Pontem
Supporting Thriving Community Care

Child safety compliance obligations for aged care

Frequently asked questions

1. Does the Child Safety statement of compliance apply to Support at Home Providers?

There is no requirement for a Child Safety Annual Statement of Compliance to be submitted by Support at Home Program providers. The requirement has been extended to grant-funded organisations only i.e. providers funded through the Commonwealth Home Support Program (CHSP) and the National Aboriginal and Torres Strait Islander Flexible Aged Care Program (NATSIFACP).

2. What are "Child Safe Clauses" in grant agreements?

Child Safe Clauses (called "Child Safe Supplementary Terms") are clauses included in your grant agreements where an activity may involve interaction with children; they set out provider obligations related to child safety.

3. How do Child Safe Clauses differ (CB9 vs incidental/G8A)?

Where a provider has likely only incidental contact with children (common for CHSP-funded activities), the relevant clause is G8A. Where there is direct contact with children, the relevant clause is CB9. The two clauses reflect different levels of child safety obligations depending on the nature of contact.

4. If my grant agreement includes the G8A clause, what do I need to do?

You are required to meet the terms set out in the child safe clause in your agreement, which for G8A are that:

- You must comply with all legislation related to the employment of child-related personnel (if applicable). This might apply to you if you hire a person under the age of 18.
- Any child-related personnel (if applicable) must have and maintain a Working with Children Check.
- You must make and submit the annual Statement of Compliance against your child safe clause.

If you do not have any child-related personnel, the first two points do not apply, but you still need to make and submit the Statement of Compliance.

5. If my grant agreement includes CB9, what do I need to do?

If CB9 applies, you must meet the four key requirements of the Commonwealth Child Safe Framework:

- **Governance and policy (clear leadership and documented commitments)**

  Maintain a Child Safe Policy and procedures that set out leadership responsibilities, roles and accountability for child safety.

- **Safe people and workforce practices (prevention through recruitment and training).**

  Use safe recruitment practices (e.g. background/ WWCC checks where required), a child-safe code of conduct, induction, and regular child-safety training for staff and volunteers.

- **Identification, reporting and response (risk management and incident handling)**

  Conduct risk assessments (including household risk assessments where staff visit homes), have clear reporting pathways and incident/complaint response processes, and meet mandatory reporting obligations.

- **Monitoring, review and continuous improvement (record keeping and oversight)**

  Keep records (including alerts in client files), include child safety risks in organisational risk registers with mitigation actions, and regularly review your arrangements and act on learning to improve safety.

6. Are CHSP providers required to submit a Child Safety Statement of Compliance?

Yes. The Child Safety Annual Statement of Compliance was added as a new requirement in the CHSP Program Manual (Chapter 12), and CHSP providers must submit one where relevant.

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> Where you believe that staff may be in contact with children on a regular basis while delivering CHSP services to clients, proportionate risk management strategies should be considered to protect children and to educate and protect staff.

7. How do I submit the Statement of Compliance?

Statements of Compliance can be submitted online through the Grant Recipient Portal (there is an online submission guide) or manually by email to childsafetycompliance@communitygrants.gov.au

8. How often do I have to submit the Statement of Compliance?

A new statement of compliance must be completed annually, before 31st March, for the duration of your grant agreement.

9. Am I supposed to publish the Statement of Compliance on my website?

No, that is a different requirement for other organisations.

10. Which Aged Care Rule covers child safety compliance statements?

The Aged Care Rules (2025) set out the requirement; specifically, clause 166 628 relates to the Child safety compliance statement and the Child Safe supplementary term in grant agreements.

11. What practical steps should providers take to meet child safety obligations?

If your grant agreement has a G8A clause, there is no requirement to implement any processes other than those stipulated for any child-related personnel; however, if you wish to establish a best practice approach to the safety of children your staff may have incidental contact with, and to the professional development of your workforce, you could undertake the following actions:

- Conduct risk assessments where staff may have regular contact with children.
- Add child safety risks to your organisational risk register, document mitigation measures and evaluate the residual risk level.
- Record alerts in the client's file when risks are identified.
- Consider how care delivery might impact children in the household.
- Update staff handbooks with key information about child safety (e.g. raising awareness about situations or conversations that could cause harm to a child, even inadvertently, e.g. adult-themed conversations between the worker and the aged care clients that might include inappropriate language).

If the risk is deemed to be **high** (which is unlikely for the vast majority of CHSP providers with a G8A supplementary child safety compliance term), then consider:

- Developing and maintaining a Child Safe Policy and related procedures.
- Delivering staff training in child safety.

12. Do staff (employees, contractors, workers of associated providers and volunteers) need to have Working With Children Checks?

Working With Children Checks are only required if you have child-related personnel working in your organisation. If you are a CHSP provider and your staff have only incidental contact with children (as outlined in the G8A clause), they do not need WWCCs. Note that changes to worker screening will be introduced later this year that will standardise worker screening across states and will align more with the NDIS worker screening approach, introducing the concept of risk-assessed roles.

CHSP providers should also be aware of changes to police check requirements for workers delivering CHSP services, and exclude any workers with a history of:

- Sex-related offences
- Child abuse material offences
- Indecent acts involving a child
- Any offence involving dishonesty.

13. Where can I get more details or templates?

If you need further guidance or support, you can contact the team at Pontem by sending an email to hello@pontem.com.au.

Additional resources

Resources available to assist you in meeting your Child Safe obligations include:

- Child Safe Compliance Frequently Asked Questions for Grantees
- National Office for Child Safety - includes the National Principles for Child Safe Organisation
- Community Grants Hub's Child Safety Compliance page
- Guide on completing the online Statement of Compliance form
- Grant Recipient Portal: Training and Support - includes managing access to the portal

Need more help? Contact us at hello@pontem.com.au.

NB: The guidance provided in this FAQ is based on our review and interpretation of guidance materials available. The Department of Health and Aged Care should always be your ultimate point of reference.