Children (PWWC) | Relates to all persons undertaking child-related works. This includes but is not limited to City staff, volunteers, and students, person undertaking work experience, contractors, and partnered organisations who are responsible for the provision of children's activities or programs. |
| Wellbeing | Wellbeing of children and young people includes the care, development, education, health and safety of children and young people. |
| Worker | A person employed by the City under a contract of employment (full time, part time, casual), as well as labour hire worker, trainees, apprentices, volunteers, contractors and perspective applicants. |



6. DETAILS

Build a Child Safe Culture

All PWWC have a responsibility to support the City's commitment and obligation to create a child safe culture. Such a culture is critical to ensuring the welfare and safety of children under our care, as all children have a right to develop and reach their potential.

National Redress Scheme Participation

The City's commitment to child safety and welfare was confirmed in May 2020 when Council resolved to participate in the National Redress Scheme. The policy expands on the City's established position and provides a clear commitment to the National Principles for Child Safe Organisations.

Recognising Abuse or Neglect

The City has a zero tolerance of child abuse and shall treat all allegations seriously with a commitment to investigate allegations. The City shall follow the direction of Police and relevant child safety and welfare agencies in the management of its child safety and welfare responsibilities.

The City acknowledges that every child has the right to be heard, protected and to have their concerns managed appropriately. The City will use its best endeavours to seek to resolve the concerns of a child in accordance with this policy.

The City shall endeavour to recognise when a child within its care is exposed to any form of abuse.

Child Safety and Welfare Procedure & Code of Conduct

The City requires all PWWC to comply with this policy and the related Responding & Reporting Procedure and the Child Safety and Welfare Code of Conduct which are detailed in Appendix 1 and 2.

Child Safety Officers

In delivering services to children, the City shall ensure the appointment or the use of existing designated employees as Child Safety Officers. This role shall be undertaken by specifically appointed youth and children services officers or the manager responsible for the service.

Recruitment

All PWWC engaged in child-related work as defined in the *Working with Children Act 2004* are required to hold a Working with Children (WWC) Card. The City also takes responsibility to assess if a person is suitable to work with children and young people in addition to a WWC Card.

For positions that involve engagement with children, recruitment is based on selection criteria which clearly demonstrate the commitment to child safety and wellbeing to ensure the most appropriate PWWC is employed.

Training & Supervision

The City is committed to ensure that PWWC have access to training to develop and maintain an understanding of child safety and wellbeing. In addition to position specific training requirements, training will be available to all PWWC which shall include how to identify, access and minimise risks of child abuse and to detect potential indicators of child abuse.

Confidentiality

The City shall ensure that all information or details relating to children is maintained in strict confidence. All personal information collected by the City in providing services for children shall be restricted to only PWWC with responsibility for the services in compliance with this policy and its associated procedure and code of conduct.

Consequences

This procedure represents the expected standards of the City. Deviations from the standards outlined shall invoke disciplinary action to be taken as per the City's operational policy *002 Disciplinary Policy*.

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APPENDIX ONE – Child Safety and Welfare Code of Conduct

The Child Safety and Welfare Code of Conduct (the Code) lists behaviours that are acceptable and those that are unacceptable. It provides a high-level statement of professional boundaries, ethical behaviour and acceptable and unacceptable relationships. Above all, a Code helps to protect children from harm.

The Code serves to protect all children and young people (any person under 18 years of age), reduce any opportunities for abuse or neglect to occur, and promote child safety & wellbeing within the City. It provides guidance on how to best support children and young people and how to avoid or better manage difficult situations. Where a Persons Working with Children (PWWC) breaches the Code, the City may take disciplinary action, including in the case of serious breaches, dismissal and external reporting.

This Code applies to all City staff (including contract and temporary), committee members, contractors and sub-contractors, interns, volunteers or any other person or bodies associated with the City or any of its staff that engage with children and young people. The City acknowledges that protecting children and young people's safety & wellbeing is everyone's business.

The Code is made available to all workers and those identified as PWWC via the City's Intranet. All PWWC are expected to act in accordance with this Code in their physical and online interactions children and young people.

ALL PWWC SHALL

- Act in accordance with child safety and welfare policy and procedures at all times.
- Behave respectfully, courteously and ethically towards children and young people, their families and towards other staff and volunteers.
- Listen and respond to the views and concerns of children and young people, particularly if they communicate (verbally or non-verbally) that they do not feel safe or well.
- Promote the human rights, safety and wellbeing of all children in the City.
- Demonstrate appropriate personal and professional boundaries.
- Respect the cultural and religious practices, individual capability and gender identity/ sexuality of children, young people and families, and understand and respond to any identified special needs.
- Create an environment that promotes and enables children and young people's participation, is welcoming, culturally safe and inclusive for all and their families.
- Involve children and young people in making decisions about activities, policies and procedures that concern them wherever possible.
- Contribute, where appropriate, to City policies, discussions, learning and reviews about child safety and wellbeing.
- Identify and mitigate risks to children and young people's safety and wellbeing as required by City risk assessment and management policy and/or procedures.
- Respond to any concerns of a child or young person's harm or abuse promptly and in line with City policy and procedure for receiving and responding to concerns.
- Report all suspected or disclosed child or young person's abuse or neglect as required by *Children and Community Services Act 2004* and by City policy and procedure on internal and external reporting.
- Handle all personal information in accordance with City's privacy responsibilities.



ALL PWWC ARE PROHIBITED FROM

- Engaging in any unlawful activity with or in relation to a child.
- Engaging in any activity that is likely to physically, sexually or emotionally harm a child.
- Engage in any form of sexual relationship with a child or young person.
- Unlawfully discriminate against anyone on the basis of gender identity, culture, race, religion or disability.
- Be alone with a child unnecessarily.
- Travel, or be accommodated, alone with a child or young person before, during or after a City program, excursion or camp. Where approved transport is undertaken, a minimum of two adults must be present.
- In the event that a child or young person presents at a City staffed facility and there is only a single PWWC in attendance. The PWWC is to immediately report to their line manager the presentation of an unplanned child's or young person attendance. The PWWC in the provision of support to the child or young person must comply with their line managers directions.
- Instigate personal contact, including online contact, with children and young people they are working with for a purpose unrelated to City activities.
- Disclose personal or sensitive information about a child, including images of a child, unless the child and their parent or legal guardian consent or unless they are required to do so by City policy and procedure on reporting.
- Use inappropriate language in the presence of children or show or provide children with access to inappropriate images or material.
- Ignore or disregard any suspected or disclosed child abuse or neglect.
- Report to work under the influence of or in possession of alcohol or illegal substances.
- Take photos or videos of children on personal cameras or mobile phones/devices. All photos must be authorised and be taken on City supplied devices.
- Use personal social media platforms such as Facebook, Instagram, Snapchat etc. to contact or converse with children engaged in City programs. Appropriate contact with children for the purpose of delivery of City programs must be limited to official City accounts/ platforms only.
- Give personal gifts to children unless under the banner of a gift from City (e.g. gifts from the City to each child at Christmas).



APPENDIX TWO - Responding and Reporting Procedure

All Persons Working with Children (PWWC) are required to identify, report and respond immediately (or where reasonably practicable no later than before ending a shift) any concerns, suspicions or allegations of child abuse.

Refer to flowchart at the end of Appendix 2 for guidance.

Where a child safety concern may result from:

- a disclosure from the child or young person;
- a disclosure from a parent or carer;
- disclosure from another child;
- physical or behavioural indicators of abuse; and
- staff and/or volunteer involvement in the community external to their professional role with City.

IF A CHILD OR YOUNG PERSON IS AT RISK OF HARM OR IN IMMEDIATE DANGER, YOU MUST REPORT THE SITUATION DIRECTLY TO WA POLICE ON 000.

In the event an allegation of abuse is made against any City related PWWC it may potentially constitute a serious breach of the Child safety and welfare procedure, the Child Safety and Welfare Code of Conduct, and child safety and welfare legislation.

Breaches if substantiated include, but are not limited to:

- sexually assaulted a child or young person who is involved in one of our programs or activities;
- physically assaulted a child or young person who is involved in one of our programs or activities;
- verbal abuse, denigrate or bully a child or young person who is involved in one of our programs or activities;
- sexually harass a child or young person who is involved in one of our programs or activities;
- take, reproduce and/or distribute photos of a child or young person without the consent of their parents/ guardian;
- publish any material containing images of children or young people who are involved in one of our programs or activities that can be used for the sexual gratification of others; and
- groom or otherwise interfere with the physical or mental wellbeing of a child or young person.

In accordance with the Child Safety and Welfare Procedure and the Child Safety and Welfare Code of Conduct, all PWWC or any other party who has identified an issue must immediately report any suspected or alleged incident of abuse as per the procedure below.

STEP 1 - REPORT

If an allegation is made against any PWWC, it must be reported to the City's Manager Organisational Development who is responsible to inform the Chief Executive Officer.

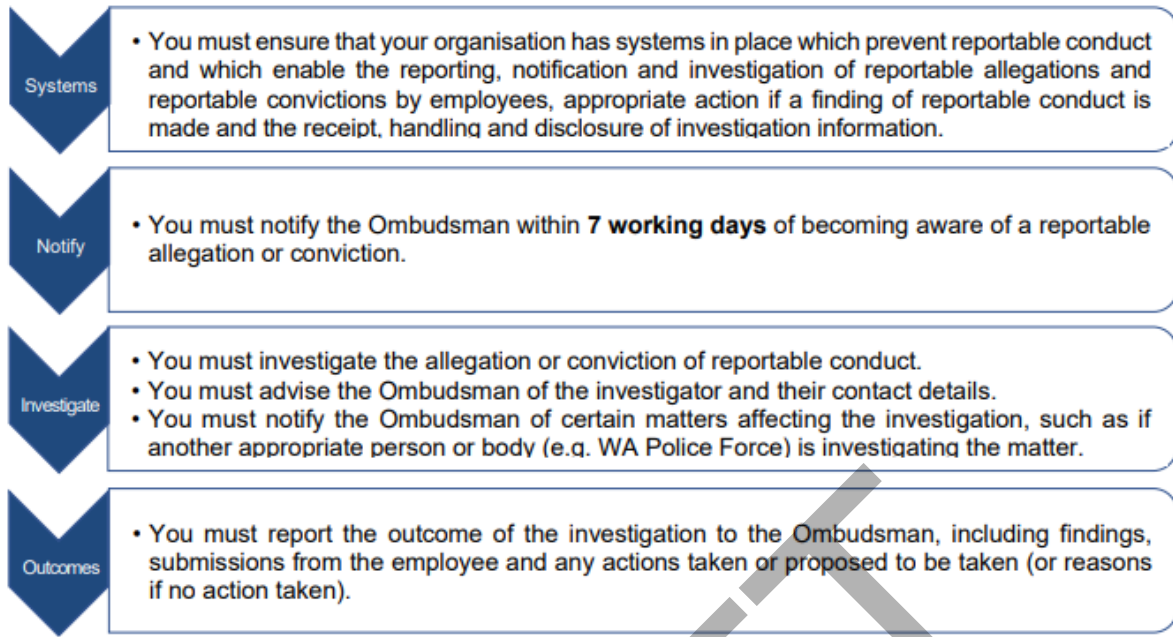
If the allegation is made against the Manager Organisational Development, the allegation is to be reported to the City's Manager Corporate Compliance & Safety.

If an allegation is made by an external stakeholder or partnered organisation, the allegation is to be provided in writing to the City. This will then be provided to the Manager Organisational Development for further investigation.

Where an allegation is made, or where suspected abuse is identified the City shall report the matter to the Reportable Conduct Scheme as well as reporting all allegations of child abuse, including criminal conduct to the WA Police and the Department of Communities.



A snapshot of the head of an organisation's obligations under the Reportable Conduct Scheme



Under the *Children and Community Services Act 2004*, a mandatory report must be made as soon as practicable after the reporter forms their belief. This is important as the earlier a report is received, the earlier steps can be taken to protect a child, where this is necessary.

A mandatory report can be made in writing or orally. If an oral report is made, it must be followed by a written report as soon as practicable after making the oral report (ideally within 24 hours).

A mandatory reporter does not have to be able to prove that harm has occurred. Professional judgement and objective observation help to identify warning signs or possible indicators of child sexual abuse and contribute to a reporter forming a belief on reasonable grounds. Knowledge of child development and consultation with colleagues or other professionals can also contribute to reasonable grounds.

Reasonable grounds may include:

- your own observations of a child's behaviour
- your own observations of the behaviour of an adult interacting with the child
- when a child tells you they, or another child, has been harmed
- when you hear about it from someone who is in a position to provide reliable information, perhaps a relative or friend, neighbour or sibling of a child who is at risk.

Mandatory reporters must specify the grounds on which they formed the belief that a child has been, or is being, sexually abused. As a mandatory reporter and you have not formed a belief that a child has been or is being sexually abused but are sufficiently concerned, it is recommended that you consult with your internal support areas, such as the Manager Organisational Development. Alternatively, anyone can contact Communities' Central Intake Team on 1800 273 889.

Information that must be included

Under section 124C of the *Children and Community Services Act 2004*, a mandatory report must contain the following information:

- the reporter's name and contact details
- the name of the child, or, if this cannot be obtained after reasonable inquiries, a description of the child, and
- the grounds on which the reporter believes that the child has been the subject of sexual abuse



or is the subject of ongoing sexual abuse.

The following information must also be provided to the extent that it is known:

- the child's date of birth
- where the child lives
- the names of the child's parents or other appropriate persons (e.g., adult relative or person who the child usually lives with), and
- the name of the person alleged responsible, their contact details and their relationship to the child.

STEP 2 – RECORD

A written record of observations and/ or any statements (correspondence) disclosed by a child or young person or other person should be factual and detail information such as:

- details about the child/ young person;
- details of those involved e.g. person who made the allegation;
- objective information about what was seen, what was said, and what has happened;
- the immediate risk to the child/ young person; whether or not the child/ young person has support; and what may need to happen to make the child safe.

This information should then be recorded or where reasonably practicable no later than before ending a shift, and must be treated as highly confidential. General discussions about the matter should not occur. This information could be required at a later stage should legal action arise.

All written record observations and/ or any statements (correspondence) recorded and/ or received should only be used to assist in developing a comprehensive report detailing the chronology of events, with a copy of all correspondence to be sent to the Organisational Development team to keep on file.

All documentation used during this reporting process will be filed and stored in a confidential manner with the Organisational Development team. This documentation is not to be given to any other party unless specified by the Children and Community Services Act 2004.

STEP 3 - ASSESS

The Manager Organisational Development or their delegate will be required to immediately stand down any PWWC from all programs and activities involving the direct supervision of, and/or direct contact with children and young people until further notice.

Where the PWWC is employed by the City, the Manager Organisational Development will assess all evidence obtained and conduct relevant interviews to collect statements from all those involved. Where the PWWC is employed by a third party organisation, the Manager Organisational Development will engage with that organisation.

The Manager Organisational Development must notify the Chief Executive Officer, the Ombudsman of Western Australia under the Reportable Conduct Scheme, the WA Police and the Department of Communities where applicable.

STEP 4 - REPORT

The Manager Organisational Development must notify the Chief Executive Officer, the Ombudsman of Western Australia under the Reportable Conduct Scheme, the WA Police and the Department of Communities where applicable and be required to make all relevant evidence and statements available to the Ombudsman on the outcome of any internal investigation.

The Reportable Conduct Scheme does not replace the need to report allegations of child abuse, including criminal conduct to the WA Police, the Department of Communities and any other applicable regulatory body.



Parents/guardians are not to be informed of any reports made to the Ombudsman, Department of Communities and/or WA Police unless the agencies have instructed to do so.

In relation to licensed programs such as school exercises, day cares etc., the Manager Organisational Development must also notify the Department of Communities Education and Care Regulatory Unit within one working day, once any report has been made to the Ombudsman, the Department and/or WA Police. Please refer to the below which provides a summary of the Child Protection Reporting process.

| 1. WHO CAN REPORT? | Parent/Guardian | Child/Young Person | Staff/Worker/Volunteer |
|----------------------------------|--|--|---|
| 2. WHAT TO REPORT? | Any child safety concerns including: <ul style="list-style-type: none"> • Disclosure of abuse or neglect • Allegation, suspicion, or observation • Breach of Child Safety and Welfare Code of Conduct | | CALL 000 if a child or young person is in immediate danger |
| 3. HOW CONCERNS CAN BE RECEIVED? | <ul style="list-style-type: none"> • Face to Face (Verbal Report) • Letter • Email | <ul style="list-style-type: none"> • Phone Call • Meeting • Online Media | |
| 4. REPORT TO WHO? | <ul style="list-style-type: none"> • Staff • Volunteers • Facility Managers • Line Supervisors | <ul style="list-style-type: none"> • Child Safety Officers • Other Child or Young Person • Third-Party partnered organisation | |
| 5. WHAT HAPPENS NEXT? | Facility manager/Child Safety and Welfare Officer will: <ul style="list-style-type: none"> • Offer support to the child, the parents, the people who report. • Initiate internal procedure to ensure the safety of the child, clarify the nature of the allegation or concern. • Notify Manager Organisational Development (<i>unless the issue relates to them</i>). • Document full file note of all information known of the allegation/incident. | | Manager Organisational Development Officer will: <ul style="list-style-type: none"> • Support the Facility Manager/Child Safety and Welfare Officer. • Determine, in accordance with legal requirements and duty of care, whether the matter should/must be reported the Ombudsman, the WA Police and/or the Department of Communities and make report as soon as possible if required. |
| 6. OUTCOME | <ul style="list-style-type: none"> • Investigation outcome decided, relevant staff, volunteers and parents/guardian and child (where applicable) notified of investigation. • Review and if required update policies and procedures. • Ensure Employee Assistance Program is made available to anyone requiring support. | | |



APPENDIX THREE – Definitions of Abuse

A child can suffer from one or more of these. Abuse can happen within a family or through a person outside the immediate family. Each type of abuse has a range of indicators, although just one indicator on its own may not suggest abuse.

| Definition of Abuse | |
|------------------------------------|---|
| Physical Abuse | Physical abuse is when a child or young person is deliberately hurt, or is at serious risk of being physically hurt, by their parents or carers. This can include punching, kicking, shaking or throwing, scalding/burning, strangling or leaving a child alone in a car. It can also be from excessive physical discipline, or by being given drugs including alcohol. These injuries are not treated as accidental. |
| Sexual Abuse | Sexual abuse is children and young people being exposed to inappropriate sexual activity. This includes being involved in sexual acts (masturbation, fondling, oral sex or penetrative sex); or witnessing sexual activity, either directly or through pornographic material. |
| Emotional Abuse | Emotional abuse is being treated in ways that damages a child or young person's ability to feel and express a range of emotions. This can be caused by behaviours that occur over time, such as verbal abuse and teasing, rejection, physical or social isolation, threats and bullying. |
| Psychological Abuse | Psychological abuse is being treated in ways that damages a child or young person's self-esteem, personal and moral development, and intelligence. This can be caused by behaviours that occur overtime, for example, belittling, threatening, isolating and causing the child to feel worthless. |
| Neglect | Neglect is not providing enough care or supervision so that the child or young person is injured, or their development is damaged. It includes lack of food, shelter, affection, supervision, untreated medical problems and abandonment. |
| Family & Domestic Abuse | These children and young people don't feel safe and secure. They believe that violence is a solution to problems and may develop signs of posttraumatic stress disorder. Family and domestic violence is seen as child abuse when it clearly affects the child or young person's physical, emotional and psychological development. |
| Cyber/ Online Abuse | Cyber/online abuse is a type of abuse that happens on the internet. It can happen across any device that's connected to the web, like computers, tablets and mobile phones and it can happen anywhere online, including: social media, text messages and messaging apps, emails, online chats, online gaming, live-streaming sites. Cyber/online abuse can take different forms, such as cyberbullying, online grooming, online sexual abuse, and child sexual exploitation. Children can be at risk of online abuse from people they know or from strangers. It might be part of other abuse which is taking place offline, like bullying or grooming or the abuse might only happen online. |



APPENDIX FOUR - National Principles for Child Safe Organisations



Child Safe Organisations

National Principles for Child Safe Organisations

- 1 Child safety and wellbeing is embedded in organisational leadership, governance and culture.
- 2 Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
- 3 Families and communities are informed, and involved in promoting child safety and wellbeing.
- 4 Equity is upheld and diverse needs respected in policy and practice.
- 5 People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
- 6 Processes to respond to complaints and concerns are child focused.
- 7 Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
- 8 Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
- 9 Implementation of the national child safe principles is regularly reviewed and improved.
- 10 Policies and procedures document how the organisation is safe for children and young people.

For information and resources, go to <https://childsafe.humanrights.gov.au>

6. TRAINING

All City workers shall be inducted, educated and required to adhere to the terms and conditions of City's Policies and Procedures, specifically in this instance, relating to Child Safety.

7. LEGISLATIVE AND OTHER REFERENCES

- Employee Code of Conduct
- *Child Care Services Act 2007*
- *Children and Community Services Act 2004*
- *Civil Liability Act 2002*
- *Corruption, Crime and Misconduct Act 2003*
- *Equal Opportunity Act 1984*
- *Freedom of Information Act 1997*
- *Local Government Act 1995*
- National Principles for Child Safety Organisations
- *Parliamentary Commissioner Act 1971*
- *Public Interest Disclosure Act 2003r*
- *Public Sector Management Act 1994*
- United Nations Convention on the Rights of the Child (CRC)
- *Work Health and Safety Act 2020*
- *Working with Children (Screening) Act 2004*

8. DOCUMENT CONTROL

| Approval | Date | Position | Name |
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| Document Owner: | 15/09/2023 | Director Community and Culture | Fiona Norling |
| Approved by: | | | |

| Revision # | Date | Section(s) Changed | Brief Description of Change |
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