

Child Safety and Wellbeing Policy

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Document Compliance

Council acknowledges the legal responsibility to comply with the *Charter of Human Rights and Responsibilities Act 2006* and the *Equal Opportunity Act 2010*. The *Charter of Human Rights and Responsibilities Act 2006* is designed to protect the fundamental rights and freedoms of citizens. The Charter gives legal protection to 20 fundamental human rights under four key values that include freedom, respect, equality and dignity.

Greater Dandenong City Council Policies comply with the Victorian Charter of Human Rights and Responsibilities, the *Gender Equality Act 2020*, the *Climate Change Act 2017*, the Child Safe Standards contained in the *Child Wellbeing and Safety Act 2005* (Amended) and the Overarching Governance Principles specified in 9(2) of the *Local Government Act 2020*.

Acknowledgment of Country

Greater Dandenong City Council acknowledges the Traditional Custodians of this land, the Bunurong People and pays respect to their Elders past and present. We recognise and respect their continuing connections to climate, Culture, Country and waters.

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1. POLICY OBJECTIVE (OR PURPOSE)

The Child Safety and Wellbeing Policy (Policy) explains how the Council works to keep children safe. It helps the Council to:

- promote the safety of children,
- prevent child abuse, and
- respond properly to any reports or concerns about child abuse or child safety.

The policy explains what is expected of Councillors and Council Workers to keep children safe. It also gives information to children, young people, families, and the community about how to report child safety concerns or complaints to the Council.

The Policy makes sure the Council is compliant with the law and meets national child safety principles.

2. BACKGROUND

Every child has the right to feel safe and be safe, but this does not happen by itself.

In recent years, we've learned a lot from survivors and important inquiries, like the Victorian Parliament's Betrayal of Trust inquiry and the Royal Commission into Institutional Responses to Child Sexual Abuse. These inquiries showed how much harm can happen to children when organisations do not have the right culture, systems, and processes in place to prevent abuse.

To help protect children, new laws have been introduced in Victoria. These include the Victorian Child Safe Standards and the Reportable Conduct Scheme, which the Council must follow. (See Appendix One – Legislation).

3. SCOPE

This Policy applies to all Council Workers. The definition of 'Council Worker' includes: employees, volunteers, students, trainees, apprentices, and workers hired through agencies, even if they do not work directly with children or young people.

Any person, business, or company hired by the Council to provide services must also follow child safety laws as part of their contract with the Council.

Councillors must follow the rules in the Model Councillor Code of Conduct, which means they must treat children and young people in a way that follows this Child Safety and Wellbeing Policy.

In this Policy, the words 'child' or 'children' also include young people under 18 years old.

4. DEFINITIONS

The following words and phrases are defined in Appendix Two:

- Aboriginal or Torres Strait Islander child/young person;
- Child abuse;
- Children/young people from culturally and/or linguistically diverse backgrounds;
- Child/young person;
- Child safety complaint
- Child safety concern
- Child safety incident
- Child safe organisation
- Council Worker
- Cultural safety for Aboriginal/Torres Strait Islander children;
- Cultural safety for children and young people from culturally and/or linguistically diverse backgrounds;
- Children or young people with a disability;
- Grooming
- Harm
- LGBTIQ+ children and young people;
- Reasonable belief
- Reportable allegation
- Reportable conduct

5. POLICY

Council's commitment to child safety

Council is committed to child safety.

Council wants children and young people to be safe, happy and empowered. Council supports and respects all children and young people, as well as its own staff and volunteers.

Council has zero tolerance of child abuse. All allegations and safety concerns will be treated extremely seriously and consistently in line with Council's policies and procedures, and all relevant legislation.

Council has legal and moral obligations to contact authorities when it is concerned about a child or young person's safety, which Council endeavours to follow rigorously.

Council is committed to preventing child abuse and identifying risks early, and where possible, to remove and reduce these risks, particularly in higher risk activities.

Council has robust human resources and recruitment practices for all staff and volunteers.

Council is committed to training and educating its employees, Councillors, students, trainees, apprentices and volunteers, contractors on child abuse risks.

Council is committed to the cultural safety of Aboriginal and Torres Strait Islander children and young people, the cultural safety of children and young people from a culturally and/or

linguistically diverse background, and to providing a safe environment for children and young people with a disability, those who are unable to live at home and LGBTIQ+ children and young people.

Council has specific policies, procedures and training in place which supports its leadership team, Councillors, staff and volunteers to achieve these commitments.

Cultural Safety for Aboriginal Children

Cultural safety means recognising, respecting, and celebrating different cultures. It is more than just being aware or sensitive—it helps people feel safe, proud, and free to be themselves. For Aboriginal children, cultural safety means staying connected to their Culture, Community, Country, and identity.

It supports the rights of Aboriginal and Torres Strait Islander children to:

- identify as Aboriginal and/or Torres Strait Islander without fear of retribution or questioning
- learn in ways that strengthen their Culture and identity
- stay connected to their land, kinship ties, community and Country
- learn about their cultural heritage from their Elders
- receive information in a culturally sensitive, relevant and accessible manner
- be part of services that respect their Culture

Council Workers must:

- support children to express their culture and enjoy their cultural rights
- help Aboriginal children and families feel included and involved

The Council is committed to respecting Aboriginal culture and showing its importance to children's safety and wellbeing. This includes putting Reconciliation into action through its Reconciliation Action Plan.

The Council has zero tolerance for racism and is working to end of racism and discrimination in the community. Any racist behaviour should be reported to the Victorian Equal Opportunity and Human Rights Commission. If the complaint involves a Council Worker, it will be managed under Council policies and could lead to formal discipline, including dismissal.

Participation and Empowerment of Children and Young People

Council shares information on children's rights, how to raise concerns and how to get support services on its website and on posters at key locations.

Council includes children, their families and the community when making decisions, especially about matters that affect them. Council listens to their ideas and respects what they have to say. This is done through programs like the Child Friendly Cities Initiative, the Children's Plan and the Youth and Family Strategy.

Respecting Equity and Diversity

Council values diversity and fairness for all children and young people.

To support this, Council will:

- welcome and include all children- this includes children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, LGBTIQA+ children and Aboriginal and/or Torres Strait Islander children and their families.
- have zero tolerance of racism and discrimination, and act when these are identified
- aim to have a diverse workforce that reflects the community.
- create safe and welcoming physical and online spaces where every child feels respected.
- work with community leaders to make sure services meet cultural needs of Culturally and Linguistically Diverse (CALD) children and families, as for instance concerns for privacy among women when required to remove clothing
- give children access to information, support and ways to make complaints in a culturally safe and easy to understand way.
- allow children and families to share their individual needs and make changes to support their full participation
- train all staff to understand diversity and build inclusive communities, including applying considerations of equity to ensure equal access to, and benefits from, services and programs..
- include cultural safety in planning and leadership decisions
- celebrate the unique voices and strengths of Aboriginal and/or Torres Strait Islander children and communities and ask for feedback from these children and families about their experiences and their sense of safety in expressing their identity with the Council.

Council will also follow universal design and inclusion principles, which means:

- planning buildings, services, events and activities to be accessible to children with a wide range of abilities and backgrounds
- making sure these spaces and services are open to everyone, without discrimination based on ethnicity, gender, religion, language, disability, age or sexual orientation
- understand that each child is unique, even if they belong to a group with similar characteristics

Codes of Conduct

All Council Workers and Contractors must follow the Code of Conduct that applies to their role, as well as the Child Safe Code of Conduct (see Appendix Three), which sets clear rules for how to behave when working with children.

Councillors must also follow the Model Councillor Code of Conduct, which says their actions and behaviours with children and young people must follow the Council's Child Safe Code of Conduct.

Training and Support

All Council Workers must complete online Child Safe standards training when they start. The training covers:

- children's rights
- signs of child abuse or harm
- how to respond to disclosures
- reporting obligations
- creating safe and inclusive spaces

They must also complete training on the Council's child safety policies and record keeping. Leaders are provided with extra training on risk management.

Training is run and recorded by Organisational Development with the Child Safety Compliance Officer.

Some teams like Immunisation, Maternal and Child Health, Family Day Care and Youth and Family Support do extra regular child safety training to meet their specific mandatory reporting requirements and improve their skills to identify harmful behaviours.

All Councillors receive training on the Council's Child Safety and Wellbeing Policy and Child Safe Code of Conduct.

Recruitment

Council makes sure to hire skilled people to work with children and young people. Selection criteria and advertisements clearly show Council's commitment to child safety and its legal responsibilities. Council knows it has both ethical and legal duties when hiring workers.

Child safety and wellbeing are at the centre of recruitment processes. Council uses good screening methods to help choose suitable workers and reduce the risk of hiring anyone who might harm children. This includes asking child safety questions in interviews and checking references.

Allegations, concerns and complaints

Council takes all reports of child abuse and safety concerns very seriously and investigates them quickly and carefully.

If an adult has a reasonable belief that abuse has happened, they must report it. Reasons for this belief can include:

- a child says they or someone they know has been abused (sometimes the child means themselves)
- seeing behaviour that looks like abuse
- someone else suspects abuse but is will not report it
- noticing suspicious behaviour.

Council has a Child Safety Reporting Process Flowchart (see Appendix Four) that explains what to do:

- If a child is in immediate danger, call 000.
- If you believe a child has been or may be seriously harmed and their parent will not protect them, call Child Protection:
 - South Division - 1300 555 526 (8.45am - 5.00pm (Monday - Friday)
 - After hours Child Protection Emergency Service - 13 12 78 (5pm to 9am Monday - Friday, 24 hours on weekends and public holidays)

All reports, concerns, complaints and incidents must also be told to your supervisor and the Council's Child Safety Compliance Officer.

You can report by:

- Email (childsafety@cgd.vic.gov.au), or
- External Council online form ([Child Safety Report/ Feedback Form](#)); or
- Internal Council online forms (Child Protection Online Form for external child protection reports and Pulse Child Safety Incident Form for reports concerning Council Workers), or
- Calling Council and asking for the Child Safety Compliance Officer.

If you do not feel comfortable reporting to the Child Safety Compliance Officer, you can contact the Manager of Governance, Integrity, Legal and Risk or CEO directly.

Anyone working for Council who behaves inappropriately or breaks the law, like abusing a child, may be warned or disciplined according to Council policies. Serious or repeated breaches can lead to dismissal.

If someone makes a false or vexing complaint on purpose, they may also be disciplined. However, if a genuine concern is raised, even if it turns out to be unfounded, no action will be taken against the person who reported it.

Privacy, Information Sharing and Record Keeping

Council is committed to protecting an individual's right to privacy. Any personal information collected or used during a report or investigation will be managed according to the Council's Privacy Policy.

The Council may share important information to help keep children safe and well, but only when it is appropriate and in the child's best interests. Complaints will be kept private, unless sharing information is needed to properly deal with the complaint or to protect a child. Sometimes, the Council must also share details with other authorities to follow the law or ensure safety.

Records will be kept according to the guidelines from the Public Records Office Victoria.

Risk management

Along with general occupational health and safety risks, the Council also works actively to manage the risk of child abuse and harm to children and young people.

The Council understands how important it is to identify and reduce the risk of child abuse, both in person and online, in places and programs run by Council.

We create risk management plans to help prevent child abuse and harm at events and programs. These plans are developed by the Organising Officer, together with the Risk Management Consultant and Child Safety Compliance Officer.

6. RESPONSIBILITIES

Councillors

Councillors are responsible for leading the Council in a way that supports strong and safe practices. They help build a culture that has zero tolerance for child abuse. Councillors speak up for what is best for children and work to create a community where children feel safe and protected.

Councillors must make sure their actions and behaviours around children follow the Council's child safety policies.

CEO

The CEO is responsible for leading changes in Council's culture to make sure there is zero tolerance for child abuse. The CEO must ensure that protecting children from harm is part of everyday actions and decisions by all Council Workers.

The CEO (or delegate) will make sure:

- All Councillors and Council Workers are supported to focus on child safety and act openly and responsibly.
- Child safety is included in Council's long-term planning and that key people are involved in creating, using and reviewing child safety plans.
- Council policies about child safety are clear, useful, well understood and regularly reviewed and followed across the organisation.
- Council shows strong leadership in promoting child safety, both within the Council and to the public
- Council meets all legal responsibilities under the Reportable Conduct Scheme.
- Enough resources are provided to properly implement this Policy.

Executive Team and Managers

The Executive Team and all Managers must help the CEO create a Child Safe Organisation and build a culture of zero tolerance for child abuse. They will do this by making sure:

- Council has robust child safeguarding practices to protect children from abuse or harm.
- Council Workers get the right training and support to help them prevent, notice, respond to and report child abuse or harm.
- Any serious concerns about Council Worker behaviour (Reportable Allegations) are investigated and reported to the Social Services Regulator (SSR); and
- Council Workers understand and value the importance of Aboriginal and Torres Strait Islander culture and how it supports the safety and wellbeing of Aboriginal and Torres Strait Islander children
- Working with Children Checks are regularly checked and kept up to date

Council Worker

Council Workers are responsible for:

- Knowing and following their duties to keeping children and young people safe
- Taking part in any child safety training they are asked to do
- Getting and keeping a valid Working with Children Check (if needed for their position) making sure Council is listed as their employer
- Looking at where there might be risks of child abuse in their work area and working to remove or reduce those risks
- Reporting any concerns they have about a child or young person's safety or wellbeing
- Creating spaces where children and young people feel safe, included and able to take part
- Supporting the cultural safety and involvement of Aboriginal and Torres Strait Islander children and children from diverse cultural backgrounds, and asking for training if they need to learn more
- Learning about and following the laws, Codes of Conduct, policies and procedures that relate to child safety
- Involving children and young people in planning and decision-making when it affects them
- Meeting any reporting rules that apply to their job, such as Mandatory Reporting.

Child Safety Compliance Officer

The Child Safety Compliance Officer is responsible for:

- leading the development and communication of plans to create a strong culture of child safety in both office and field work.
- supporting the Council to follow all Child Safe Standards
- training all Council Workers about the Child Safe Standards and the Reportable Conduct Scheme.
- leading the response and investigation of any child safety incidents, deciding how investigations will be done, finding out what caused the issue and suggesting recommendations.
- reporting and recording any child safety incidents to appropriate external agencies and internal personnel, including the CEO.
- identifying any risks to child safety, keeping management and leaders informed, and working with them to create plans to reduce those risks
- reviewing and updating child safety policies and risk management plans after any incident.

7. REPORTING, MONITORING AND REVIEW

Reporting	Compliance with this policy will be reported to the Executive Management Team.
Monitoring	The Child Safety Compliance Officer is responsible for monitoring the compliance, effectiveness and relevance of this Policy.
Review	The review of this Policy is led by the Child Safety Compliance Officer. This Policy will be reviewed regularly, and after any serious incidents, if they happen. Council will also update this Policy if it receives important feedback from key stakeholders.
Key Stakeholders	Children, Young People and Families accessing Council facilities, programs and services, Council Officers, Volunteers, and Councillors are all key stakeholders. The Staff Consultative Committee, Executive Team and Councillors should provide feedback prior to the Policy being adopted.

8. BREACH OF THIS POLICY

Non-compliance with this Policy has the potential to constitute a breach of employment or contractual obligations. It might also be considered misconduct, harassment, discrimination or even breaking the law such as the Child Wellbeing and Safety Act 2005, the Children, Youth and Families Act 2005 or The Crimes Act 1958.

Failure to comply with this Policy may result in disciplinary action and potential termination of employment or contractual obligations with Council.

9. REFERENCES AND RELATED DOCUMENTS

Legislation

Advancing the Treaty Process with Aboriginal Victorians Act 2018

Charter of Human Rights and Responsibilities Act 2006

Children, Youth and Families Act 2005

Crimes Act 1958

Disability Discrimination Act 1992 (C'th)

Equal Opportunity Act 2010

Freedom of Information Act 1982

Health Records Act 2001

Gender Equality Act 2020

Climate Change Act 2017

Child Wellbeing and Safety Act 2005 (Amended)

Local Government Act 2020.

Privacy and Data Protection Act 2014

Public Records Act 1973

Racial and Religious Tolerance Act 2001

Related Council and Other Policies, Procedures, Strategies, Protocols, Guidelines

Appropriate Workplace Behaviours Policy
Child Safety Reporting and Complaints Procedure
Child Safety & Wellbeing Report form (online through Pulse)
Betrayal of Trust: Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations 2013
Child Safe Code of Conduct
Code of Conduct - Councillors
Code of Conduct - Contractors
Code of Conduct – Staff
Code of Conduct – Volunteers
Diversity, Access and Equity Policy
Freedom of Information Policy
Greater Dandenong City Council Satisfaction Procedure and Form\
Greater Dandenong Website – Sustainability, Climate and Energy
Indigenous Policy
Performance and Behavioural Issues Policy and Procedure
Police Check Policy
Privacy and Personal Information Policy
Reconciliation Action Plan
Recruitment Policy
Risk Management Policy
Risk Management Procedures
Self-Determination Reform Framework August 2019
Victorian Aboriginal and Local Government Strategy 2021-2026
Working with Children Check Guidelines

Administrative Updates

It is recognised that from time to time, circumstance may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, the change to an existing policy or document referred to in this policy and minor updates to legislation and the like which does not have a material impact. All changes or updates which materially alter this policy must be by resolution of Council.

Date	Update

10. APPENDIX ONE- LEGISLATION

Child Safe Standards

Child Wellbeing and Safety Act 2005

In 2016, the Victorian Government introduced Child Safe Standards to set out minimum requirements and outline the actions organisations must take to keep children and young people safe. In 2022, the Child Safe Standards were further improved and made more consistent with standards in the rest of Australia.

The City of Greater Dandenong Council must comply with all 11 Standards and is regulated by the Social Services Regulator (SSR).

The Council provides services and facilities that are co-regulated by the Department of Education and its Quality Assessment and Regulation Division (QARD) (Family Day Care), the Department of Health (Immunisation and Maternal and Child Health Centre) and the Social Services Regulator (Youth and Families Support Services).

These co-regulators collaborate with SSR in monitoring and enforcing compliance with the standards. For example, QARD regulates compliance with the Standards by Family Day Care and SSR regulates compliance by the other services provided by the Council.

The Child Safe Standards are as follows:

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

Reportable Conduct Scheme

Child Wellbeing and Safety Act 2005

As the Council provides health and care services for children, it must comply with the Reportable Conduct Scheme which commenced in 2017. The Scheme applies to the whole Council and not just to the services for children and young people. It means that all Council Workers and all directors of companies where the director performs work for the Council fall under the Scheme. The Scheme requires the Council to respond to allegations of child abuse and other child-related misconduct made against its workers and volunteers, and to notify the SSR of any allegations. It is noted that Councillors do not fall under the Reportable Conduct Scheme as they are not engaged by Council as an employee or volunteer. SSR is the sole regulator of the Reportable Conduct Scheme,

Mandatory reporting

Children, Youth and Families Act 2005

Mandatory reporters must make a report to child protection, if:

- in the course of practising their profession or carrying out duties of their office, position or employment
- they form a belief on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

Mandatory reporters should make a report to Child Protection as soon as practicable after forming their belief and make a report each time they become aware of any further reasonable grounds for their belief.

Mandatory reporters at Council include all immunisation and MCH nurses, all early childhood teachers and all youth and family support case managers. Although mandatory reporters have legal obligations to report child physical and sexual abuse, all staff members working with children and young people have a duty of care to report child abuse and neglect to child protection authorities.

Duty of Care

Wrongs Amendment (Organisational Child Abuse) Act 2017

Council is required to take reasonable precautions to prevent the sexual abuse and/or physical abuse of a child by an individual associated with the Council while the child is under the care, supervision or authority of the Council.

Criminal Offences

Crimes Act 1958

There are a number of criminal offences in Victoria to protect children and young people from child abuse, particularly sexual abuse. Some recent offences introduced include:

- Failure to disclose offence: <https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-disclose-offence>
- Failure to protect offence : <https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/failure-to-protect-a-new-criminal-offence-to>
- Grooming offence: <https://www.justice.vic.gov.au/safer-communities/protecting-children-and-families/grooming-offence>

11. APPENDIX TWO - DEFINITIONS

Aboriginal or Torres Strait Islander child/young person	A person under the age of 18 who: • is of Aboriginal or Torres Strait Islander descent • identifies as Aboriginal or Torres Strait Islander, and • is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.
Child abuse	For the purposes of this policy, 'child abuse'¹ includes any act committed against a child or young person involving: • physical violence (Physical violence occurs when a child suffers or is likely to suffer significant harm from a non-accidental injury or injuries inflicted by another person); • sexual offences (Sexual offences occur when a person involves the child in sexual activity, or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to their age and development. It also includes possession of child abuse material and grooming); • significant emotional or psychological abuse (which may include hearing, witnessing or being exposed to family violence, or racial, cultural or religious abuse. Significant emotional or psychological abuse occurs when harm is inflicted on a child through repeated rejection, isolation, or by threats or violence. It can include derogatory name-calling and put-downs, or persistent and deliberate coldness from a person to the extent where the behaviour of the child is disturbed, or their emotional development is at serious risk of being impaired. Significant emotional or psychological abuse could also result from conduct that exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risky behaviours.); and/or • significant neglect (Significant neglect is the continued failure to provide a child with the basic necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the child's health, safety and/or development is, or is likely to be, jeopardised. Significant neglect can also occur if an adult fails to adequately ensure the safety of a child where the child is exposed to extremely dangerous or life threatening situations.) • 'Significant', in relation to emotional or psychological harm or neglect, means that the harm or neglect is more than trivial or insignificant, but need not be as high as serious and need not have a lasting permanent effect.

¹ Definitions prepared using 'An overview of the Victorian child safe standards', State of Victoria, Department of Health and Human Services, November 2015, authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.

Children/young people from culturally and/or linguistically diverse backgrounds	A child or young person who identifies as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of their parents' identification on a similar basis.
Child/Young Person	A person who is under the age of 18 years.
Child safety concern	A child safety concern refers to any issue that has or could impact negatively on the safety and wellbeing of children and young people.
Child safety complaint	A child safety complaint is an expression of dissatisfaction to the Council related to one or more of the points outlined here: • the Council's services or dealings with individuals • allegations about the conduct of its staff, volunteers or other individuals engaged by the Council • another child or young person participating in services at the Council • the handling of a prior concern
Child safety incident	In the context of this policy a 'child safety incident' is: • any child safety concern where Council staff, volunteers or other individuals engaged by Council in the course of their work form a reasonable belief that a child or young person has suffered, or is likely to suffer, abuse or harm-whether caused by an adult OR by another child • any child safety complaint against Greater Dandenong Council including any allegation of Reportable Conduct made against Council staff, volunteers or other individuals engaged either within work or outside of work • any breach of Council's Child Safety and Wellbeing Policy and its Child Safe Code of Conduct.
Child safe organisation	In the context of this policy, a child safe organisation is one that meets the Child Safe Standards by proactively taking measures to protect children and young people from child abuse.
Council Worker	Council Worker includes employees, volunteers, students, trainees, apprentices, and agency-hired workers, irrespective of whether they work with or have direct contact with children or young people.
Cultural safety for Aboriginal/Torres Strait Islander children	The positive recognition and celebration of cultures is more than just the absence of racism and more than cultural awareness and cultural sensitivity. A culturally safe environment does not ignore, challenge or deny cultural identity. Cultural safety upholds the rights of Aboriginal/Torres Strait Islander children to: • identify as Aboriginal/Torres Strait Islander without fear of retribution or questioning;

	• have an education that strengthens their culture and identity; • maintain connections to their land and country; • maintain their strong kinship ties and social obligations; • be taught their cultural heritage by their Elders; • receive information in a culturally sensitive, relevant and accessible manner; and • be involved in services that are culturally respectful.
Cultural safety for children and young people from culturally and/or linguistically diverse backgrounds	Cultural safety encompasses an environment which is spiritually, socially and emotionally safe, as well as physically safe for children and young people; where there is no assault, challenge or denial of their cultural or linguistic identity, of who they are or what they need. Efforts need to be made to ensure that information is provided to culturally and/or linguistically diverse children and their families in a culturally sensitive, relevant and accessible manner, including in relevant community languages.
Children or young people with a disability	Children or young people can be born with a disability or acquire a disability through an injury or illness. Some disabilities may be obvious while others are hidden. Disability includes: • total or partial loss of body function or a body part; • the presence of organisms (such as HIV or Hepatitis C) that may cause disease or disability, malformation or disfigurement of the body; • mental or psychological diseases or disorders; and • conditions or disorders that may result in a person experiencing learning difficulties.
Grooming	As defined in the <i>Crimes Act 1958 (Vic.)</i> and <i>Crimes Amendment (Grooming) Act 2014</i>, the act of communication, including online communication, with a child under the age of 16 or their parents with the intent of committing child sexual abuse. This includes predatory conduct undertaken to prepare a child for sexual abuse at a later time with the groomer (aged 18 years old or over) or another adult.
Harm	Harm is damage to the health, safety or wellbeing of a child or young person, including as a result of child abuse by adults or the conduct of other children. It includes physical, emotional, sexual and psychological harm. Harm can arise from a single act or event and can also be cumulative, that is, arising as a result of a series of acts or events over a period of time.
LGBTIQA+ children and young people	Children and young people who identify as lesbian, gay, bisexual, transgender, intersex, queer/questioning, gender diverse, non-binary, asexual and other terms that people use to describe their experiences of their gender, sexuality and physiological sex characteristics.

Reasonable belief	A 'reasonable belief' is not the same as having proof but requires more than suspicion. A 'reasonable belief' is a belief based on facts that would lead a reasonable person to think that the conduct <u>may</u> have occurred. Examples: • A 'reasonable belief' of child sexual abuse might be formed when: a child states that they have been sexually abused; • a child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves); • a person who knows a particular child states that the child has been sexually abused; • professional observations of the child's behaviour or development leads a mandated professional to form a belief that the child has been sexually abused; or • signs of sexual abuse leads to a belief that the child has been sexually abused. A 'reasonable belief' of child abuse may occur if a person: • observed the conduct themselves; • heard from a child that the conduct occurred; or • received information from another source (including a person who witnessed the conduct).
Reportable Allegation	Any information that leads a person to form a reasonable belief that a person to whom this policy applies has committed: • Reportable Conduct; or • Misconduct that may involve Reportable Conduct – whether or not the conduct or misconduct is alleged to have occurred within the course of the person's employment or engagement.
Reportable Conduct	Reportable Conduct is conduct by a Council Worker that includes: • sexual offences committed against, with, or in the presence of a child; • sexual misconduct committed against, with or in the presence of a child; • physical violence against, with or in the presence of a child; • any behaviour that causes significant emotional or psychological harm to a child; and/or • significant neglect of a child.

12. APPENDIX THREE - CHILD SAFE CODE OF CONDUCT

BACKGROUND

The Victorian Child Safe Standards are intended to improve the way organisations that provide services for children and young people prevent and respond to any alleged child abuse.

Child abuse is any act committed against a child or young person involving physical violence, sexual offences, emotional or psychological abuse or significant neglect.

Council is committed to providing an inclusive and welcoming environment and promoting cultural safety and wellbeing for children with zero tolerance for child abuse and harm.

The Child Safe Code of Conduct (Child Safe COC) is an important part of Council's Child Safe approach and must be read in conjunction with Council's Child Safety and Wellbeing Policy.

PURPOSE

The purpose of the Child Safe Code of Conduct is to;

- Establish a clear set of rules and expectations for behaviour towards and in the presence of children that is in line with Council's culture, values, and the requirements of the Victorian Child Safe Standards.
- Provide guidance to recognise acceptable and unacceptable behaviours
- Outline process if there is a breach or suspected breach of the code

Having clear rules and expectations of how adults should interact with children serves to prevent child abuse and encourage reporting. It also creates a positive expectation for the behaviour of all adults in Council.

SCOPE

The Child Safe COC applies to all Council employees, volunteers, contractors, representatives, and Councillors. All parties bound by this code have an obligation to read, understand and sign that they will abide by all elements contained within this document.

STANDARDS OF ACCEPTABLE BEHAVIOUR

All staff are responsible for supporting the safety, participation, wellbeing and empowerment of children and young people irrespective of whether they work directly or interact by:

- Adhering to Child Safety and Wellbeing Policy at all times
- Complying with all relevant Australian and Victorian legislation
- Participating in all compulsory training and professional development including training on Child Safety and Wellbeing
- Being proactive in taking all reasonable steps to protect children and young people from abuse
- Valuing, listening to and responding to the ideas, views and concerns of children and young people
- Maintaining professional boundaries and ethical behaviour in accordance with expected standards when dealing with children and young people
- Promoting the safety, participation and empowerment of all children and young people, regardless of race, colour, sex, gender identity, sexual orientation, language, religion, political or other opinion, health status, national, ethnic, or social origin, culture, property, ability or other status.
- Treating all children and young people with respect, regardless of race, colour, sex, gender identity, sexual orientation, language, religion, political or other opinion, health status, national, ethnic, or social origin, culture, property, ability, or other status
- Actively promoting the cultural safety, participation, inclusion and empowerment of Aboriginal and Torres Strait Islander children and young people

- Welcoming all children, young people and their families and carers by being inclusive and inviting participation in decisions about their child or young person.
- Working with children and young people in an open and transparent way, so that other adults always know what work you are doing with children.
- Maintaining a valid and current Working with Children Check where engaged in child-related work or where required by Council
- Dressing in clean clothing that is appropriate to your role. Clothing should not display offensive language or pictures (which should also be considered with respect to culture, religion or other aspects of the children and young people that are receiving a service/interacting with Council)
- Working within a team to ensure that the needs of the child or young person (and their family) remain of paramount focus.
- Ensuring as far as practicable and appropriate, that adults are not left alone with a child or young person. This may be impacted by service types where in some cases staff may be required to spend time alone with a child. In such cases department or business unit policy, procedure or requirements covering child safety, which will prevail over this policy to the extent of any inconsistency.
- Adhering to risk mitigation strategies and safe work practices (identified by and relevant to your work area) when interacting with children.
- Reporting and acting on in a timely manner (refer to process outlined in Child Safety and Wellbeing Policy).
 - risks or potential risks, any concerns, behavioural complaints, or observed breaches regarding Child Safety
 - the disclosure or witnessing of allegations of child abuse or child safety concerns.
- Ensure the immediate safety of a child if an allegation of abuse is made/abuse has occurred.
- Provide welcoming, safe, and inclusive physical and online environments that protect children and young people from exploitation, violence, bullying, teasing, threatening, and discriminatory remarks.

APPROPRIATE SAFE TOUCH

In some circumstances Council service delivery may involve specific situations where physical contact with children and young people is acceptable. This includes Immunisation, Maternal and Child Health and Family Day Care Services. Local procedures for these services are to be referenced. Appropriate safe touch with a child should at all times:

- Be appropriate to the developmental needs of the child.
- Be appropriate to the role of the staff member
- Be strictly in line with the types of child contact necessary to perform your duties
- Be at the initiation or with the consent of the child; where possible or age-appropriate adults must ask the child or young person's permission prior to touching them
- Be open, non-secretive and culturally sensitive. Appropriate physical contact should only occur in public areas so other adults have oversight of the kind of contact that is being made.

In all other services, physical contact with children and young people is prohibited with the exception of first aid, guiding a child to safety or respectfully reciprocating a greeting initiated by a child or young person. Any physical contact must be non-intrusive and non-lingering and should avoid their face, chest, underarms, and lower body (e.g. reciprocating but not initiating a brief contact high-five).

UNACCEPTABLE BEHAVIOURS

Staff must not engage in the following unacceptable behaviours including;

- Unnecessary close physical contact with a child or young person not deemed appropriate to your role or appropriate safe touch
- Undertaking a task of a personal nature for a child if they can do it for themselves, such as changing clothes, feeding, personal grooming or toileting (considering age and developmental stage).
- Hitting, physically assaulting, tickling, or engaging in inappropriately rough play with a child or young person
- Speaking to a child or young person in an angry, intimidating, or threatening manner or otherwise using language or body language that breaches anti-discrimination laws
- Being alone with a child or young person where you are not within sight of other adults, and when there is no professional reason for doing so
- Engaging in open discussions of a mature or adult nature with or in the presence of children, including telling adult jokes and discussion of a sexualised nature
- Developing a 'special' relationship with a child or young person to the exclusion of others or showing favour to one child or young person over others
- Establishing a relationship with a child, young person, or their family outside of work, unless they are a family member, blood relative, household member or there was a prior family relationship. Where an interaction with a child or young person or their family should occur outside your role at Council, you must notify your supervisor immediately. Accidental contact such as seeing people in the street does not apply.
- Providing personal contact details such as phone number, home address, email and social media account information to children and young people
- Using social media/online platforms to solicit or befriend a child, or have online contact with a child that is not transparent to Council and part of an approved program or activity
- Using private text messages to communicate with a child or young person where open communication is possible
- Using a computer, mobile phone, camera or other device in a way that is inconsistent with Council's Child Safety and Wellbeing Policy or other relevant policies
- Taking, storing, using or publishing unauthorised images of children in Council's programs and activities.
- Using a camera to record a child or young person while they are dressing, bathing or using the bathroom
- Using personal devices to take or share images of children
- Showing children or young people pictures, animations, images or websites of an inappropriate or adult nature
- Possessing or distributing pornography while working with children or young people
- Condoning, or making self-disclosures about past or present participation in illegal or unsafe behaviours with, or in the presence of a child or young person.
- Smoking, vaping, consuming alcohol, taking illicit drugs, or being substance affected with or in the presence of children and young people (including on field trips, excursions or any other offsite work)
- Providing children or young people with alcohol, drugs, tobacco, or pornography
- Participating in actions within both physical and online settings that involve grooming, (cyber) bullying, and sexting.

BREACHES OF CHILD SAFE CODE OF CONDUCT AND REPORTING

Behaviours that constitute or may constitute unacceptable conduct and are in breach of the Child Safety COC must be reported. The process for reporting can be found in Council's Child Safety and Wellbeing Policy. These requirements are in addition to mandatory reporting requirements of certain professional groups as stated in the Children, Youth and Families Act 2005.

Furthermore, where applicable, breaches of the Child Safety COC will be dealt with in accordance with Council Policy for Performance & Behavioural Issues. Inappropriate behaviour or unlawful conduct may result in disciplinary action up to and including termination of employment.

In some cases, a breach or suspected breach of the Child Safety COC may also need to be reported to an external authority as outlined in the Child Safety and Wellbeing Policy. Specifically, incidents deemed 'reportable conduct' as outlined by the Social Services Regulator (SSR) will be investigated and reported to the SSR accordingly.

It is a criminal offence in Victoria for not acting to protect children from or report abuse. Failure to report means if you are an adult and have information that leads you to form a 'reasonable belief' that another adult had sexually offended against a child you must report the information to the police. Any behaviour that constitutes a criminal offence will be treated as a criminal matter and reported to Victoria Police.

13. APPENDIX FOUR - CHILD SAFETY REPORTING PROCESS

Child Safety Reporting Process

Who can report?

Anyone can report

Anyone can report- child, young person, parent, carer, Councillor, Council Worker or others in the community

Who can report?

Any child safety concern, complaint or incident

For example:

- Allegations of abuse or misconduct by a staff member, a volunteer or another individual associated with Council
- Disclosures of abuse or harm made by a child
- The inadequate handling of a prior concern
- General concerns about the safety of a group of children or activity

Call 000 without delay if a child or young person is in immediate danger

How to?

Who to?

For **immediate concerns** and to report child abuse, harm or neglect:
Contact the police and/ or the **Department of Families, Fairness and Housing** on 1300 555 526 (afterhours) 13 12 78

For all child safety incidents, **concerns and complaints related to Council** contact the Child Safety Compliance Officer:
Telephone: 8571 1000 – ask to speak to the Child Safety Compliance Officer
Email: childsafety@cgd.vic.gov.au
Post: City of Greater Dandenong, PO Box 200, Dandenong, Victoria 3175
In Person: Dandenong Civic Centre Level 2, 225 Lonsdale Street Dandenong

Online: —————→



Reports regarding the reportable conduct of a Council employee, contractor or volunteer may be made directly to the SSR at: rccs.ssr.vic.gov.au

What happens next?

The Child Safety Compliance Officer, manager, supervisor will:

- **Offer support** to the child, the parents, the person who reports and the accused staff member or volunteer.
- **Initiate** internal processes to ensure the safety of the child, clarify the nature of the complaint and commence disciplinary process (if required).
- **Decide** in accordance with legal requirements and duty of care, whether the matter should/must be reported to the police, Child Protection and/or SSR and make report as soon as possible if required.

Outcome

Investigation: outcome decided; relevant staff, volunteers, parents and child notified of outcome of investigation; policies, procedures updated where necessary.