

CHILD PROTECTION GUIDELINES

Child, Youth & Family

1. Purpose and Intent

The City of Casey is committed to ensuring all children attending a City of Casey managed Child, Youth and Family service, event or program are provided with a safe and secure environment that supports their health and wellbeing. This guideline outlines the responsibilities of the department in protecting children by preventing and responding to concerns relating to abuse or harm of children.

2. Scope

These guidelines will apply to the Approved Provider, Nominated Supervisor, Certified Supervisor, educators, staff, students on placement, volunteers, parents/carers, children and others attending the programs, activities and services managed by the City of Casey.

3. Definitions

Key Term	Definition
Approved Provider	An individual or organisation, such as City of Casey, that has completed an application form and been approved by the Regulatory Authority as fit and proper (in accordance with Sections 12, 13 and 14 of the National Law) to operate one or more education and care services.
Child/Children	A legal minor between the ages of 0-18 years old.
Duty of Care	The legal responsibility of a person or organisation to avoid any behaviors or omissions that could reasonably be foreseen to cause harm to others.
Failure to Disclose	A criminal offence applying to all adults who form a reasonable belief that another adult may have committed a sexual offence against a child under 16 years old and fails to report this to Victoria Police.
Failure to Protect	A criminal offence applying to a person in a position of authority in an organisation who is aware of a child under 16 being at a substantial risk of sexual abuse at the hands of an adult associated with the organisation, who then fails to take reasonable steps to remove or reduce that risk.
Nominated Supervisor	A person who is the Responsible Person in Day-to-Day Charge and has been nominated by the Approved Provider (City of Casey) of the service under Part 3 of the Act to be the Nominated Supervisor of that service, and who has consented to that nomination. The Nominated Supervisor has day-to-day responsibility for the service in accordance with the National Regulations. All services must have a Nominated Supervisor.

Person with Management and Control (PMC)	Individuals responsible for managing the delivery of a service or those who have significant influence over its activities. PMCs have specific legal obligations for ensuring compliance within early childhood education and care providers.
Mandatory Reporting	The legislative requirement imposed on selected groups of people to report suspected cases of child abuse or neglect to government authorities.
Reasonable Belief	Is formed if a reasonable person in the same position would have formed the belief on the same grounds. It does not require proof.
Reportable Conduct	A Victorian Scheme that oversees allegations of child abuse and misconduct.
Reportable Sexual Conduct	Sexual conduct or a sexual offence committed against, with or in the presence of a child by a person employed or engaged to perform work or provide services for an education and care service.

4. Objectives

These guidelines provide strategies for the protection of children including identifying, documenting, reporting and managing concerns or incidents. The City of Casey has a duty of care to ensure that all children are provided with a high level of safety and wellbeing during the hours of the service's operation.

The City of Casey Child Youth and Family Department is committed to:

- Child protection and the provision of child safe environments.
- Ensuring the health, safety and wellbeing of children accessing services is prioritised while also promoting their learning and development.
- Ensuring the dignity and rights of all children is upheld in service provision.
- Encouraging positive, supportive communication between educators/staff and parent/guardians.
- Maintaining privacy and confidentiality.

5. Responsibilities for this guideline

Child Youth and Family Management, Person with Management or Control or the Approved Provider	• Provide strong leadership that supports a culture of child safety in the everyday practice of City of Casey employees. • Ensure screening, recruitment and induction processes for educators, staff, students, and contractors are in line with City of Casey's <i>Workforce Management Policy</i>. • Conduct Criminal History Checks and Working with Children Checks (WWCC) where required. • Ensure all educators and staff (including students and volunteers) undertake relevant and current Child Protection legislation training, including Mandatory Reporting requirements and obligations, and repeat the training annually. • Ensure all educators and staff (including students and volunteers) undertake the national child safety training. • Ensure appropriate notifications are made according to organisational policy and Victorian legislation, and secure records retained in relation to all incidents that occur within the service. • Notify the Regulatory Authority about serious incidents, injuries, illness and trauma within 24 hours.
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	• Notify the Regulatory Authority about allegations or incidents of physical or sexual abuse within 24 hours. • Notify the Regulatory Authority within 24 hours of becoming aware of reportable sexual conduct by a worker, volunteer, contractor, student, or other person engaged by the service, whether the conduct occurred at the service or outside the service. • Support the implementation of the Victorian Child Safe Standards legislation in all Child Youth and Family services. • Take all reasonable steps to ensure that nominated supervisors, educators, staff, and volunteers follow these guidelines and procedures. • Ensure all Kindergarten staff have an awareness of Victorian Child Protection Law in accordance with Regulation 84 of the Education and Care Services National Regulations • Ensure all staff working in a City of Casey managed children's service complete the <i>Protecting Children – Mandatory Reporting and Other Obligations</i> Early Childhood eLearn Module. • Ensure all staff working in a City of Casey managed children's service complete the City of Casey's Child Safe eLearning module and 3-hour workshop every two years. • Ensure all staff working in a City of Casey managed children's service complete the relevant Information Sharing Reforms and Family Violence professional eLearning module, and understand their obligations under the Child Information Sharing Scheme (CISS). • Ensure all directions issued by VECRA or the Minister relating to the safety, health, welfare or wellbeing of children are implemented and monitored within required timeframes.
Child, Youth and Family staff	All staff • Notify their Team Leader immediately upon becoming aware of a concern, complaint or allegation regarding the health, safety and welfare of a child at the service and following the relevant reporting procedure for their service. • Develop and maintain a child safeguarding culture in which children feel valued, respected, and cared for in an inclusive and empowering social environment. • Practice duty of care obligations under the law by protecting children and young people from any reasonable, foreseeable risk of injury or harm. • Always act in the best interests of children and young people to ensure their health and wellbeing is supported and protected, and their right to safety is upheld. • Abide by the Victorian Child Safe Standards legislation by completing City of Casey's Child Safe eLearning module upon commencing employment, undertaking the 3-hour Child Safe workshop within 3 months, and repeat this training every two years. • Where appropriate for the service, offer support to children and their families, and to staff, in response to concerns or reports relating to the health, safety and wellbeing of a child at a City of Casey service.

- Ensure appropriate notifications are made according to organisational policy and Victorian legislation, and secure records retained in relation to all incidents.

Kindergarten Programs staff

- Be aware of their status as a mandatory reporter (refer to list on page 6) under the Child, Youth and Families Act 2005, understanding that failure to protect and failure to disclose is a criminal offence.
- Notifying the Person with Management or Control immediately upon becoming aware of a concern, complaint or allegation regarding the health, safety and welfare of a child at the service and following the relevant *Child Protection Procedure*.
- Immediately notify their Team Leader upon becoming aware of:
 - An allegation of reportable sexual conduct involving a staff member, volunteer, contractor, student, educator or teacher.
 - Criminal charges relating to sexual offences against children involving a staff member, volunteer, contractor, student, educator or teacher.
 - Information suggesting a staff member, volunteer, contractor, student, educator or teacher presents a risk to children, whether the conduct occurred within or outside of the service.
- Complete the *Protecting Children – Mandatory Reporting and Other Obligations* Early Childhood eLearn Module at induction, undertake refresher training annually, and record training in their *Confidential Educator Record*.
- Complete the relevant Information Sharing Reforms and Family Violence professional eLearning module.
- Understand where to refer families for further support.
- Follow *Attachment 1: Child Protection Procedure* if the Police or Child Protection attend the service to take a child into their care.
- Ensure that where the service has been notified of a court order prohibiting an adult from contacting an enrolled child, such contact does not occur while the child is on the service premises (see *Management of Court Orders* guidelines).

Maternal and Child Health staff

- Be aware of their status as a mandatory reporter (refer to list on page 6) under the Child, Youth and Families Act 2005, understanding that failure to protect and failure to disclose is a criminal offense. As well as their requirements under the Child Wellbeing and Safety Act 2005 as an Information Sharing Entity (ISE)
- Be aware and undertake documentation requirements under the Health Records and Information Privacy Act 2002, and National Competency Standards or Nurses and Midwives.
- Complete the relevant Information Sharing Reforms and Family Violence professional eLearning module and mandatory reporting training every 2 years.
- Understand where to refer families for further support.

	Youth Services and Early Years staff - Understand where to refer families for further support. - Complete the relevant Information Sharing Reforms and Family Violence professional eLearning module. - Understand their obligations under the Child Information Sharing Scheme (CISS).
Parents/Families and service users	- Report any concerns in relation to supervision of a child to the educator. - Immediately report any concerns or allegations relating to the physical or sexual abuse of a child which is alleged to have occurred at a City of Casey service, event or program. Kindergarten Programs - Report any concerns in relation to supervision of a child to the educator. - Provide the service with details of any court orders, parenting orders or parenting plans relating to powers, duties and responsibilities or authorities in relation to the child or access to the child update information by notifying the service of any changes as they occur.

6. When is a child in need of protection?

A child may need protection if they have experienced or are at risk of significant harm. Significant harm may relate to:

- Physical injury
- Sexual abuse
- Emotional or intellectual development
- Physical development or health
- Abandonment or parental incapacity

7. Recognising child abuse or neglect

The responsibility for children's safety and wellbeing is shared by the family, the general community, community agencies, professionals working with children, police, and government employees.

Early identification and effective intervention can reduce the initial and long-term effects of child abuse or neglect and promote recovery of the children and families involved.

A person may form a belief on reasonable grounds that a child needs protection after becoming aware that a child's health, safety or wellbeing is at risk.

There may be reasonable grounds for forming such a belief if:

- A child discloses that they have been physically abused, sexually abused, or neglected.
- A child discloses that they know someone who has been physically abused, sexually abused, or neglected (sometimes the child may be talking about themselves).
- Someone who knows the child discloses that the child has been physically abused, sexually abused, or neglected.
- A child shows signs of being physically abused, sexually abused, or neglected.
- The staff member is aware of family violence or parental substance misuse, psychiatric illness or intellectual disability that is impacting on the child's safety, stability or development.
- The staff member observes signs or indicators of abuse or neglect, including but not limited to non-accidental or unexplained injury, persistent neglect, poor care or lack of appropriate supervision.

- A child's actions or behaviour may place them at risk of significant harm and the child's parents/guardians are unwilling or unable to protect the child.
- Concerns raised by a practitioner, educator, or staff member regarding disclosures of potential harm based on information provided by a primary carer.
- The staff member identifies risk of a cumulative harm from the above causes, potentially resulting in significant harm without intervention.

8. Duty of care

Professionals that have daily contact with children and their families are well placed to observe when a child appears to be at risk of harm and have a duty of care to act immediately to protect and preserve the safety and wellbeing of the children in their care. When staff members form a reasonable belief that a child has been harmed or may be at risk of harm, they are ethically bound to act to protect the safety and wellbeing of that child. For early childhood workers and Maternal Child Health nurses, this obligation is legally mandated.

Duty of care is breached if a person fails to act in the way a reasonable or diligent professional would have acted in the same situation.

9. Mandatory reporting of child abuse/neglect

Mandatory reporting is a term used to describe the legislative requirement imposed on selected groups of people to report suspected cases of child abuse or neglect to government authorities.

In Victoria, the following people are mandated to report:

- Registered Medical Practitioners
- Nurses
- Midwives
- Registered Teachers and Early Childhood Teachers
- School Principals and School Counsellors
- Police Officers
- Out of Home Care workers
- Early Childhood Workers
- Registered Psychologists
- People in Religious Ministry

Other people in licensed and approved Early Childhood services who are mandatory reporters include:

- Maternal Child Health Nurses
- Early Childhood Teachers Registered with the Victorian Institute of Teaching (VIT)
- All educators with post-secondary qualifications in the Care or Education of Children and employed or engaged in an Early Childhood service
- The Approved Provider and the Nominated Supervisor of an early childhood service.

10. Non-mandated staff

Section 183 of the Child Youth and Families Act 2005 states that any person who believes on reasonable grounds that a child needs protection, may report their concerns to Child Protection. This means that any person can make a report to Child Protection when they have formed a reasonable belief that a child or young person is at risk of harm and in need of protection.

Non-mandated staff at the City of Casey Child Youth and Family department should consult with their team leader, manager or supervisor and follow the Child Protection procedure relevant to their service.

11. Forming a belief on reasonable grounds

A reasonable belief that a child or young person is in need of protection, or that their safety and wellbeing is at risk, is formed if a reasonable person in the same position would have formed the belief on the same grounds. It does not require proof. A 'reasonable belief' can be formed through disclosures, observations or other information of which you have become aware.

12. Professional protection for reporters

If a report is made in good faith:

- It does not constitute unprofessional conduct or a breach of professional ethics on the part of the reporter.
- The reporter cannot be held legally liable in respect of the report.

The person who makes a report in accordance with the legislation will not be held liable for the eventual outcome of any investigation of the report. The person making the report is not expected to prove the abuse. The law also protects the anonymity of the person making the report.

13. Failure to disclose and failure to protect

Failure to disclose is a criminal offence applying to all adults (not just professionals who are working with children) who form a reasonable belief that another adult may have committed a sexual offence against a child under 16 years old and fails to report this to Victoria Police.

Failure to protect is a criminal offence applying to a person in a position of authority in an organisation who is aware of a child under 16 being at a substantial risk of sexual abuse at the hands of an adult associated with the organisation, who then fails to take reasonable steps to remove or reduce that risk.

14. Victorian Reportable Conduct Scheme and the Child Safe Standards

The [Victorian Reportable Conduct Scheme](#) aims to improve oversight of how organisations respond to allegations of child abuse and child-related conduct by employees. The scheme is overseen by the Social Services Regulator to ensure organisations' respond to allegations of child abuse or misconduct towards children. It aims to ensure that allegations are taken seriously and reduce the likelihood of people who pose a risk to children continuing in child-related work. The scheme is a response to the Betrayal of Trust Inquiry and reinforces the notion that the protection of children is everyone's responsibility.

An employee at the City of Casey includes management, leaders, supervisors, educators, staff, students on placement and volunteers.

The Reportable Conduct Scheme complements the Child Safe Standards as part of building a culture which embeds child safety into everyday thinking and practice. There are five types of Reportable Conduct listed in the Child Wellbeing and Safety Act 2005:

- Sexual offences against, with or in the presence of, a child.
- Sexual misconduct against, with or in the presence of, a child.
- Physical Violence against, with or in the presence of, a child.
- Behaviour that causes significant emotional or psychological harm.
- Significant Neglect of a child.

The following actions undertaken lawfully and in line with organisational policy do not fall within the Reportable Conduct Scheme:

- A person takes reasonable steps to protect a child from immediate harm (e.g. taking a child's arm to stop them from going into oncoming traffic).

- A person with responsibility for discipline takes lawful and reasonable disciplinary action.
- An appropriately qualified person gives medical treatment in good faith, such as administering first aid.

Notification of Reportable Sexual Conduct to the Regulatory Authority

From 12 August 2026, approved providers must notify the Victorian Early Childhood Regulatory Authority (VECRA) within 24 hours of becoming aware of reportable sexual conduct by a person employed or engaged to perform work or provide services for an education and care service. This requirement applies whether the conduct occurred at the service or outside the service.

Reportable sexual conduct includes sexual offences committed against, with or in the presence of a child by:

- Nominated supervisors
- Educators and Teachers
- Employees
- Contractors and consultants
- Students on placement or work experience
- Volunteers
- Any other person engaged by the service.

Upon becoming aware of an allegation, disclosure, charge, investigation or other information that may constitute reportable sexual conduct, City of Casey staff must immediately notify their Team Leader.

The requirement to notify VECRA is separate from, and does not replace, any obligations to report concerns to Victoria Police, Child Protection, the Social Services Regulator or through City of Casey Child Safe reporting processes.

Sexual offences

In Victoria, it is an offence to engage in certain sexual behaviours against, with, or in front of a child. Many of these behaviours are reportable conduct under the Reportable Conduct Scheme. This includes:

- Sexual assault
- Indecent acts
- Possession of child abuse material
- Grooming

Sexual misconduct

'Sexual misconduct' captures a broader range of inappropriate behaviours of a sexual nature that are not necessarily criminal. Examples of sexual misconduct include:

- Developing an intimate relationship with a child, for example, through regular contact with the child without knowledge and approval from the organisation's management.
- Inappropriately discussing sex and sexuality with a child.
- Other overtly sexual acts that could lead an organisation to take disciplinary or other action.

Physical violence

Physical violence includes an act that causes physical injury or pain. Examples of physical violence can include:

- Hitting, kicking, punching, pushing, shoving, grabbing, throwing, shaking.
- Using an object to hit or strike.

- Using inappropriate restraint or excessive force.

Threats of physical violence may be covered under behaviour that is likely to cause significant emotional or psychological harm.

Behaviour that is likely to cause significant emotional or psychological harm

For behaviour to be reportable under this category, a child must have suffered significant emotional or psychological harm, and there must be a clear link between the alleged conduct and the harm suffered. In deciding if there is a clear link, organisations should consider the likelihood that the child would have been harmed if the alleged conduct had not occurred.

Examples of emotional or psychological harm may include:

- Exposure to violence, or threats of violence
- Self-destructive behaviour
- Antisocial behaviour
- Persistent hostility and/or rejection

Signs that a child may have been emotionally or psychologically harmed include:

- Patterns of behaviour that is out of character
- Regression in behaviour
- Distress and anxious behaviour
- Other physical symptoms such as self-harm

Emotional or psychological harm may also occur where an existing mental health disorder has been exacerbated or aggravated.

A professional psychological or medical assessment of the child may assist to determine whether a child has suffered emotional or psychological harm. However, a clinical diagnosis will not be required in every case. For example:

- The alleged conduct is so serious, and/or occurred over such a prolonged period, that it can be reasonably inferred that the child has been harmed.
- Requiring a child to be assessed may unreasonably re-traumatise or otherwise further harm the child.

Neglect

Neglect occurs when a person does not meet their obligations and responsibilities to keep a child safe and well. The neglect:

- Must be more than minor and insignificant.
- Does not need to have a lasting or permanent effect.
- May be an ongoing situation or a one-off incident, as long as it is not minor in nature.

Types of neglect include:

- Supervisory neglect – the absence or inattention of a person which places the child at risk of physical harm or injury, sexual abuse, or allows other criminal behaviour toward the child.
- Physical neglect – the failure to provide basic physical necessities for a child, such as adequate food, clothing and housing.
- Medical neglect – the failure to provide appropriate medical care for a child, including a failure to acknowledge the seriousness of an illness or condition, or deliberately withholding appropriate care.

Significant allegations

The Reportable Conduct Scheme is concerned with significant allegations about worker behaviour or actions towards a child. Accordingly, allegations can only be made about emotional or psychological harm or neglect that are significant.

Allegations may be made about serious forms of harm or behaviours that have a lasting or permanent effect; however, this does not always need to be the case. It is enough that the alleged conduct is more than trivial or insignificant to fall within the definition of significant under the Reportable Conduct Scheme.

The City of Casey can consult with the [Social Services Regulator](#) to determine if the alleged conduct meets the level required to make a reportable allegation report.

Reasonable belief

A reportable allegation is made where a person makes an allegation, based on a reasonable belief, that a worker or volunteer has committed reportable conduct or misconduct that may involve reportable conduct. This includes where a reportable allegation is made against the head of the organisation.

A reasonable belief may also arise where information is received that a worker, volunteer, student or contractor associated with the service may have engaged in reportable sexual conduct involving a child, regardless of whether the alleged conduct occurred at the service.

A reasonable belief is more than suspicion. There must be some objective basis for the belief. However, it is not the same as having proof and does not require certainty.

For example, a person is likely to have a reasonable belief if they:

- Observed the conduct themselves.
- Heard directly from a child that the conduct occurred.
- Received information from another credible source (including another person who witnessed the reportable conduct or misconduct).

All City of Casey staff are required to operate under the organisation's [Child Safety and Wellbeing Policy](#) in managing allegations of child abuse and child-related conduct by employees.

15. Staff wellbeing

City of Casey is committed to the health and wellbeing of its staff and acknowledges that supporting children and families experiencing vulnerability can be challenging, particularly for child facing staff. Child Youth and Family leadership and management teams are dedicated to supporting their staff and fostering an environment of emotional and psychological safety. Additionally, Council offers the following support:

- THRIVE is Casey's holistic health and wellbeing program which aims to support staff with a variety of online resources to enhance wellbeing and provide learning opportunities.
- Employee Assistance Program (EAP) is an initiative of Council to provide employees and their family with confidential counselling and support for workplace and personal issues. The employee may speak with a counsellor face-to-face, over the telephone or online.
- City of Casey's Child Safe team provides secondary consults and support for staff who have child safeguarding concerns.

16. Associated guidelines and attachments

- Serious Incident, Illness, Injury and Trauma guidelines
- Supervision guidelines
- Child Safe Environment guidelines
- Delivery, Collection, and non-Collection of Children guidelines
- Interactions with Children and Young People guidelines
- Criminal History Records Check guidelines

- Privacy and Confidentiality guidelines
- Attachment 1: Child Protection Procedure – Kindergarten Programs
- City of Casey Child Safe Reporting Procedure
- City of Casey Child Safety and Wellbeing Policy
- City of Casey Child Safe Standards Framework
- City of Casey Child Safe Incident Report Form
- City of Casey Maternal and Child Health Procedural Manual

17. Relevant legislation

Relevant legislation and standards include but are not limited to:

These guidelines are underpinned by the following legislation:

- Child Wellbeing and Safety Act 2005
- Family Violence Prevention Act 2008
- Health Records Act 2001
- Privacy and Data Protection Act 2014
- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2012
- Children, Youth and Families Act 2005
- Crimes Amendment (Protection of Children) Act 2014
- Education and Training Reform Act 2006
- Education and Training Reform Regulations 2007
- Charter of Human Rights and Responsibilities Act 2006
- Child Safe Standards
- Privacy Act 2002

18. Sources & resources

- [Protect](#) - Victorian Government
- [Mandatory Reporting](#) - Department of Families, Fairness and Housing
- [Understand your obligations to protect children](#) – Department of Education
- [Responding to concerns about the wellbeing of a child](#) – Department of Education
- [Social Services Regulator](#)
- [About Child Safe Standards](#) – Victorian Government
- [United Nations Convention on the Rights of the Child](#)
- [Betrayal of Trust implementation](#) – Department of Justice
- [Child protection - DFFH Services](#)
- [Making a report to child protection](#) – Department of Families, Fairness and Housing
- [The Orange Door](#)
- [About the Reportable Conduct Scheme](#)

19. Child Safety, Access and Inclusion

The City of Casey is committed to creating and maintaining a child safe organisation where protecting children from abuse is embedded in the everyday thinking and practice of Council, its employees, contractors, and volunteers. Council has zero-tolerance of child abuse.

Council aims to promote a culture of inclusion, respect and equity. We strive to ensure that all children, young people and families regardless of their background, ability, gender or identity are welcomed and supported. We are dedicated to providing equitable access to our services.

Council expects that all staff act on incidents of child abuse, racism, or any type of discrimination.

20. Monitoring, evaluation and review

The City of Casey will ensure:

- Regular monitoring of the implementation of this guideline and its associated documents including training and compliance.
- This guideline and its associated documents are kept up to date with current legislation, policy and best practice.
- Review and evaluation of this guideline and its associated documents as part of the service's review cycle, or as required.

Reviewed by:	CYF Policy Officer in consultation with CYF Management team.		
Approved by:	Director – Community Life		
Date Approved:	02/12/2025		
Current Version:	1.2	ECM ID:	21582337
Review Cycle:	3 years	Review Due:	02/12/2028
Responsible Department and Team:	CYF Policy Officer		

21. Document History

Date changed	Change Type
3/03/2026	Added reference to national child safety training Updated CCYP to Social Services Regulator
8/07/2026	Information added and updated relating to the VECRA Reportable sexual conduct notifications. Definitions and responsibilities updated, Section 14 updated.

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