



**Mornington
Peninsula** Shire

Child Safety Code of Conduct

This is in addition to the Staff Code of Conduct

The Child Safety Code of Conduct is required to be followed by all Shire Workers when interacting with children, parents, and their families.

Shire Workers must understand and comply with the Shire's child safety reporting and disclosure obligations (including mandatory reporting). Shire Workers must call 000 if they believe a child or young person is in danger or is at immediate risk of abuse.

The Child Safety Code of Conduct comprises two sections:

1. Photography and videography
2. Daily actions and interactions

1. Photography and Videography

Background:

Taking photographs, videos, and other images of children without consent, or proper authority, and/or sharing and publishing images for unauthorised purposes raises significant concerns for child safety.

Purpose of taking photographs and videos:

Images of children and young people will be captured for different purposes across Council. The purpose the image is taken for will determine how the image can be handled, shared and stored and what type of consent is required.

Images of children and young people may be taken for purposes such as:

- To record or facilitate participation in activities
- To comply with funding or service obligations
- To produce promotional and marketing material for Council
- Incidentally, e.g. when inspection or law enforcement photos are taken. Every effort must be taken to avoid capturing children incidentally.

Consent:

Taking photos and videos is collecting personal information. The *Privacy and Data Protection Act 2014* requires consent to use and disclose personal information.

Consent will be required for most images of children and needs to be:

- Informed: the person should clearly understand their choice
- Freely given: don't assume consent or pressure children or adults to consent
- Specific: refer to the purpose for the image

- Current: don't rely on outdated consent as family contexts and children's views may change over time
- Authorised: provided by a person with authority to consent for the child
- Understood: provided by a person who can understand their choice, for example not impaired by alcohol, drugs or distress.

How consent is obtained will depend on the purpose the image will be used for. The following should be considered when obtaining consent:

- Consent from a parent/guardian should be obtained in writing
- Specific consent forms can be used
- There is no current legal age of consent for photography. Best practice seeks consent from children when age and ability permit along with parent/guardian consent. If a parent /guardian provides consent but a child refuses, the child's wishes should be respected
- When obtaining consent, explain the process in plain language that a young person could easily understand and include:
 - The purpose and nature of the image that is sought
 - How long the image will be used and stored
 - Consent can be withdrawn at any time. If consent is withdrawn, images already published or in the public domain may not be able to be removed
 - Contact information.

Public Events and Crowd Settings:

- **Events:** Photographs at public events (e.g. markets and festivals) that do not identify or reasonably identify any particular individual do not need a signed consent for each person. Opt-out consent can be used instead by:
 - Providing notice that photos or videos will be taken at events
 - Placing posters/signs at entrances to advise a photographer is present and anyone that does not wish to be photographed should make themselves known to organisers.
- **Crowd settings:** Photographs of crowds (e.g. school assemblies) that cannot reasonably identify any particular individual may not need a signed consent for each person. Contact must be made with the organisation, school or sporting club etc, to discuss their privacy policies. If appropriate opt-out consent can be used by:
 - Giving notice of the Council's presence and intended photography/filming. This can be done via notifications, invitations and newsletter articles
 - Advise the process if they do not consent to the photographs.

Prohibited and Personal Devices:

The Child Safety and Wellbeing Policy outlines:

- Only Council issued electronic devices should be used when taking, sending and storing images and videos of children
- Personal electronic devices that can take images or videos and have storage and file transfer media capabilities should not be in the possession of any individual while providing direct service to children
- The exceptions for which approval to possess and use a personal electronic device can be sought.

Contractors

Contractors engaged to take photos or videos of children on behalf of Council are required to comply with the Child Safety and Wellbeing Policy and this Child Safety Code of Conduct.

Taking images and videos

The overarching principles that guide our approach to photographs/videos being taken of children and young people during our events and activities include:

- Using a stock image when an image or video of a child does not also need to reference a specific event, place or group on the Mornington Peninsula
- Protecting children from potential exploitation and abuse by ensuring all images and video's portray children and young people are:
 - Dignified and respectful
 - Appropriately dressed (including tops on for boys)
 - Not able to be perceived as sexualised in nature and that cannot be sexually exploitative (e.g. body shots of children taking part in activities such as swimming). There could be a heightened risk of images being misused
 - Not in distress or anxious/experiencing or demonstrating distress or dysregulation
 - Not modified or altered without consent
 - Preference group shots over close-ups of individuals
- Protecting private information as much as contextually possible by:
 - Deidentifying the image as much as contextually possible (eg shot from behind to avoid the face)
 - Disguising or blurring any identifying information (e.g. school name or logos)
 - Using first names only or consider changing the names of children whose images are being used in published material
- Reducing the opportunity for grooming by not including personal information about children's hobbies, likes or dislikes, schools, etc. This information could be used as a grooming tool.

2. Daily Actions and Interactions

DO:

- Uphold our commitment to child safety and adhere to the Child Safety and Wellbeing Policy
- Show respect to all children, parents, and families, regardless of their diversity or behaviour
- Use positive language and behaviour when interacting with children, parents, and their families
- Listen and respond to the views and concerns of children and young people, particularly if they disclose that they or another child has been abused, or they are worried about their safety or the safety of another child
- Promote the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander children, children with disabilities, children from culturally and racially marginalised backgrounds, those that are unable to live at home and our LGBTIQ+ community.
- Encourage children to 'have a say' and participate in all relevant organisational activities
- Be consistent with all children

DO NOT:

- × Harm or abuse a child or young person including sexual abuse, grooming, sexual misconduct (harmful sexual behaviour), physical abuse, emotional or psychological harm.
- × Yell at, push, or grab a child, unless they are in immediate danger and this action will stop them being hurt
- × Nag, or tell off a child, parent, or family member
- × Talk about personal information or show personal material on your mobile phone/laptop
- × Give your personal details to a child or family, or take the personal details of a child or family *
- × Comment on a child's clothing, appearance and/or accessories
- × Discuss or hand out any religious or political information
- × Give children, parents or their family members treats, food, or any gifts
- × Give a child a ride in your car
- × Invite a child or family to your house or go to their house *
- × Treat a child unfavourably because of their disability, age, gender, race, culture, vulnerability, sexuality or ethnicity

- × Do things of a personal nature that children could reasonably do for themselves, such as going to the toilet, getting dressed or changing clothes
- × Engage in discussions or use language in the presence of children that could reasonably be of a mature or adult nature
- × Seek contact with a child or young person, or former service users or program participants, outside Shire services or programs, (for example, via phone, social media or in-person)
- × Accept an invitation to attend any private social function at the request of a child or young person who has participated in, or is participating in Shire programs or services, including at the request of their family.

* L2P Program exempted for work purposes only.

3. Policy Sponsor

The Manager – People and Culture, People and Culture team is responsible for overseeing the application and review of the Child Safety Code of Conduct.

4. Document Control

The Executive will review/adjust/evaluate/record/publish the Procurement Policy within four years or earlier as required.

4.1 Document Version Table

Version	Section	Revision Description	Date Revised	Approved by
3.0	All	Adopted by Executive	19/11/2025	Executive
3.1	All	Update to new template	9/12/2025	Governance

Administrative Updates

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