



Child Safe Policy

Adopted: 4 February 2026



Child Safe Policy

1. LEGISLATIVE REQUIREMENTS

The Children's Guardian Act 2019.

2. PURPOSE/OBJECTIVES

2.1 Liverpool City Council (Council) is required to adopt a Child Safe Policy to demonstrate compliance with the Children's Guardian Act 2019. The purpose of this Policy is to ensure Council:

- Protects, respects and promotes the safety, health, and wellbeing of children.
- Demonstrates leadership in becoming and maintaining a Child Safe Organisation.
- Builds a workforce committed to child protection through work practices designed to ensure that services are provided to children in a safe and caring environment.
- Meets its reporting obligations when children and young people may be at risk of significant harm.
- Conducts a fair and transparent investigation of allegations of inappropriate conduct by workers.
- Selects and maintains a workforce comprising of persons suitable for child related work.
- Implements best practice approaches to child protection across all services and facilities.
- Meets obligations from the Royal Commission into Institutional Responses to Child Sexual Abuse (2017) that impact local government.
- Reports annually to Council on compliance with the Child Safe Standards and relevant legislation.

DEFINITIONS

Unless the context permits otherwise, these terms have the following definition:

Allegation: A claim of reportable conduct or of potential misconduct that may involve reportable conduct. Allegations may be written or verbal, and may be anonymous.

An allegation may relate to:

- A current worker or a person that was a worker at the time of the conduct forming the basis of the allegation.
- A child or young person at the time of the alleged behaviour. The alleged victim may be an adult now and the alleged behaviour may have occurred years before.

Applicable Child-Protection Legislation: Includes the following (as may be amended from time to time):

- a) Children & Young Persons (Care & Protection) Act 1998 (NSW)

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- b) Ombudsman Act 1974 (NSW)
- c) Child Protection (Offenders Registration) Act 2000 (NSW)
- d) Child Protection (Working With Children) Act 2012 (NSW)
- e) Child Protection (Working With Children) Regulation 2013 (NSW)
- f) Criminal Legislation Amendment (Child Sexual Abuse) Act 2018

Child / Children: Anyone under 18 years old. For the purposes of this Policy, references to “young people” or “young person” will be taken to be a reference to a Child.

Child Abuse / Abuse: A term used to refer to different types of harm or maltreatment. In this Policy it refers to types of harm or maltreatment that Children experience, including physical harm, sexual assault, exposure to domestic violence, psychological harm and prenatal risks.

Child Safe Organisation: An organisation in which Child safety is embedded in planning, policy and practices and where the voices of Children are valued and actioned.

Child Safe Standards: The Child safe standards recommended by the Royal Commission to make organisations across the country safe for Children (also known as the National Principles for Child Safe Organisations).

Children’s Services: Has the same meaning given to it in section 27(4) of the *Children and Young Persons (Care and Protection) Act 1998* (NSW).

Child-Related Work: Paid or unpaid work involving direct contact by a worker with children as defined in the Applicable Child-Protection Legislation (including but not limited to mentoring and counselling services; child protection services; health care, education and child care services; sporting, cultural or entertainment venues; transport services). See section 5 of the Child Protection (Working with Children) Act 2012 (NSW).

Commission: Commission for Children and Young People.

Conviction: A charge proven in court and recorded as such, including a finding that the charge for an offence is proven, or that the person is guilty of an offence, even though the court does not proceed to a conviction.

Disciplinary action: means steps taken against a worker for improper or unauthorised conduct by Council, the Commission or by a professional body that supervises the professional conduct of the worker. In the event that a worker is found to have engaged in misconduct, they may be subjected to punishment in the form of a caution, a written warning, suspension or termination of their engagement by Council.

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Finding of Misconduct Involving Children: is defined in accordance with the Applicable Child Protection Legislation and includes a finding of misconduct (by Council or other authoritative body) following an investigation, regarding:

- Sexual misconduct committed against, with or in the presence of a child, including grooming a child;
- Any serious physical assault of a child (See Child Protection (Working with Children) Act 2012 (NSW))

Investigation: A preliminary or full inquiry into, or examination of an alleged matter such as a Reportable Allegation, Reportable Conduct or Reportable Conviction.

Mandatory Reporters: Persons to which section 27 of the *Children and Young Persons (Care and Protection) Act 1998* (NSW) applies. Mandatory Reporters are persons who, in the course of their professional work or other paid employment deliver health care, welfare, education, Children's services, residential services, or law enforcement, wholly or partly, to Children. It also includes people who hold a management position in an organisation, the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, Children's services, residential services, or law enforcement, wholly or partly, to Children.

Neglect: A term used to refer to a pattern characterised when a parent or caregiver cannot regularly provide a Child the basic requirements for his or her own growth and development such as food, clothing, shelter, medical and dental care, adequate supervision and adequate parenting and care.

Risk of Significant Harm (ROSH): A concern about a child or young person that is serious enough to require a response by a statutory authority, regardless of whether the family consents. ROSH is not minor or trivial; it involves concerns that could reasonably be expected to have a substantial negative impact on a child's safety, welfare, or wellbeing. It may result from a single incident, an ongoing situation, or a pattern of behaviour or neglect.

Under section 23 of the *Children and Young Persons (Care and Protection) Act 1998* (NSW), a child or young person may be considered at ROSH if:

- Their basic physical, emotional, or psychological needs are not being met, or are at risk of not being met.
- Their parents or caregivers are unable or unwilling to provide necessary medical care.
- They are not receiving an education as required by law, and parents or caregivers are unable or unwilling to arrange this.
- They have been, or are at risk of being, physically or sexually abused or ill-treated.
- They live in a household where domestic violence occurs, placing them at risk of serious physical or psychological harm.
- A parent or caregiver's behaviour has caused, or is likely to cause, serious psychological harm.

The **NSW threshold for reporting child protection concerns** is when a child or young person is suspected to be at **Risk of Significant Harm**. Concerns must be reported to the Department of Communities and Justice (DCJ) Child Protection Helpline.

Royal Commission: Means the Royal Commission enquiry into Institutional Responses to Sexual Abuse (2017). In 2012, Australian Government announced the establishment of the Royal Commission. The

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report made several recommendations to government and non-government organisations to keep Children safe.

UN Convention on the Rights of the Child: A human rights treaty ratified in 1989 by the UN General Assembly of which Australia is a signatory, espousing its committed to keeping Children everywhere safe, happy and healthy.

Worker: Any person who is engaged in work in any of the following capacities:

- a) as an employee (paid or unpaid), person akin to an employee
- b) as a contractor or sub-contractor
- c) as a volunteer
- d) as a person undertaking practical training as part of an educational or vocational course (other than as a school student undertaking work experience).

WWCC: Working with Children Check clearance issued by the Children's Guardian under the *Child Protection (Working with Children) Act 2012* (NSW). A WWCC is a requirement for anyone who works or volunteers in child-related work in NSW. The clearance check provides either clearance to work with Children for 5 years, or prohibits people who pose an unacceptable risk from working with Children.

3. POLICY STATEMENT

Council is committed to creating a City that is child safe and child friendly. Council supports and acknowledges the capacity, agency and voices of children and aims to build on their existing strengths to achieve change. Council values and supports the rights of children and is committed to support all children living in its jurisdiction to reach their full potential. Safeguarding children is everyone's business, including Councillors, Executive and Management team, Council staff, volunteers, students, contractors and sub-contractors.

4. INTRODUCTION

- 4.1 This Policy guides Council staff (paid and volunteer) on how to behave when interacting and engaging with Children in the workplace. The Policy focuses on ways in which Council can build and maintain a Child safe environment which is inclusive, transparent and promotes meaningful participation for Children.
- 4.2 Council is committed to upholding the rights of children and ensuring their care and protection. In NSW, keeping children safe is a shared responsibility involving parents, families, the wider community, and both government and non-government organisations. Council maintains a **zero tolerance approach to child abuse**. All Council staff, volunteers, students, contractors, sub-contractors, and partner organisations share a responsibility to remain vigilant, prevent harm, and take immediate and appropriate action in response to any concerns that a child may be at Risk of Significant Harm.

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- 4.3 Council adopts the Child Safe Standards from the NSW Office of the Children's Guardian and the Royal Commission Final Report Recommendations (2017) relevant to Local Government, including the Child Safe Standards.

5. CHILD SAFE STANDARDS

Council is committed to keeping children safe by putting in place procedures and practices to meet the following Child Safe Standards:

1. Child safety is embedded in institutional leadership, governance and culture;
2. Children participate in decisions affecting them and are taken seriously;
3. Families and communities are informed and involved;
4. Equity is upheld, and diverse needs are taken into account;
5. People working with children are suitable and supported;
6. Processes to respond to complaints of child sexual abuse are child focused;
7. Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training;
8. Physical and online environments minimise the opportunity for abuse to occur;
9. Implementation of the Child Safe Standards is continuously reviewed and improved; and
10. Policies and procedures document how the institution is child safe.

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6. CHILDREN'S PARTICIPATION

6.1 Council supports active participation of Children in the programs, activities and services that Council offers. Council encourages and engages Children through a number of mechanisms including:

- 2168 Children's Parliament;
- Liverpool Youth Council;
- Libraries;
- Community facilities;
- Recreation and leisure centres;
- Liverpool Powerhouse
- Early Education and Care Centres and Preschools.

6.2 These mechanisms encourage Children to participate in decisions affecting their lives. Through Children's Parliament and Youth Council children are able to raise concerns about matters of importance to them and advocate for change to Council, National Children's Commissioner, Federal Member for Werriwa and NSW Advocate for Children and Young People. Council promotes the importance of children's voice through its Education and Care Centres, Liverpool/Fairfield Child and Family Interagency, Liverpool Listens and District Forums.

7 RECRUITMENT

7.1 Council will maintain a rigorous and consistent recruitment, screening and selection process.

7.2 To maintain a Child Safe Organisation, Council is committed to build the capability of staff through support, induction, on-boarding, professional development and supervision. This will include all new employees and volunteers to participate in a comprehensive induction and orientation process to Child safe policies, procedures and practices. The Child Safe Policy and Behavioural Standards for Keeping Children Safe will be included in an induction pack for training new employees.

7.3 Managers will support and ensure relevant employees and volunteers complete mandatory training in Child protection and Child safe practices as required for all new staff.

7.4 Council will meet all legal requirements to ensure that staff, volunteers, contractors, and any other persons engaged in child-related work hold a valid Working with Children Check (WWCC). The WWCC is an essential safeguard in Council's recruitment and ongoing employment processes to reduce risk to children's safety.

Council will **validate and confirm the currency of all WWCC clearances** with the Office of the Children's Guardian both at the point of recruitment and at regular intervals thereafter. Staff are required to keep their WWCC and other relevant licences current and to update these details through the payroll system. Automated reminders will be issued prior to expiry, and failure to maintain a valid WWCC will result in the immediate withdrawal of the ability to work with children.

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- 7.5 People and Culture (PAC) manage all selection and recruitment related to the WWCC. This is consistent with the *Child Protection (Working with Children) Act 2012* (NSW) and the *Child Protection (Working with Children) Regulation 2013* (NSW).

8 MANDATORY REPORTING RISK OF SIGNIFICANT HARM

- 8.1 Where there are concerns that a Child is suspected to be at Risk of Significant Harm (**ROSH**), Council staff who are Mandatory Reporters are required to report these concerns to the Department of Communities and Justice (**DCJ**) Child Protection Helpline. The Mandatory Reporter Guide (MRG) is used to help determine when and what should be reported.
- 8.2 Council staff who are not Mandatory Reporters, as well as members of the community, can also report the suspected Risk of Significant harm to the DCJ Child Protection Helpline. The DCJ Child Protection Helpline receives reports via either telephone on PH: 132 111 or via e-Reporting.
- 8.3 Mandatory reporting responsibilities are stipulated in the *Children and Young Persons (Care and Protection) Act 1998* (NSW).

9 REPORTABLE CONDUCT, COMPLAINTS AND ALLEGATIONS

- 9.1 Under the *Children's Guardian Act 2019* (NSW), all local councils are required to comply with the NSW Reportable Conduct Scheme, which is administered by the Office of the Children's Guardian (OCG). The Scheme provides independent oversight of how councils prevent, identify, and respond to allegations of certain types of misconduct involving children.
- 9.2 Council is committed to fulfilling its obligations under the Reportable Conduct Scheme and ensuring that all allegations are managed with transparency, accountability, and a strong child-safety focus.
- 9.3 Council will take all allegations seriously, respond appropriately and report concerns to the relevant authorities. All complaints and allegations against staff, elected members, contractors and sub-contractors, work experience participants, students on placement, volunteers, facilities hirers, and lessees involving a Child will be handled in accordance with the relevant legislation.
- 9.4 In accordance with the *Children's Guardian Act 2019* (NSW) and the *Children's Guardian Regulation 2022*, Council is required to notify the Office of the Children's Guardian (OCG) within 7 business days of becoming aware of a reportable allegation or conviction involving a child against an employee, volunteer, or contractor.
- 9.5 It is the responsibility of Directors, Managers and Supervisors to report any allegations of Reportable Conduct to the Chief Executive Officer (or their authorised delegate), and to assist in carrying out any subsequent investigation
- 9.6 It is the responsibility of all workers to notify their supervisor immediately, if they witness, or have a reasonable basis to suspect or become aware of, a Reportable Allegation, Reportable Conduct or a Reportable Conviction by another worker.

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9.7 Where a reportable allegation occurs within Council's early education and care centres or preschools, additional mandatory notifications must be made to the:

- NSW Department of Education (Regulatory Authority for the National Quality Framework) within 24 hours, as required under *Education and Care Services National Law and Regulations*.
- Department of Communities and Justice (DCJ) within 24 hours, where the allegation meets the threshold of risk of significant harm, as outlined in the *Children and Young Persons (Care and Protection) Act 1998*.

If a child is considered to be in immediate danger or at risk of serious harm, Council must notify the NSW Police without delay, prior to or concurrent with other notifications.

9.8 Reportable conduct includes sexual offences, sexual misconduct, ill-treatment of a child, neglect of a child, assault, behaviour causing psychological harm, and any offences involving child abuse material.

9.9 Council must investigate, or arrange for an independent investigation into, the allegation in a timely, fair, and thorough manner, ensuring the process is child-focused. Investigations are to be conducted by Councils People and Culture team, and the relevant manager.

9.10 Council must take immediate steps to manage any risks to children, including implementing interim safety measures while an allegation is assessed or investigated.

9.11 Council must maintain accurate and secure records of all reportable allegations, investigations, findings, and outcomes.

9.12 Council must keep the OCG updated throughout the investigation and provide a final report detailing findings, actions taken, and risk management strategies.

10 RIGHTS OF ALL PARTIES

10.1 Any child that is the subject of alleged Reportable Conduct has the right to be in a secure and safe environment. Any worker under investigation may be removed from that environment or placed on alternate duties until the investigation is complete.

10.2 Council shall endeavour to afford procedural fairness in any investigation conducted into any Reportable Allegation, Reportable Conduct or Reportable Conviction.

10.3 Council shall also endeavour to maintain confidentiality over information obtained in the course of any investigation under this policy.

10.4 Council may deny a person access to, or limit their access to, records kept if they consider it would jeopardise an investigation or place a child at risk.

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11 UNSUBSTANTIATED ALLEGATIONS

- 11.1 Where an allegation is clearly wrong or unsubstantiated, the person who is the subject of the allegation shall be supported by Council. The nature of the support shall be reasonable and appropriate to the circumstances of the case. It may include access to specialist counselling services, legal services or special leave.
- 11.2 Any worker who is found to have made a malicious, vexatious or baseless allegation may be subject to disciplinary action.

12 DIVERISTY AND EQUITY

- 12.1 Council is committed to ensuring that all Children are free from Abuse and Neglect and will enact this commitment through the implementation and monitoring of the Child Safe Standards.
- 12.2 This Policy details Council's commitment to ensuring all Children are protected from harm and outlines key strategies to identify and support the specific vulnerabilities of Children in Liverpool with zero tolerance for child abuse.
- 12.3 Council is committed to being a Child Safe Organisation and it acknowledges its important role in protecting Children in their interactions with Council staff, facilities and services.
- 12.4 Liverpool's diverse population includes Culturally Diverse communities, people living with a disability and a higher-than-average proportion of residents of Aboriginal and Torres Strait Islander people.
- 12.5 Council acknowledges that all Children are vulnerable, however, factors such as age, disability, culture and socioeconomic status can contribute to increased vulnerability for many Children. As the Local Government authority, it is vital that Council both celebrate this diversity and acknowledge the challenges that it presents, particularly in relation to Child safety.

13 PREVENTION AND EDUCATION

- 13.1 Council will provide necessary resources and build the capability of all staff through professional development, supervision and support to promote and maintain a child safe organisation.
- 13.2 All staff will complete induction and ongoing training on managing risks and creating a safe environment to ensure the safety, suitability and security of physical environments for children in Council's services, facilities and programs. Council staff will be equipped with the knowledge, skills and awareness to keep children safe.
- 13.3 New employees and volunteers will be required to participate in an induction and orientation process to child safe policies, procedures and practices. Managers will ensure new employees and volunteers complete all relevant training in accordance with Council's organisational requirements. Training will be provided to contractors and sub-contractors as required.

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- 13.4 Council is committed to the provision of high-quality supervision practices for relevant staff. This includes regular reviews of workplace performance, behaviours and relationships, opportunities to share observations and problems and to safely explore views about child safety concerns.
- 13.5 Council provides opportunities for work experience and vocational placement for young people and engages young people in volunteering experiences. Procedures for employment, work or study placement, and volunteering opportunities for young people will need to reflect the developmental characteristics and meet the safety requirements of this age group.

14 REQUIREMENTS OF MANAGERS

- 14.1 Managers are required to induct all workers new to Council to this Policy, including signing the statement of commitment to comply with the Policy.
- 14.2 Lead the embedding of a child safe culture by being proactive in identifying and addressing any issues or concerns relating to the safety and wellbeing of children. This should include regular discussions between staff and their people leaders (to be held at least twice annually) about behavioural standards and expectations.

15 OTHER LEGISLATION, INDUSTRY STANDARDS OR COUNCIL POLICIES

- UN Convention on the Rights of the Child (1989)
- *Children's Guardian Act 2019* (NSW)
- *Children and Young Persons (Care and Protection) Act 1998* (NSW)
- *Child Protection (Working with Children) Act 2012* (NSW)
- *Advocate for Children and Young People Act 2014* (NSW)
- *Ombudsman Act 1974* (NSW)
- *Crimes act 1900*

16 POLICY REVIEW

- The Child Safe Working Group meets regularly to oversee the implementation of the Policy and the Child Safe Standards.
- The Policy will be reviewed every two years from the approval date, or as required by any changes in legislation.

17 BREACH OF POLICY

A breach of this Policy will be dealt with in accordance with any relevant staff agreements, awards, industrial agreements, contractors and Council policies including the Council's Code of Conduct and Code of Conduct Procedures.

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AUTHORISED BY

Council Resolution

EFFECTIVE FROM

4 February 2026

DEPARTMENT RESPONSIBLE

Community and Lifestyle

REVIEW DATE

4 February 2030

VERSIONS

The current and previous version of the policy should be set out in the following table.

Version	Amended by	Changes made	Date	TRIM Number
1		Development of initial policy		226024.2020
2	Karyn Worledge	Addition of further definitions. Reportable conduct and allegations. Legislation relating to reportable conduct and allegations.	4 September 2025	302347.2025

The policy is developed by and, in consultation with the Child Safe Workplace Working Group comprised of representatives from:

- City Community and Culture;
- Office of the Chief Executive Officer;
- City Corporate;
- City Infrastructure and Environment;

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- City Economy and Growth; and
- City Presentation.

REFERENCES

- The Royal Commission into Institutional Responses to Child Sexual Abuse (2017);
- Children's Guardian Act 2019;
- Child Safe Standards, The NSW Office of the Children's Guardian;
- The National Principles for Child Safe Organisations;
- Child Protection Policy, Cumberland City Council; and
- Child and Youth Safe Policy, Mission Australia.