



Child Safety & Wellbeing Policy

(ReM # A5469654)

1. Purpose

Frankston City Council (Council) has an obligation to ensure the safety and wellbeing of children. Council is committed to creating and maintaining an environment where all children are empowered, have opportunities to participate and are protected from harm and abuse.

This Policy supports Council's compliance with the Child Safe Standards under the *Child Wellbeing and Safety Act 2005* (Vic) and Council's overarching commitment to empowering children and young people, promoting access and participation, preventing child abuse, and protecting children who have been harmed or are at risk of harm.

2. Scope

This policy applies to the CEO, Councillors, and all those 'deemed employees' for the purposes of this policy. This includes all employees, contractors, volunteers, labour hire and agency staff, secondees and adult work experience students of Council. This includes all staff, irrespective of their role or whether they work directly with children or not. There are no exclusions to the application of this policy for staff.

3. Authorisation

This is an administrative policy and falls under the authority of the CEO. This Policy is managed by the People and Culture Department, and is approved by Frankston City Council's Chief Executive Officer (CEO):

A handwritten signature in blue ink, appearing to read "Phil Cantillon".

Phil Cantillon

CEO, Frankston City Council

Date: 24th March 2025

4. Policy

4.1. Statement of Commitment to Child Safety

Council has zero tolerance for child abuse. Council is committed to creating and maintaining a child safe environment where all children are valued and protected from harm and abuse and will promote a whole of community approach to keeping children safe.

All children, who attend services, programs, events, and spaces (including online environments) that are delivered, owned, or managed by Council, have the right to be heard, to participate and feel safe regardless of their, or their families', age, gender, race, ability, health, religious beliefs, sexual orientation, or social background. Council will encourage and support Aboriginal children to express their culture and enjoy their cultural rights and commits to creating culturally safe environments.

Council will actively facilitate the voices of children in Council planning, the design and delivery of services, programs, and events and in the management of facilities. Council's priority is to involve children in opportunities to influence matters that affect them as active citizens in their community.

Council will treat all reports of child safety concerns seriously and will actively encourage children to raise such issues.

4.2. The Child Safe Standards

Council is committed to developing and continuously strengthening a child safe culture through its obligation to comply with The Child Safe Standards as legislated by The *Child Safety and Wellbeing Act 2005* (VIC). More information on the standards can be found here [Child Safe Standards and Policy - Grapevine](#)

4.3. Empowerment and Participation

Council is committed to empowering children and young people to uphold their human right to participate in decision-making that affects them. Council will achieve this by:

- ensuring children and young people are informed about their rights, including to safety, information, participation, support and complaints
- engaging children in a meaningful way which is reflected through The National Framework for Protecting Australia's Children 2021 - 2031 and follows Frankston City Council's Community Engagement Policy
- encouraging the voice of children and young people in organisational planning, delivery of services, programs and events, procedures, and management of facilities
- enhancing the skills of Frankston City Council staff to collaborate with children, young people and families in an ethical and genuine way

4.4. Diversity, Inclusion and Cultural Safety

Frankston City Council creates accessible, equitable, inclusive, workplaces, facilities and services for all children. Council recognises the increased vulnerabilities and overlapping forms of discrimination experienced by some children due to characteristics (such as age, disability, ethnicity, gender, cultural identity, sexual orientation, religion and placement in out of home care). Consequently, we pay particular attention to the needs of children with these characteristics.

Council does this by:

- aligning with the principles of universal design, access, equity
- providing avenues for children, their families and care givers to identify their individual needs and making reasonable accommodations to support participation by all children
- having zero tolerance to racism and discrimination
- committing to targeted action to establish and continuously improve cultural safety for Aboriginal and Torres Strait Islander children and their families and caregivers, supporting them to participate in the organisation fully, express their culture and enjoy their rights as set out in Council's Reconciliation Action Plan

4.5. Recruitment

Council puts child safety and wellbeing at the centre of recruitment processes and has effective screening tools to assist the recruitment of suitable employees, agency staff volunteers and contractors to minimise the risk of engaging workforce members who commit child abuse.

Council's recruitment process includes our Statement of Commitment to Child Safety in all job advertisements, inclusion of child safe questions in interviews, thorough referee checks and the requirement of holding a valid Working with Children Check and Police Check on commencement. Council requires all staff to have appropriate qualifications for their role and checks to make sure these qualifications are valid.

4.6. Ongoing Workforce Management, Training and Support

Council is responsible for ensuring that appropriate behaviour with children is clearly defined and expectations are understood and accessible to all employees and volunteers. These expectations are detailed in Council's Code of Conduct.

Council's Learning and Development Policy ensures all staff receive training to understand their responsibilities in relation to child safety. This training meets legislative requirements set out in The Child Safe Standards. Additional child safety workshops are provided to employees and volunteers who engaged in direct contact roles. Refresher workshops will be delivered every two years at a minimum.

Ongoing supervision and support are provided to employees via annual Performance and Development Plans, to ensure compliance with the Child Safe Policy, Child Safe Standards

and to increase capacity to establish and maintain a culture of child safety. Some direct contact staff will receive more intensive supervision and support relevant to their role.

Council will ensure that licences and checks, including Working with Children's Checks (WWC), are maintained by all employees and volunteers and will conduct regular status checks to ensure validity of WWC as detailed in police and Working with Children's Check Policy.

4.7. Complaints

Council encourages and welcomes the reporting of complaints and concerns related to the safety and wellbeing of children. Council prioritises a child focused complaint handling system where it responds to complaints promptly, thoroughly, and fairly.

Council's Complaint Handling Policy includes information about how to make a complaint and how complaints are managed. Easy-to-understand and accessible resources are made available to children, families and the community that detail the complaint process and the supports available to those making a complaint or involved in the complaint process.

If a complaint includes an allegation of child abuse or harm, all who this policy applies to are required to report in accordance with the Child Safety Reporting Procedure and must prioritise children's safety in any response. The Complaint Handling Policy, and Disciplinary Policy outline actions staff may be subject to in order to keep children safe.

All complaints made by a child or about a child will be taken seriously and properly investigated with emphasis placed on procedural fairness.

Council maintains full and accurate records about complaints involving children in line with legislative requirements.

4.8. Risk Management

Council recognises the importance of identifying, managing and mitigating risks of child abuse to children in the physical and online environments owned and operated by Council. Council also acknowledges its obligation and responsibilities extend to include the risks associated with the use of independent contractors, labour hire /agency staff, volunteers and associations with third-party organisations and entities.

Risk assessments and risk management strategies will identify and mitigate the risk to children and young people, with a central focus on activities considered high risk due to the direct contact with children or young people. Relevant risk management activities are incorporated into Service Plans to ensure that policies and procedures address all Child Safe Standards and to ensure that such policies and procedures are documented and easy to understand.

Risks to child safety that are identified through complaints, reports or allegations of abuse will be reviewed and inform continuous improvement activities.

4.9. Reporting of child abuse and children at risk of harm

Council is committed to establishing and maintaining robust child safety report management processes to ensure child safety is prioritised. All Councillors, staff and volunteers irrespective of their involvement in child related work, on forming a reasonable belief that a child is at risk of harm or has been harmed are required to report their concerns through Council's Child Safe Reporting Procedure. Some staff will have additional reporting requirements in line with Mandatory reporting laws.

4.10. Disclosure of Information and Record keeping

All personal, sensitive and health information collected during the process of a report or investigation will be handled in accordance with Council's privacy obligations legislated through The Children Youth and Families Act (2005) and the Health Privacy Principles. Council is permitted to disclose a person's sensitive, personal or health information only in certain circumstances. Any disclosure of a person's information must comply with Council's Privacy Policy.

Council is committed to best practice when securely maintaining confidential records of Reportable Allegations. Records which may assist with the investigation of a complaint or safety concern will be identified and kept as part of the record of an investigation. Records will be kept even if an investigation does not substantiate a complaint. Council will record and keep the outcome of any investigations, and the resolution of any complaints. This includes findings made, reasons for decisions and actions taken. The Reportable Conduct Team is responsible for ensuring that records are managed in accordance with this Policy and data security and confidentiality requirements.

5. Roles and Responsibilities

All Councillors, the CEO, employees, volunteers, agency and labour hire staff, contractors, and work experience/work placement students and volunteers irrespective of their involvement in child related work must comply with this policy.

5.1. Councillors

Councillors are responsible for providing leadership for the good governance of Council by acting as a responsible civic leader in fostering and developing a child safe organisation that has a culture of zero tolerance for child abuse. Councillors will advocate in the best interests of children to create and sustain a community where children are empowered, participate and are safe and protected from abuse.

Councillors are also subject to this policy alongside the broader obligations in the prescribed standards of the Model Councillor Code of Conduct.

5.2. CEO

The CEO is responsible for driving cultural change and ensuring Council has zero tolerance for child abuse and a culture where protecting children from risks of child abuse or harm to a child is embedded in the everyday thinking and practice of all staff across Council. The CEO (or delegate) will ensure:

- all Councillors, employees, agency staff and volunteers are supported to undertake their roles and responsibilities in a way that focuses on child safety and transparency
- child safety is addressed at the strategic level, including the ongoing engagement of key stakeholders in the development, implementation, and review of child safe strategies
- governance level policies are appropriate, relevant, understood and regularly reviewed, in line with organisational processes and ensure they are implemented across Council and demonstrate how council is safe for children
- effective leadership by championing child safe practices both internally and externally, that ensure Council is safe for all children
- that all Councillors, employees, agency staff and volunteers understand their obligations to prevent, detect and report child abuse
- that all Councillors, employees, agency staff and volunteers are aware of relevant laws, Council policies and procedures and the Code(s) of Conduct
- that investigations are carried out into Reportable Allegations in accordance with the *Child Wellbeing and Safety Act 2005 (Vic)*
- that the Commission for Children and Young People and other co regulators are notified and kept informed of Reportable Allegations, investigations and findings involving employees or volunteers

5.3. Executive Management Team and Managers

The Executive Management Team and all Managers are responsible for supporting the CEO in creating a Child Safe Organisation and embedding a culture of zero tolerance for child abuse. This will be achieved by ensuring:

- council has robust child safeguarding practices in place that protect children from child abuse or harm
- effective support and training is provided to employees, agency staff and volunteers in undertaking their role in preventing, recognising, responding and reporting child abuse or harm to children
- reportable Allegations are reported to the Commission for Children and Young People and other relevant co regulators and investigated fully
- promoting the importance of acknowledging and appreciating the strengths of Aboriginal culture and its importance to the wellbeing and safety of Aboriginal children to employees, contractors and volunteers
- promoting the importance of empowerment and participation of children within council and ensuring children's voices are heard in all decisions effecting them
- supporting staff to identify barriers to participation and ensuring reasonable accommodations to support participation by all children are made

- having oversight of complaints raised and ensuring governance systems allow reviews of how complaints were handled to provide quality assurance
- assess the risk of child abuse within their area of control and eradicate or minimise any risk to the extent possible
- ensure as far as reasonably possible that team members take steps to detect and prevent child abuse

5.4. Employees, agency staff, labour hire and volunteers

Council has clear and well-established behavioural expectations of all employees, agency staff and volunteers and clear standards of behaviour guiding how we engage with children. All employees, agency staff, labour hire and volunteers at Council are responsible for ensuring the safety, participation, wellbeing and empowerment of children while undertaking their roles. All employees, agency staff, labour hire and volunteers are aware of and must abide by Council's relevant Code(s) of Conduct.

Employees, agency staff and volunteers must also ensure that they:

- promote child safety at all times
- promote participation and empowerment of children
- promote the cultural safety of Aboriginal and Torres Straight Islander children and children with culturally and/or linguistically diverse backgrounds and identify any cultural safety knowledge gaps and seek training
- remain aware of children with additional vulnerabilities or barriers to participation within the service and ensure all reasonable accommodations are made to facilitate participation and promote safety
- cooperate in assessing the risk of child abuse within their area of work and appropriately escalate concerns
- report any inappropriate behaviour, child related misconduct or suspected abusive activities
- familiarise themselves with the relevant laws, Codes of Conduct, policies and procedures in relation to child safety and comply with all requirements
- comply with all additional reporting obligations that are specific to their role

5.5. Child Safe Committee

Council has established the Child Safe Committee to assist in identifying ways to strengthen child safety within Council and ensure Council's leadership team remains aware of the implementation of the Child Safe Standards. The Child Safe Committee provides governance around the implementation of the Child Safe Standards and other activities that contribute to the development of Council as a Child Safe Organisation as set out in the Child Safe Committee Terms of Reference.

5.6. Reportable Conduct Team

The Reportable Conduct Team ensures compliance with The Reportable Conduct Scheme and with relevant legislation, particularly the *Child Wellbeing and Safety Act 2005 (Vic)* and *The Crimes Act 1958*. The Reportable Conduct Team oversees Council's reporting requirements and has specific delegation from the CEO to manage Reportable Conduct Allegations.

6. Policy non-compliance

Non-compliance with this Policy has the potential to constitute a breach of employment or contractual obligations, misconduct, harassment, discrimination or some other contravention of the law (such as the *Child Wellbeing and Safety Act 2005 (Vic)* or the *Children, Youth and Families Act 2005 (Vic)* or *The Crimes Act 1958 (Vic)*).

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

7. Definitions

Child: A person under the age of 18 years. Also referred to as young person.

Child abuse: all forms of physical and/or emotional ill treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power. Perpetrators may include other children. Behaviours may be intention or unintentional and can include acts of omission (neglect).¹

Child related work (high risk, direct contact work): work which usually involves (or is likely to involve) direct contact with a child, irrespective of whether that contact is supervised or not, and in any of the child related occupational fields listed in the Act.²

The definition of direct contact includes oral, written, or electronic communication as well as face to face and physical contact.

Child Safe Organisation: an organisation that creates a culture, adopts strategies, and takes action to promote child wellbeing and prevent harm to children and young people. Organisations that provide services or facilities for children must by law implement the Child Safe Standards.

Child Safe Standards: established under the *Child Wellbeing and Safety Act 2005 (Vic)*. 11 standards expressed as a statement linked to compliance activities that child safe organisations must achieve to protect children and young people from harm and abuse.

Cultural safety: an environment which is spiritually, socially and emotionally safe, as well as physically safe; where there is no assault, challenge, or denial of one's identity, of who they are and what they need. For children, cultural safety means welcoming children and their families, supporting them to express their culture and enjoy their rights.

¹ The World Health Organisation (WHO 2006, P.9)

² The Worker Screening Act 2000

Employee: all persons deemed employee for the purposes of this policy include paid employees, agency and labour hire staff, contractors, secondees, adult work experience/work placement students and volunteers irrespective of their involvement in child related work.

Mandatory reporting: legal requirement for certain professionals to report a reasonable belief of child physical or sexual abuse to child protection authorities.

Reportable conduct: Behaviour by an employee of a Child Safe Organisation that constitutes a sexual offence, sexual misconduct or physical violence committed against, with or in the presence of a child. Behaviour causing significant emotional or psychological harm to a child. Significant neglect of a child, or misconduct involving any of the above. Reportable conduct can be intentional or reckless on behalf of the adult and also covers conduct that occurs within the employee's personal life outside of the workplace.

8. Related documents

- Appropriate Workplace Behaviour Procedure (A4673168)
- Child Safety Reporting Procedure
- Child Safe Committee Terms of Reference
- Code of Conduct (A5013000)
- Complaint Handling Policy (A4609498)
- Model Code of Conduct [Documents available for public inspection - Frankston City Council](#)
- Disciplinary Policy (A4664325)
- General Terms and Conditions of Employment (A3189770)
- Municipal Early Years Plan 2021-2025 [Municipal Early Years Plan \(2021 - 2025\) - Frankston City Council](#)
- Police and Working with Children Check Policy (A4719518)
- Privacy Policy (A5053688)
- Recruitment and Selection Policy (A5054471)
- Reportable Conduct Team Terms of Reference
- Risk Management Policy (A4665990)
- Volunteer Policy (A4934450)

Supporting legislation

- *Charter of Human Rights and Responsibilities Act 2006* (Vic)
- *Child Wellbeing and Safety Act 2005* (Vic)
- *Child Safe Standards 2017* (Vic)
- *Children, Youth and Families Act 2005* (Vic)
- *Convention on the Rights of the Child 1989*
- *Crimes Act 1958* (Vic)
- *Declaration on the Rights of Indigenous Peoples 2007*
- *Equal Opportunity Act 2010* (Vic)
- *Health Records Act 2001* (Vic)
- *International Covenant on Civil and Political Rights 1976*

- *Privacy and Data Protection Act 2014* (Vic)
- *Public Records Act 1973* (Vic)
- *Racial and Religious Tolerance Act 2001* (Vic)
- *Worker Screening Act 2020* (Vic)

9. Implementation of the Policy

This Policy (in conjunction with other Related Documents) will be implemented on authorisation and incorporated into key decision-making processes and operating procedures of Council.

10. Document History and Revision

This document will be reviewed every three years or sooner if required due to organisational or legislative changes.

Date approved	Change type	Version	Next review date
3 April 2017	New	1	March 2019
30 March 2020	Revised	2	March 2022
11 July 2022	Revised	3	December 2022
12 December 2022	Revised	4	December 2024
11 March 2025	Revised	5	March 2028