

# CHILD SAFE POLICY

## Child Safe Commitment Statement

City of Whittlesea (Council) is committed to being a child safe organisation and has zero tolerance for child abuse. We believe all children and young people have the right to feel safe and be safe. We recognise our legal and moral responsibilities in keeping children safe from harm and promoting their best interests.

We are committed to providing welcoming, safe and accessible environments where children feel valued, listened to and considered in decisions that affect their lives. The wellbeing of the children and young people in our care will always be our priority.

We have a commitment to the cultural safety and inclusion of all children, including First Peoples children, children from culturally and linguistically diverse backgrounds, children who are LGBTIQ+, children living with disability and children who are unable to live at home.

## Purpose

The purpose of the Child Safe Policy is to:

- Demonstrate Council's commitment to child safety and being a child safe organisation;
- Outline Council's commitment to the inclusion, participation and empowerment of children and families;
- Prevent child abuse and harm by having practices in place that prevent, remove or reduce potential risk in physical and online environments;
- Establish processes to address child safety concerns including allegations of child abuse or harm in a proactive and appropriate manner;
- Ensure all people at Council understand their ethical, legal and organisational obligations to uphold child safety and report child safety concerns; and
- Meet Council's legal child safety obligations.

## Scope

This policy applies to Council:

- "Employees and other representatives", which includes:
  - Full-time, part-time and casual employees
  - Employees on exchange/secondment to or from other organisations
  - Anyone performing work under the direction, supervision and control of CoW under any other type of arrangement, including work experience or study placements, labour hire, agency staff, and workers on temporary contracts, whether appointed or employed by CoW or a third party
  - "Contractors" which includes any person, entity or service provider that delivers services to or on behalf of Council
  - Directors or office holders of an entity where they are performing work for CoW
  - Volunteers

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This policy applies to employees and other representatives, whether they work in direct contact with children and young people or not. This policy also covers employees and representatives all the time (both during work hours and outside of work hours).

For the purpose of this Policy, child refers to a person under the age of 18.

### Alignment to Whittlesea 2040

The Child Safe Policy primarily guides Council's work toward the following Goal as outlined in *Whittlesea 2040: A place for all: **Connected Community***. Child safety and the prevention of child abuse and harm is fundamental to a healthy and safe community, where children and young people have opportunities to participate and belong in a connected community.

Additionally, this Policy is informed by:

International	Australia	City of Whittlesea
<ul style="list-style-type: none"> <li>• <i>United Nations Convention on the Rights of the Child, 1989</i></li> <li>• <i>Child Friendly Cities Charter, adopted 2016</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Child Wellbeing and Safety Act 2005</i></li> <li>• <i>Children Youth and Families Act 2005</i></li> <li>• <i>Public Records Act 1973</i></li> <li>• <i>Family Violence Protection Act 2008</i></li> <li>• <i>Aged Care Act 2024</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Child Safe procedures</i></li> <li>• <i>Child Safe Code</i></li> <li>• <i>Code of Conduct</i></li> <li>• <i>Safety Screening Policy</i></li> <li>• <i>Disciplinary Policy &amp; Procedures</i></li> </ul>

### Overarching Governance Principles

The development of this Policy considered the *Local Government Act 2020's* Overarching Governance Principles and the following were applied:

Lawful	<input checked="" type="checkbox"/>	Community engagement	<input type="checkbox"/>	Financially viable	<input type="checkbox"/>
Best community outcome	<input checked="" type="checkbox"/>	Innovation & improvement	<input type="checkbox"/>	Consistent with government plans	<input type="checkbox"/>
Sustainable	<input type="checkbox"/>	Collaboration with government bodies	<input type="checkbox"/>	Transparent	<input type="checkbox"/>

**Lawful:** This Policy has been developed in accordance with child safety legislation, including the Child Safe Standards and Reportable Conduct Scheme under the *Child Wellbeing and Safety Act*.

**Best community outcome:** This Policy has been designed to support the best outcomes for children, young people, families and community by promoting the safety and wellbeing of children, our future generation.

### Gender Equality, Climate Change, Human Rights and Child Safe Compliance

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All City of Whittlesea policies comply with the *Victorian Charter of Human Rights and Responsibilities, Gender Equality Act, Climate Change Act* and the *Child Safe Standards*.

## **Child Safe Commitments**

### *Commitment to equity, inclusion and cultural safety*

Council will promote the cultural safety, participation and inclusion of First Peoples children, children from culturally and linguistically diverse backgrounds, children who are LGBTIQ+, children living with disability and children who are unable to live at home.

Council will provide an environment that is safe for children of all backgrounds, where there is no challenge to, or denial of, who they are or what they need. This environment promotes shared respect, shared meaning and shared knowledge and experience; learning, living and working together with dignity; and truly listening.

To achieve this, we:

- Foster cultural safety within the organisation, by building cultural awareness and the capacity of our people;
- Seek to recruit a diverse workforce that reflects our municipality, encouraging people who are First Peoples, culturally and linguistically diverse, LGBTIQ+ or living with disability to work with us.
- Ensure measures are in place to ensure that racism is identified, confronted and not tolerated;
- Encourage and support children to express their culture and enjoy their cultural rights;
- Provide a physical environment that actively celebrates diverse cultures and recognises cultural difference;
- Ensure our programs and facilities promote inclusion of children of all abilities;
- Make reasonable adjustments to support participation by all children and respond to individual needs identified by children and their families; and
- Provide children and their families with access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand.

### *Commitment to participation and empowerment of children, families and communities*

Council will actively promote the participation and empowerment of children and young people and foster an open and transparent child safe culture for families and communities.

To achieve this, we:

- Inform children of their rights, such as those outlined in the *United Nation Convention on the Rights of the Child*;
- Let children know how adults associated with Council will keep them safe;
- Ensure that children, families and communities are able to raise their concerns or complaints about Council in an accessible and culturally safe manner;

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- Seek the input of children, families and communities in decisions impacting children, including in the development of and review of child safe policies and practices;
- Communicate information about our child safe approach, including having this Policy and child safe information available on the Council website; and
- Take into account the diversity of children and families and act to reduce barriers to inclusion.

## Legislative Requirements

### Child Safe Standards

The Victorian [Child Safe Standards](#) are a set of standards that apply to all organisations providing services to children, including Council, that were introduced in response to the *Betrayal of Trust Inquiry* and the *Royal Commission into Institutional Responses to Child Sexual Abuse*. The Standards provide a comprehensive framework for organisations to embed a culture of child safety into everyday thinking and practice.

The Child Safe Standards require Council to ensure:

<b>Standard 1</b>	A culturally safe environment is established in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
<b>Standard 2</b>	Child safety and wellbeing is embedded in organisational leadership, governance and culture.
<b>Standard 3</b>	Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
<b>Standard 4</b>	Families and communities are informed and involved in promoting child safety and wellbeing.
<b>Standard 5</b>	Equity is upheld and diverse needs respected in policy and practice.
<b>Standard 6</b>	People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
<b>Standard 7</b>	Processes for complaints and concerns are child focused.
<b>Standard 8</b>	Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
<b>Standard 9</b>	Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
<b>Standard 10</b>	Implementation of the Child Safe Standards is regularly reviewed and improved.
<b>Standard 11</b>	Policies and procedures document how the organisation is safe for children and young people.

### Reportable Conduct Scheme

The Victorian [Reportable Conduct Scheme](#) is a notification scheme that requires heads of applicable organisations, including Council, to report any allegations of child abuse or child related misconduct against Council employees and other representatives to the Commission for Children and Young

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People (CCYP). The Scheme allows CCYP to oversee investigations and facilitates information sharing between organisations, regulators, Police and the Working with Children Check Unit.

### Criminal Offences

#### [Failure to disclose](#)

Any adult in Victoria who forms a reasonable belief that a sexual offence has been committed by an adult against a child under 16 has a legal obligation to report that information to Police.

#### [Failure to protect](#)

Any person in a position of authority within an organisation, including Council, has a legal obligation to protect a child under 16 from a risk of sexual abuse. The offence applies where there is a risk that a child under the care, supervision or authority of Council will become a victim of a sexual offence committed by an adult associated with Council, and a person in a position of authority has the power to reduce the risk, but negligently fails to do so.

#### [Grooming](#)

The grooming offence relates to predatory conduct undertaken to prepare a child under 16 for sexual activity at a later time. Grooming does not necessarily involve any sexual activity or even discussion of sexual activity, for example, it may only involve establishing a relationship with a child or their parent or carer to facilitate sexual activity at a later time.

### Mandatory Reporting

[Mandatory reporting](#) requires certain professionals to report to Child Protection if they form a belief on reasonable grounds that a child is in need of protection from physical or sexual abuse. Within Council, this legal obligation applies to nurses, midwives and early childhood workers. Mandatory reporting obligations are additional to all other Council reporting requirements.

### Reporting Requirements

Council has significant reporting obligations under the above legislative requirements. Council has robust reporting processes in place to ensure all child safety matters are systematically recorded and assessed. Any incidents of suspected child abuse will be dealt with promptly, seriously and appropriately.

Councillors, employees and other representatives must strictly comply with their legal responsibilities in relation to reporting any incidents of suspected child abuse, as well as any other obligations under the law and professional standards that apply to them as individuals.

All child safety concerns including suspected child abuse or harm must be reported in accordance with [Appendix 1: Child Safe Reporting Process](#), and Council's Child Safe procedures. This includes reporting to a supervisor/contract manager and a Child Safe Contact, which can be done by emailing:

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[childsafety@whittlesea.vic.gov.au](mailto:childsafety@whittlesea.vic.gov.au). Any suspected criminal conduct or imminent danger to a child must also be reported to Police; **if a child is in immediate danger, call Police on 000.**

## Roles and Responsibilities

The following responsibilities are assigned under this Policy:

<b>CEO</b>	The CEO is accountable for ensuring that Council is compliant with the Child Safe Standards and Reportable Conduct Scheme, including by establishing Council Child Safe procedures and a Child Safe Code that give effect to the intent of this Policy.
<b>Executive Leadership Team (ELT)</b>	The Executive Leadership Team (ELT) is responsible for implementing and monitoring the application of this Policy to employees and other representatives, and helping everyone involved with Council to acknowledge and appreciate the strengths of First People's culture and understand its importance to the wellbeing and safety of First People children.
<b>Directors</b>	Directors are responsible for monitoring compliance with this Policy and associated Child Safe procedures within their Directorate.
<b>People &amp; Culture</b>	People & Culture is responsible for reviewing and monitoring implementation of this Policy and associated Child Safe procedures, providing specialist advice regarding the Child Safe Standards and Reportable Conduct Scheme, and regularly reporting to ELT on child safety.
<b>Child Safe Contacts</b>	Council's nominated Child Safe Contacts are responsible for the implementation of this Policy and associated Child Safe procedures, provision of specialist advice regarding child safety, assisting Councillors, employees and other representatives to make reports of child abuse and harm, coordination of the Child Safe Working Group and any other duties that arise in relation to child safety and the Reportable Conduct Scheme.
<b>Child Safe Working Group and Sub-Group</b>	The Child Safe Working Group is responsible for leading the implementation of the Child Safe Standards, monitoring requirements of the Reportable Conduct Scheme, and seeking to foster a culture of child safety and build child safety capacity across Council. The Child Safe Sub-Group is responsible for monitoring and evaluating child safe reporting, ensuring compliance and promoting continuous improvement.
<b>Supervisors and Managers</b>	Supervisors and Managers are responsible for monitoring employees and other representatives' compliance with this Policy in their work, educating and training them appropriately in child safe practices related to their role, and assisting them with reporting of child safe matters.
<b>Employees and Other Representatives</b>	Employees and other representatives are responsible for complying with their responsibilities under this Policy and associated Child Safe procedures, assisting management with the implementation of this Policy and for reporting and responding to child safety issues.
<b>Contract Managers</b>	Contract Managers are responsible for monitoring contractor compliance

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	with their responsibilities under this Policy and Council procurement requirements.
<b>Contractors</b>	Contractors are responsible for ensuring they have appropriate and compatible child safety policies and processes in place that meet all legislative requirements and Council procurement requirements, and for ensuring that any child safety issues that arise during their service provision to or on behalf of Council are reported to the relevant contractor manager.

### Recruitment, Screening and Training

Council applies best practice standards in the recruitment, screening and training of employees and other representatives (excluding contractors who are dealt with separately below).

Child safety requirements include:

- Requiring National Police Checks (when required by the Safety Screening Policy), Working with Children Checks (when required by the Safety Screening Policy) and appropriate training and qualifications;
- Placing a statement regarding Council's commitment to child safety in all job advertisements and position descriptions;
- Ensuring that robust referee checks are performed for shortlisted candidates;
- Ensuring referee and interview questions address child safety, and for positions with direct contact with children, additionally addressing experience and previous engagement with children, and gauging the applicant's attitudes and values toward children;
- Providing successful applicants with the:
  - Child Safe Policy and Child Safe Code
  - Child Safe procedures
  - City of Whittlesea Code of Conduct
- Requiring successful applicants to undertake Council's Child Safe Training as part of induction and complete a refresher course annually. Training will be tailored to and appropriate for the nature of the role.
- Ensuring ongoing supervision and training of all employees and other representatives.

### Third Parties

Council is committed to ensuring that the engagement of third parties, including contractors, tenants/hirers of Council facilities and grant recipients, considers and upholds child safety.

Council will ensure that Child Safe requirements are part of Council's procurement processes when procuring services that either interact or have potential to interact with children.

Council will also ensure that the Child Safe Policy, Child Safe Code, any associated relevant Child Safe procedures, and any appropriate training is provided to direct contractors (individuals directly engaged by CoW to deliver services and/or under the direction, supervision or control of Council).

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Direct contractors are expected to report any child safety concerns in accordance with relevant Child Safe procedures. All other third parties must report serious child safety issues that occur in connection with Council work/facilities to their relevant contract manager or key contact.

Council recognises that depending on the nature of a third party's engagement, they may fall under Council's responsibility with respect to the Reportable Conduct Scheme (for further information, refer to Council's Child Safe procedures). Should a situation arise where this is in question, specialist advice will be sought from CCYP.

Council expects all third parties to comply with child safety legislation as it applies to them and to have their own policies and processes in place for ensuring child safety and reporting child safety issues where relevant.

### **Risk Management**

Council takes a risk management approach to child safety, integrating it into our policies, procedures, and activity planning. Through our Risk Management Policy and Framework, we systematically identify and manage risks that may impact our strategic and operational goals, including those related to child abuse or harm. Specifically:

- Governance structures support child safe practices and risk management;
- Senior leadership regularly review child safety performance;
- Compliance with this Policy and the Child Safe Standards is monitored and improved through internal and external audits and reviews;
- Employees and other representatives are made aware of their responsibilities for identifying and mitigating child abuse risks;
- Officers responsible for developing policies must consider any relevant child safety risks;
- All existing and new activities and facilities must be assessed for risks of child abuse including physical and online risks to children;
- Controls are implemented to reduce all identified risks; and
- Risk management plans are living documents, regularly updated and actively used.

### **Privacy, Record Keeping and Information Sharing**

Council is committed to protecting individuals' privacy. All personal information related to child safety will be handled in line with the Council's Privacy Policy and retained according to Public Records Office Victoria guidelines.

Special provisions apply to records of sexual abuse allegations:

- Under the amended *Limitation of Actions Act 1958* (Vic), there is no time limit for civil claims related to child sexual abuse. Therefore, records which are reasonably likely to be needed for civil action legal proceedings must be retained for at least the lifetime of the child, possibly longer.

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- When an allegation of child sexual abuse is made, full and accurate records of the investigation and allegation will be created and retained indefinitely. This includes any general Council records that may be required for legal proceedings or inquiries.
- These records will be securely managed, protected and retained subject to Records Management processes. These records will be treated as highly confidential and only accessed or disclosed for Council to meet its Policy or legal obligations.

Authorised staff may share information with other agencies under the Family Violence and Child Information Sharing Schemes to support child safety and wellbeing, enabling a coordinated response to family violence and community needs.

### **Child Safe Code**

Employees and other representatives are required to comply with the Child Safe Code in addition to this Policy. The Child Safe Code sets out appropriate and inappropriate behaviours when interacting with children.

### **Policy Breaches**

Council takes child safety very seriously. Failure to comply with this Policy, the Child Safe Code or any Council procedures or agreements pertaining to child safety may constitute a serious breach of Council's Values and Behaviours, Code of Conduct and the law. Breaches may result in disciplinary action, contractual action and/or reporting to external bodies, and may result in termination of employment or of any contractual arrangement.

### **Child Safe Contacts**

Council's Child Safe Contacts are the:

- **Child Safe Officer**
- **Coordinator Employee Relations**
- **Unit Manager Human Resources**
- **People & Culture Business Partner (Community Wellbeing)**
- **Director Community Wellbeing**

These officers may be contacted during business hours with any queries, concerns or feedback regarding child safety, at [childsafety@whittlesea.vic.gov.au](mailto:childsafety@whittlesea.vic.gov.au) or by contacting Customer Service on (03) 9217 2170 and requesting to speak to the relevant officer.

The contact details for these officers will also be made publicly available on the Council website and documented in the Child Safe procedures.

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# Child Safe Reporting Process

We all have a responsibility to keep children safe from harm and abuse.

## Who must report?

All employees, volunteers and direct contractors (regardless of whether you work with children or not).

## What must be reported?

All child safety concerns including any:

- reasonable belief that a child is or is at risk of being abused or harmed (incident, disclosure, allegation or suspicion)
- breach of Child Safe Policy or Code of Conduct
- unsafe situations, spaces or conduct that could lead to abuse or harm

Child abuse or harm includes:

- Physical abuse
- Sexual abuse and grooming
- Emotional abuse
- Exposure to family violence
- Neglect

**If a child is in immediate danger, call Police on 000.**

## How to report?

1. Immediately notify your supervisor.
2. You or your supervisor should contact authorities if the concern involves child abuse or harm:
  - Police if it involves immediate danger, criminal conduct or sexual abuse.
  - Child Protection (DFFH) if a child is at risk of harm and needs protection.
3. You or your supervisor must submit a Child Safe Incident Report via BeSafe (this will notify the Child Safe Contacts).

For support at any stage, speak to a Child Safe Contact:

- Child Safe Officer
- Coordinator Employee Relations
- Unit Manager Human Resources
- People & Culture Business Partner (Community Wellbeing)
- Director Community Wellbeing
- Call Customer Service on (03) 9217 2170 and ask speak to a Contact or email [childsafety@whittlesea.vic.gov.au](mailto:childsafety@whittlesea.vic.gov.au)

## Getting Support

Child abuse and harm can be distressing. If you need support, please speak with your supervisor or a Child Safe Contact, or access Council's Employee Assistance Program (1300 364 273).

## What happens next?

A Child Safe Contact will review the matter and make sure all steps are taken to keep children safe and meet Council's reporting obligations.

If the matter involves Reportable Conduct, the incident will be reported to the Commission for Children and Young People (CCYP) by the CEO or a nominated officer.

