



Child Safe Policy

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Associated Strategic Direction #:

Well-Governed

Associated instruments:

- Employee Code of Conduct
- Child Safe Reporting Procedure
- Discipline Policy, Guidelines and Procedures
- Equal Opportunity, Discrimination, Harassment & Bullying Policy
- Reconciliation Action Plan
- Working with Children Check Procedure

Supersedes:

Child Safe Policy 2018

Review history:

Name	Document Set ID (ECM)	Date	Description of Edits
Child Safe Policy	5272520	1 August 2018	Policy reviewed and updated to include new Child Safe Standards
Child Safe Policy	##	21 August 2024	Full Policy review to reflect alignment to the new Child Safe Standards and provide further clarity on WWCC requirements



Acknowledgement of Country

Council respectfully acknowledges the Traditional Owners of this land. We pay our respect to their Elders, past and present. We acknowledge and uphold their continuing relationship to this land.

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Child Safe Policy

Purpose

This policy outlines the City of Port Phillip's strong commitment to the care, safety, inclusion and wellbeing of children and young people and provides procedures (in addition to the procedure set out in the Child Safe Reporting Procedure) for continuing to develop and strengthen Child Safety.

Our aim is to educate and raise awareness for staff and community members, on how to identify, prevent and respond to risks of child abuse and harm to children.

The Child Safe Policy was developed under the Victorian Child Safe Standards (2022) and the National Principles which focus on children having the right to feel happy, safe and engaged.

This Policy replaces Council's previous Child Safe Policy.

Council's Statement of Commitment to Child Safety

The City of Port Phillip has zero tolerance for child abuse or harm towards children and is actively committed to embedding a culture of safety, wellbeing and inclusion for children and young people.

Every child and young person has the right to feel and be safe; and have their voice heard and considered in decisions affecting their lives.

As a Child Safe Organisation, all employees, volunteers, contractors and community representatives have a legal and moral responsibility to understand and activate their role in preventing, detecting, responding and reporting any child safety concerns, in a way that is culturally appropriate and considerate.

This City embraces diversity and inclusion. All children and young people, regardless of their gender, race, religious beliefs, age, disability, sexual orientation, family background or social background, have equal rights to protection from abuse or harm.

Scope

This policy applies to all City of Port Phillip Councillors, employees, volunteers, students (over the age of 18 on placement), and their conduct both within and outside of work, irrespective of whether they work with or have direct contact with children and irrespective of if they engage in child-related work. There are no exclusions to this policy.

Third parties engaged by Council, such as contractors, agency staff and funded bodies (i.e., grant recipients), are also required to comply with this Policy as part of their contractual agreements with Council – with the exception of items pertaining to the Reportable Conduct Scheme, as individuals employed by contracted organisations are not considered Council employees under the Scheme.



Definitions

Term	Definition
Child /children or young person/ people	Includes any person up to the age of 18.
Child abuse	<p>Child abuse is defined in the <i>Child Wellbeing and Safety Act 2005 (Vic)</i> as including:</p> <ul style="list-style-type: none"> • a sexual offence committed against a child; • an offence committed against a child under section 49M(1) of the <i>Crimes Act 1958 (Vic)</i>, such as grooming; • physical violence against a child ; • causing serious emotional or psychological harm to a child; <p>and</p> <ul style="list-style-type: none"> • serious neglect of a child.
Child-related work	Child-related work has the same meaning as under the <i>Worker Screening Act 2020</i> .
Cultural safety	An environment that is safe for people: where there is no assault, challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience, of learning, living and working together with dignity and truly listening.
Grooming	Describes the predatory conduct undertaken by someone aged 18 years and over to facilitate later sexual activity with a child, either with the groomer or another adult.
Neglect	Is the failure to provide the child with the necessities of life such as food, clothing, shelter, hygiene, medical attention or supervision, to the extent that the child's health and physical safety is jeopardised.
Reasonable belief	<p>Is a belief based on facts that would lead a reasonable person to think that reportable conduct may have occurred. A reasonable belief is more than suspicion. There must be some objective basis for the belief. However, it does not require certainty. For example, a person is likely to have a reasonable belief if they:</p> <ul style="list-style-type: none"> • observed the conduct themselves; • heard from the child that the conduct occurred; or • received information from another source (including another person who witnesses the reportable conduct or misconduct).
Reportable Conduct	<p>One or more of the following:</p> <ol style="list-style-type: none"> 1. Sexual offences committed against, with or in the presence of a child 2. Sexual misconduct committed against, with or in the presence of a child 3. Physical violence against, with or in the presence of, a child



Term	Definition
	<p>4. Any behaviour that causes significant emotional or psychological harm to a child</p> <p>5. Significant neglect of a child.</p>
Reportable conduct scheme (RCS)	<p>The RCS has been created to ensure that the CCYP is made aware of every allegation of certain types of misconduct involving children in relevant organisations that exercise care, supervision and authority over children. For more detailed information about the RCS and organisations' responsibilities please refer to: https://ccyp.vic.gov.au/reportable-conduct-scheme/</p>
Direct contact	<p>In relation to child-related work, means any contact between a person and a child that involves –</p> <ul style="list-style-type: none"> · physical contact; or · face to face contact; or · contact by post or other written communication; or · contact by telephone or other oral communication; or · contact by email or other electronic communication.
Culturally and Linguistically Diverse (CALD)	<p>Culturally and linguistically diverse is a broad term used to describe communities with diverse language, ethnic background, nationality, dress, traditions, food, societal structures, art and religion characteristics. CALD does not include First Nations people. However, Council also acknowledges the cultural and linguistic diversity of our First Nation people.</p>
Disability	<p>Disability means:</p> <ul style="list-style-type: none"> • the total or partial loss of a body part or a bodily function; • the presence in the body of organisms that may cause disease; • malfunction of a part of the body, malformation or disfigurement; • a mental or psychological disease or disorder; or • learning difficulties. <p>A disability includes one that may exist in the future and any behaviour that is a symptom or manifestation of a disability.</p>
Commission for Children and Young People (CCYP)	<p>An independent statutory body that promotes improvement in policies and practices affecting the safety and wellbeing of Victorian children and young people.</p>
Working With Children Check (WWCC)	<p>Required by persons doing child-related work under the Working with Children Act 2020 whereby the Department of Justice and Regulation (DoJ) screens a person's criminal records (and in some cases their professional conduct) focusing on serious sexual, violent and drug offences and continues to monitor these records for the life of the card. During this time the DoJ will notify any listed organisation of any interim or final decisions made about a WWC Check</p>



Term	Definition
	(i.e.suspended or revoked card) but not details of criminal records or professional conduct determinations and findings.

Background

The Victorian Child Safe Standards

The Victorian Government introduced Child Safe Standards to improve the way organisations provide services for children and young people to prevent and respond to any child abuse which may occur within their organisation. These Child Safe Standards are a central feature of the Victorian Government’s response to the Family and Community Development Committee of the Victorian Parliament’s Betrayal of Trust: Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations.

Council is committed to creating and maintaining a child safe environment for all children and has been a signatory to the Victorian Charter for Child Friendly Cities and Communities since 2013.

The new standards provide greater consistency and strength in safeguarding children, in conjunction with the recent compliance enforcement measures by the regulatory authority (The Commission for Children and Young People).

The 11 Child Safe Standards are:

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



For more detailed information about the CCS and organisations' responsibilities please refer to:

<https://ccyp.vic.gov.au/child-safety/being-a-child-safe-organisation>

Roles and Responsibilities

Safeguarding children and young people is a shared responsibility within our organisation.

Council will comply with all requirements under the Reportable Conduct Scheme and will ensure all staff report all allegations of misconduct involving children and/or reportable conduct to the appropriate person - even if the conduct happens outside the workplace.

A **Child Safe Steering Committee** will oversee and be accountable for the ongoing implementation and monitoring of the Child Safe Policy, and Council's ongoing compliance with the Victorian Child Safe Standards.

A **Child Safe Incident Response Team** will be responsible for reviewing all submitted Child Safety Incident Report Forms and Notifications, and for providing rapid response, oversight and management of all potential incidents of Reportable Conduct.

Child Safe Champions are suitably trained and experienced Council staff that can provide advice on child safety matters and reporting requirements. Council's Child Safe Champion Officers are:

- Executive Manager, Governance and Organisational Performance
- Executive Manager, Family Youth & Children and Divisional Performance
- Executive Manager, People, Culture and Safety
- Coordinator Risk & Assurance
- Child Safety Officer
- Child Safe Steering Committee Members (not listed above)

All staff have a responsibility to ensure that the wellbeing and safety of children and young people are at the forefront of all they do and every decision they make that may impact on children and young people. Specific responsibilities for each role are outlined in the table below:

Role	Responsibility
Councillors	<ul style="list-style-type: none"> • At the beginning of their term must agree to the Councillor Code of Conduct which outlines their expected behaviours to the community and to each other. • Endorse the Child Safe Policy
Leadership Network (LN)	<ul style="list-style-type: none"> • Strengthen and model Council's child safe culture. • Ensure appropriate governance structures and resources are in place to fulfil Council's obligations under the Child Safe Standards. • Promote models of behaviour between adults and children and young people based on mutual respect and consideration.



Role	Responsibility
	<ul style="list-style-type: none"> • Ensure thorough and rigorous practices are applied in the recruitment, screening and ongoing professional training and induction of all staff. • Ensure that all staff have regular and appropriate supervision and learning opportunities to develop their knowledge, openness and ability to address child safety matters. • Provide regular opportunities to clarify and confirm legislative obligations, policies and procedures in relation to the protection and wellbeing of children. • Ensure regular communication and discussions take place with staff on child safety to build a sense of child safety being everyone’s responsibility. • Ensure teams that are directly supervising or interacting with children and young people remain up to date and well versed in Child Safety training and reporting requirements. • Ensure allegations of child abuse are reported and fully investigated. • Ensure support is provided for all of council in undertaking their child safety and wellbeing obligations. <p>Additionally: The Chief Executive Officer (CEO) is also responsible for meeting specific legal obligations under the Reportable Conduct Scheme, including:</p> <ul style="list-style-type: none"> • Notifying the CCYP within three working days of becoming aware of an allegation. • Investigating any allegations (subject to Police clearance on criminal matters) and notifying the Commission who is undertaking the investigation. • Managing any risks to children and young people. • Updating the Commission within 30 calendar days, providing information on the reportable allegation and any action taken. • Notifying the Commission of investigation findings and any disciplinary actions (or why no action was taken). • Overall, ensuring that investigations are carried out into reportable conduct in accordance with the <i>Child Wellbeing and Safety Act 2005</i> (Vic).
<p>Heads Of, Coordinators and Team Leaders/Supervisors</p>	<p>Responsible for ensuring business processes, activities, and functions within their area have effective controls in place to meet the organisations requirements in relation to child safety. All staff as part of the onboarding process are required to undertake corporate mandatory training including a specific e-learning module on ‘Creating a Child Safe Port Phillip’ to develop their knowledge</p>



Role	Responsibility
<p>Risk and Assurance department</p>	<p>and increase their skills and confidence relating to responding, reporting, reducing and removing the risk of child abuse.</p> <p>Will implement the Policy and support staff throughout the organisation in meeting legislative requirements and ensuring staff who are requirement to hold a Working with Children Check have one.</p> <p>Will inform and educate all staff and volunteers about this policy, and related policies and procedures to ensure all staff are aware of the role they play in keeping children and young people safe, with support from PC&S.</p>
<p>Child Safe Incident Response Team</p>	<p>The Child Safe Incident Response (CSR) team has oversight of all reportable conduct. The CSR is responsible for the investigation process relating to the safety of children and young people as defined in the Victorian Reportable Conduct Scheme, including:</p> <ul style="list-style-type: none"> • Determining if the allegation meets the criteria for Reportable Conduct under the Reportable Conduct Scheme, and if so, forwarding the report to the GM Governance, Capability and Experience immediately to discuss with the CEO. • Managing the investigation of all allegations of Reportable Conduct. • Supporting the CEO to fulfill their obligations under the Reportable Conduct Scheme, including reporting obligations. <p>Where matters involve allegations relating to a City of Port Phillip's employee conduct, the People, Culture and Safety team will be engaged to provide the oversight and framework for any relevant investigations and / or employment related matters.</p> <p>The CSR team will also review each child safety incident and subsequent investigation/s and recommend changes to relevant Council policies/procedures where appropriate.</p> <p>This team has the delegation from the CEO to perform these tasks. Further details of the role of this team can be found in the Child Safe Procedure.</p>
<p>Child Safe Steering Committee (CSSC)</p>	<p>Provide governance and oversight to ensure implementation and ongoing compliance with the Child Safe Standards.</p> <p>The CSSC also fulfils Council's legislative obligations under the Child Safe Standards to have appropriate governance arrangements in place to embed an organisational culture of child safety.</p>
<p>Council employees, volunteers, contractors, and students</p>	<ul style="list-style-type: none"> • It is paramount that all employees, volunteers, students, and contractors report any child safety concerns to the child safe incident response team as soon as a reasonable belief is formed. • They must:



Role	Responsibility
	<ul style="list-style-type: none"> ○ Understand and comply with their obligations and responsibilities in relation to child safety under the relevant legislation, this Child Safe Policy and any other relevant Council policies (and also the Employee Code of Conduct). ○ If required under this Policy, ensure that they hold a valid/current/appropriate Working with Children Check and that their details are up to date. ○ Upon commencement with Council and then annually, undertake mandatory training / education associated with Child Safety; and be familiar with related Port Phillip policies and procedures. ○ Interact with all children and young people with dignity and respect, act with propriety, provide a duty of care, and protect all children and young people. ○ Be responsible for continually working towards creating an organisational culture of child safety ○ Promptly report all concerns, once a reasonable belief is formed, regarding children and young people’s safety or harm to relevant authorities, if appropriate, and an appropriate supervisor/line manager. ○ Where a child or young person is in immediate danger call 000. ○ Provide a physically and psychologically safe environment where the wellbeing of all children and young people is nurtured. ○ Assist all children and young people to develop positive, responsible, and caring attitudes and behaviours which recognise the rights of all people to be safe and free from abuse. ● Workforce participants with direct care or supervisory responsibilities for children and young people must disclose prior to occurrence: <ul style="list-style-type: none"> ○ Any paid or unpaid transaction that is planned with a child or young person, their carers or family outside of the Council work setting or any relationship (including online) that develops with children or young people, their carers or family members that are only known through their engagement/employment within Council ● Employees, contractors, and volunteers must also ensure that they: <ul style="list-style-type: none"> ○ promote child safety at all times ○ assess the risk of child abuse within their area of control and eradicate or minimise any risk to the extent possible



Role	Responsibility
	<ul style="list-style-type: none"> ○ ensure as far as reasonably possible that team members take reasonable steps to detect and prevent child abuse ○ report any inappropriate behaviour or suspected abusive activities ○ identify any cultural safety knowledge gaps and seek training ○ familiarise themselves with the relevant laws, Code(s) of Conduct, policies, and procedures in relation to child protection and comply with all requirements.
Contract managers	<p>Council personnel with the responsibility for managing contracts where third parties are engaged to provide services to or on behalf of Council are responsible for ensuring those contractors are:</p> <ul style="list-style-type: none"> • engaged under a contractual agreement which requires them or their workers to hold valid Working with Children Checks, if they would be required to hold a Working With Children Check under this policy, and to comply with this Child Safe Policy and other relevant policies; • provided with this Child Safe Policy; and • compliant with this Policy as part of their contractual agreements with Council.
Agency/labour hire workers	<p>Be aware of and comply with this Child Safe Policy. Keep records regarding Working With Children Checks for relevant workers.</p>
Licence/lease holders	<p>Lessees/licensees of Council facilities are obligated under the lease/licence to conduct their activities at Council venues in accordance with the Child Safe Standards and keep records of Working With Children Checks for relevant workers and/or volunteers where relevant.</p>
Funded organisations (e.g. Council grant recipients)	<p>Be aware of and comply with this Child Safe Policy as part of their funding agreement with Council – except for matters pertaining to the Reportable Conduct Scheme, as individuals employed by funded organisations are not considered Council employees under the Scheme.</p>
People Culture & Safety (PC&S)	<p>In conjunction with Governance and Organisational Performance and Department Managers, PC&S will provide the necessary framework and support to implement screening, supervision, training and other practices that reduce the risk of child abuse by employees.</p> <p>All staff as part of the onboarding process are required to undertake corporate mandatory training including a specific e-learning module on 'Creating a Child Safe Port Phillip' to develop their knowledge</p>



Role	Responsibility
	and increase their skills and confidence relating to responding, reporting, reducing and removing the risk of child abuse. The framework, platform and oversight will be provided by PC&S. Services that meet the threshold for high exposure with children, will undergo further Child Safe training where appropriate.

Working With Children Checks (WWCC)

In compliance with Standard 6 of the Child Safe Standards, all Council officers, employees, volunteers, contractors and grant recipients, who perform child-related work must hold a Working with Children Check. For additional guidance, Council employees are legally required to obtain a WWCC Check under the *Worker Screening Act 2020 (the Act)* if they meet ALL 5 of the following conditions:

1. They are an adult (i.e. aged 18 years and over) engaged in child-related work within the meaning of the Act, including engaging in voluntary work and providing practical training as well as paid employment;
2. They are working at or for one of the services, places or bodies, or in one of the activities listed in the Act;
3. Their work usually involves direct contact with a child or children. Direct contact means physical or face-to-face contact, or written (including postal), oral or electronic communication.
4. The contact they have with children is not occasional direct contact and is not incidental to their work; and
5. They are not otherwise exempt from needing a Check under the Act.

The Executive Leadership Team have mandated:

- all members of the Leadership Network are required to hold a valid WWCC due to the child safety organisational leadership role requirements and the broad remit of a Leadership Network position;
- all emergency relief centre staff are required to hold a valid WWCC due to the nature of the tasks / roles they may need to perform with a high probability of interactions with children.

There may also be other instances when an employee/volunteer may need to hold a WWCC, such as:

- if the work they are performing will have incidental or occasional contact with children – including face to face, written or electronic contact with children; or
- if they will have access to the personal information of children.



In these instances, Council will determine WWCC requirement by completing a risk assessment to measure threshold utilising the Working with Children Check assessment tool.

They will need to hold a Working with Children Check before they are able to perform work or volunteer with Council.

Victorian Institute of Teaching (VIT)

Staff registered with the VIT and are currently employed in a role assessed as requiring a WWCC, **will require** a valid WWCC that **registers City of Port Phillip as the employer**.

Exemptions

- Employees, contractors and volunteers who are under 18 years of age are exempt from the WWC Check.
- Employees, contractors and volunteers who are a Victoria Police Officer or Australian Federal Police Officer are exempt from the WWC Check

Work Experience Supervisors

- Employees do not need a WWC Check if they supervise a student in practical training organised by their educational institution, this includes supervisors of work experience students.

Clinical Placement Students

- Students undertaking clinical placement in the Maternal and Child Health, Immunisation or Early Years Services must have a valid WWC Check prior to commencing placement.

Working with Children Check Results

- A person will not be able to perform child-related work without a Working with Children Check, unless an exemption applies under the *Worker Screening Act 2020* (Vic) as detailed above. A person who works with children at Council has an obligation to inform Council as soon as possible if they receive an exclusion and can no longer perform child-related work.

Working with Children Check Discretionary Requirement

Not every employee or contractor who has contact with children at work requires a WWC Check however Council may direct any other Council officer, employee, volunteer, contractor or grant recipient to obtain a WWC Check, as they deem appropriate, to promote the safety of children. In such instances, the position and reasoning will be risk assessed.

Disciplinary Action

Disciplinary action may be taken against any person who fails to hold a Working with Children Check, as required by this policy and/or the *Worker Screening Act 2020* (Vic), or who is issued with an exclusion and who fails to immediately disclose this exclusion.



Working with Children check register

Council will maintain a register of all staff with City of Port Phillip Working with Children Checks and each person must disclose the relevant information regarding their check to Council as soon as possible.

For more detailed information, please refer to our WWCC Procedure (refer attachment 2 – noting procedure will be linked in final version on intranet)

Compliance

Council's aim is to create an organisation with an embedded culture of Child Safety, where children's safety is promoted, and child abuse and misconduct towards children is prevented. All people to whom this policy applies must adhere to this policy at all times. Non-compliance may also constitute a breach of employment or contractual obligations, misconduct, harassment, discrimination or some other contravention of the law. Failure to comply with the requirements under the Child Safe Standards or this policy may be dealt with in accordance with Council's disciplinary procedures, which may include suspension, termination of employment and /or referral to Victoria Police where applicable.

Council will ensure the securing and safe handling of sensitive information is maintained in accordance with our Privacy Policy.

Risk Management

Identifying and mitigating child safety-related risks is a core component of being a child safe organisation. Child safety risks come in many forms, including environmental, operational and cultural risks. The level and type of risk varies across the organisation and can change over time. Council will annually review child safety risks to continue to promote a culture of continuous improvement and to identify new / emerging risks and support ongoing appropriate management of existing child safety risks.

Recruitment Council will continue to implement screening, supervision, training and other practices that reduce the risk of child abuse by employees.

Council's recruitment process includes a statement of commitment to child safety in all job advertisements, inclusion of child safe questions for pre-interview screening, interview and referee checks and the requirement of a valid Working with Children Check (where required) before commencement.

All staff as part of the onboarding process are required to undertake corporate mandatory training including a specific e-learning module on 'Creating a Child Safe Port Phillip' to develop their knowledge and increase their skills and confidence relating to responding, reporting, reducing and removing the risk of child abuse.

Council complies with all relevant regulatory and legal requirements when recruiting to ensure children are not placed at risk.



Reporting and responding to child safety concerns

All matters that could reasonably be reportable conduct must be reported to the Incident Response Team.

If a child is in immediate danger the Police should be called: 000.

All staff must comply with legal requirements and adopted processes for responding to and reporting suspected reportable conduct.

For more information, please read the **Child Safe Reporting Procedure** or contact the Child Safe Helpdesk on helpchildsafestds@portphillip.vic.gov.au.

Adults, children or young people can also make initial contact with the City of Port Phillip's Customer Service team through ASSIST, and request to speak with a member of the Internal Response Team or by emailing helpchildsafestds@portphillip.vic.gov.au.

Cultural Safety for Aboriginal and Torres Strait Islander children

The Victorian Child Safe Standards highlight the need for organisations to create a culturally safe environment, where the diverse and unique identities are celebrated, and experiences of children are respected and valued.

We firmly commit to the cultural safety of Aboriginal and Torres Strait Islander families, children and young people. We commit to supporting Aboriginal and Torres Strait Islander people to feel safe and respected in their community, culture and values. We commit to supporting their connection to land and spiritual beliefs.

In meeting compliance with Child Safe Standard 1, Council ensures:

- Our policies, procedures and processes will together create a culturally safe and inclusive environment and meet the needs of Aboriginal and Torres Strait Islander children, young people and their families.
- A child's ability to express their culture and enjoy their cultural rights is encouraged and actively supported by all staff and volunteers.
- Participation and inclusion by Aboriginal and Torres Strait Islander children, young people and their families in our facilities, services and activities are supported and facilitated.
- Council's Equal Opportunity, Discrimination, Harassment and Bullying Policy reflects a zero tolerance or any form of discrimination, bullying or harassment. The Policy contains an internal complaint resolution procedure.



Children's diversity and inclusion

Council will promote the inclusion and cultural safety of those from diverse backgrounds and will pay particular attention to the needs of children and young people living with a disability, or from a CALD background, those living out of home, including street kids and all LGBTQIA+ children.

Council commits to promoting equity and respect within the organisation's workplace culture through raising awareness and advocacy. The diverse needs of all children and young people are respected in our policies and practice.

Children's participation and empowerment

To create an empowering child safe culture, and in accordance with Child Safe Standard 3 – incorporating the voices of children and young people in the decisions that impact them, the Youth Advisory Committee were consulted to ensure this policy reflects what safety means to our youth. We heard that safety for these young people is about feeling heard, valued, respected, and protected within their social and physical environments. It encompasses emotional and physical security, trust, inclusivity, and support networks.

Council will aim to ensure:

- reporting procedures are accessible for all children and young people.
- children and young people understand their rights and understand what abuse is and how they can seek support or advice (in an age-appropriate manner).
- children feel safe, heard, empowered and taken seriously if they raise concerns.
- children feel empowered to contribute to the City of Port Phillip's understanding and treatment of child safety.
- children's reports of concern are responded to promptly and appropriately.
- staff and volunteers understand how to empower children and encourage their participation.

Continuous improvement

Council will continuously improve its approach to child safety by:

- Continually working to embed an organisational culture of child safety and reporting by meeting responsibilities outlined in the Child Safe Standards Action Plan.
- Regularly reviewing and updating child safety policies, the Child Safe Standards Action Plan and practices.
- Being open to scrutiny through inviting feedback from stakeholders, community and families.
- Reviewing organisational responses following an incident and reviewing forums for sharing with the public and embedding changes where applicable.
- Developing procedures to monitor internal compliance with the Child Safe Standards.



Review of this policy

This policy will be reviewed in June 2028 or earlier in response to updated legislation or requirements.

Feedback, views and comments are regularly sought through a range of forums from key stakeholders, including children and young people. This will be included in any updates and reviews as appropriate.

Any policy update will be communicated to all staff.

Consequence of breaching this policy

Breaches of this policy may lead to action in accordance with the City of Port Phillip Disciplinary Policy, which may include suspension, termination of employment and/or referral to Victoria Police and/or the CCYP.

Relevant policy, regulations or legislation

For more information on Legislation and Criminal offences please visit: <https://www.legislation.vic.gov.au>

Legislation (Victoria)	<p>Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021</p> <p>Children, Youth and Families Act 2005 (as amended 2014)</p> <p>Child Wellbeing and Safety Amendment (Oversight and Enforcement of Child Safe Standards) Act (2016)</p> <p>Child Wellbeing and Safety Amendment (Child Safe Standards) Regulations (2015)</p> <p>Commission for Children and Young People Act (2012)</p> <p>Crimes Act (1958)</p> <p><i>Crimes Amendment (Grooming) Act (2014)</i></p> <p>Privacy and Data Act (2014)</p> <p>Victorian Child Safe Standards Victorian Reportable Conduct Scheme</p> <p>Worker Screening Act (2020)</p> <p>Wrongs Act 1958 (Vic) (specifically, Part XIII – Organisational liability for child abuse)</p>
Criminal offences	<p>Failure to protect a child from sexual abuse (2015)</p> <p>Failure to disclose child sexual abuse (2014)</p> <p>Grooming offence (2014)</p>
City of Port Phillip policies	<p>City of Port Phillip Reconciliation Action Plan</p> <p>Councillor Code of Conduct</p> <p>Employee Code of Conduct</p>



	Complaints Handling Policy Children’s Services Policy Information Privacy Policy Procurement Policy Recruitment and Selection Policy Risk Management Policy Social Media Policy Volunteer Management Policy
Breaches	Council will enforce this policy and the relevant Volunteer and Employee Codes of Conduct. Following any breaches by employees, contractors or volunteers, Council will follow the Disciplinary Code, which may include suspension, termination of employment and/or referral to Victoria Police.
Other	Victorian Charter for Child Friendly Cities and Communities United Nations Convention on the Rights of the Child

Appendix 1 - Working with Children Check assessment tool

The City of Port Phillip is a child safe organisation and is committed to the safety and wellbeing of children and young people by ensuring best practice delivery of services to the children and young people who live, study or visit the City of Port Phillip. The Working with Children Check (WWCC) is one of the safety measures Council has in place to protect children from harm. The WWCC is just one part of creating and maintaining a child safe environment.

This tool was developed to assess positions against criteria relating to the level of contact with and/or access to children and young people and/or access to information about children and young people. In some cases, positions are assessed as requiring a WWCC due to work being carried out on premises that require all visitors to hold a current WWCC, for example, schools or childcare centres.

When should this tool be used and who should complete the assessment?

All positions were assessed against these criteria in early 2019. When any of the following occurs, please re assess the position using the assessment tool:

- a new position description is being developed because of significant changes to a role
- advertising a position – internally or externally
- newly created role

The assessment tool should be used by all hiring managers to assist with identifying the positions with WWCC requirements. Hiring managers will be asked to confirm this process has been completed and recorded when submitting a request to recruit.



All hiring managers have a responsibility to ensure all positions have been correctly assessed and position descriptions have been updated accordingly. Completed assessments are to be stored in relevant team's recruitment folders for future reference.

The Working with Children Check procedure provides additional information on obtaining and maintaining WWCC.

If you require assistance with this procedure, please contact Council's Child Safety Officer:
Helpdesk - Child Safe Standards helpchildsafestds@portphillip.vic.gov.au



[Appendix 1 – Working with Children Check](#)

Working with Children Check assessment tool				
Position title: Please store a copy of completed assessment form in team recruitment file for future reference.				
Does the position involve a HIGH level of interaction with children and young people or identifying data/ images? Position activities, including activities highlighted below, involves or is likely to involve direct & regular contact with children and young people as part of normal duties.		Does the position involve a MODERATE level of interaction with children and young people or identifying data /images? Position activities, including activities highlighted below, involves or is likely to involve occasional direct contact with children and young people.		Does the position involve LOW level of interaction with children and young people, where the positions activities are insignificant, indirect, minor, incidental, unlikely, not a part of regular duties?
Assessment Criteria	Yes /No	Assessment Criteria	Yes /No	N/A
Legislated occupational field as defined by Department of Justice.		Visiting premises, during operational hours, that provide services to children and young people.		
Direct contact with children and young people, inc. face-to-face, physical and oral, written or electronic communication.		Supervision of volunteers, work experience or placement students under the age of 18.		
Work in service/facilities for children and young people or where children and young people attend unsupervised by their parent/ guardian.		Carry out duties at other premises/locations where children and young people may be present/are likely to attend, i.e. service centres, parks, playgrounds, residential setting		
Facilitate or work at events/activities for children and young people or where children and young people are likely to attend.		Community consultation involving children and young people, including data collection, surveying and training.		
Attend camps/excursions involving children and young people.		Volunteering for Council events/activities where children and young people are likely to present.		
Work with vulnerable children and young people		Community emergency response services		
Visiting clubs, associations, cultural, recreational or sporting activities for children and young people or where children and young people are likely to attend.		Any other duties where environmental/ situational risks could contribute to opportunistic offending; and/or where a position of influence/		



Visiting or providing programs to external services for children and young people, i.e. schools, community services		power could be exercised/exploited.		
Visiting a child or young person's home *Also consider visiting homes of adult clients where children are likely to be present.				
Taking/managing/access to images of children and young people				
Access to children's identifying information/data, inc. administrative access to systems that contain/store this information.				
If yes to any of the above: Requires a Working with Children Check		If yes to any of the above: Requires a Working with Children Check	Does <u>not</u> require a Check	

Examples:

Position: *Application Support Analyst*: role - system administrator for FYC systems.

Assessment – **High level** interaction, normal part of duties - has access to children and young people's identifying information on a regular basis. **Does require a WWCC**

Position: *Local Laws Officer*: Local Laws officers patrol the City and ensure that the local amenity and safety of residents, traders and visitors is looked after.

Assessment: **Moderate level** interaction that involves or is likely to involve **occasional direct contact** with children or young people or identifying data while visiting a service or carry out duties at another premises where children and young people may be present. **Does require a WWCC**

Position: *Litter Bin Collector*.

Assessment – contact with children and young people would be **indirect, minor and not part of regular duties**. **Does not require a WWCC**