



# An overview of the Victorian child safe standards



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Except where otherwise indicated, the images in this publication show models and illustrative settings only, and do not necessarily depict actual services, facilities or recipients of services. This publication may contain images of deceased Aboriginal and Torres Strait Islander peoples.

Where the term 'Aboriginal' is used it refers to both Aboriginal and Torres Strait Islander peoples. Indigenous is retained when it is part of the title of a report, program or quotation. Throughout this paper we refer to 'Aboriginal peoples' rather than 'Aboriginal people' to reflect the plurality and diversity of Victorian Aboriginal communities.

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**DISCLAIMER:** This document provides general guidance only on the child safe standards. The department does not guarantee that the examples provided in the document are sufficient for the purposes of an organisation's compliance with existing regulatory or government funding requirements.

**Note for registered schools:** a forthcoming Ministerial Order under the *Education and Training Reform Act 2006* will contain the minimum actions that schools must take to meet each of the child safe standards. There will be a lead in time before regulation will commence to allow schools time to prepare. The Department of Education and Training and the Victorian Registration and Qualifications Authority will provide information and materials specifically for schools to assist with capacity building and compliance.

**Note:** At publication of this document, legislation to introduce the Victorian child safe standards is being considered by the Victorian Parliament. It is intended that the *Child Safety and Wellbeing Act 2005* (the Act) will be amended to enable the Minister for Families and Children to determine the child safe standards and publish them in the Government Gazette. The Act will specify the types of organisations to which the standards apply. Additional types of organisations may be included in scope as required.

To further support organisations, the Department of Health and Human Services will provide tools and templates, including sample codes of conduct, sample child safe policies, fact sheets on human resources practices and risk management tools. In addition, information sessions are being held in Melbourne CBD and rural Victoria in November and December 2015. Further information sessions are being considered for 2016.

## Acknowledgements

The compilation of this overview has been enhanced by the contribution of a wide variety of organisations. Additionally, organisations that contributed to the development of the child safe standards provided valuable insight into practical implementation of the standards, which have informed many of the examples included in this manual. The Victorian Government thanks all these organisations and associated individuals for their time and valuable input.

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# Introduction

The Victorian Government is introducing child safe standards to improve the way organisations that provide services for children prevent and respond to child abuse that may occur within their organisation.

The standards are compulsory for all organisations providing services to children, and aim to drive cultural change in organisations so that protecting children from abuse is embedded in the everyday thinking and practice of leaders, staff and volunteers. This will assist organisations to:

- prevent child abuse
- encourage reporting of any abuse that does occur
- improve responses to any allegations of child abuse.

The child safe standards are a central feature of the Victorian Government's response to the Family and Community Development Committee of the Victorian Parliament's *Betrayal of Trust: Inquiry into the Handling of Child Abuse by Religious and Other Non-Government Organisations* (Betrayal of Trust Inquiry).

## This overview

This overview aims to:

- help organisations understand the standards, their objectives and what they mean for organisations
- provide guidance to help organisations meet the standards.

Throughout this document, some examples of how an organisation might meet the standards are provided. However, the organisations within the scope of the standards vary significantly, both in size and in the nature of their interaction with children. Therefore, the approach different organisations might take to meet the standards is likely to vary, and organisations are encouraged to determine how best to meet the standards within their own context.

This overview provides general guidance to organisations only, and currently it is not intended that it be used as a government regulatory tool.

## Background to the standards

The *Betrayal of Trust* report was tabled on 13 November 2013. It found that while the majority of children are safe in organisations, there are inadequate and inconsistent approaches to child safety in organisations across Victoria. It provided 15 recommendations, including the introduction of child safe standards in Victoria to ensure child safe environments in organisations that work with children.

The Victorian Government has committed to implementing all of the recommendations of the Betrayal of Trust Inquiry. The Department of Health and Human Services (the department) is leading the development and implementation of the child safe standards, and has held consultations with organisations in Victoria likely to be subject to the new standards. You can download a copy of the outcomes report of the consultation on the Department of Health and Human Services website at <http://providers.dhhs.vic.gov.au/reportable-conduct-scheme>

To further support organisations, case study examples, tools, templates and information and training sessions will be made available online soon. Examples of good practice will emerge over time, which will provide more guidance about how different types of organisations can meet the standards.

## Further information and support

[Department of Health and Human Services website](http://providers.dhhs.vic.gov.au/creating-child-safe-organisations) < <http://providers.dhhs.vic.gov.au/creating-child-safe-organisations>>

**Email:** [childsafestandards@dhhs.vic.gov.au](mailto:childsafestandards@dhhs.vic.gov.au)

**Phone:** 9096 0000 or 1300 650 172

**Call the police on 000 if you have immediate concerns for a child's safety.**

[Information about child protection services](http://providers.dhhs.vic.gov.au/making-report-child-protection) can be found on the department's website < <http://providers.dhhs.vic.gov.au/making-report-child-protection>>.

## The scope of the standards

The standards will apply to organisations providing services for children. This includes organisations that provide services to both adults and children. For example, a hospital that provides services to children as well as adults will need to comply with the standards.

During consultation with the sector, it was determined that the standards would best achieve their objectives if they were compulsory for all organisations that provide services for children (see [Betrayal of Trust Implementation: Child safe standards and capacity building Consultation report 2015](http://providers.dhhs.vic.gov.au/reportable-conduct-scheme) on the Department of Health and Human Services website < <http://providers.dhhs.vic.gov.au/reportable-conduct-scheme>> for further information). This includes organisations which are funded and/or regulated by government and those which are not. The standards will be implemented separately for each of these two groups:

- **Category 1:** organisations currently funded or regulated by government will be required to work towards compliance from **1 January 2016**
- **Category 2:** the standards will apply to organisations with limited or no funding or regulatory arrangements with government from **1 January 2017**.

Organisations that fall into each Category are shown in Box 1 and Box 2 below.

The phased approach reflects the expectation that organisations in Category 1 are more likely to already meet, or partly meet, the standards due to existing service agreements, regulations or professional codes of conduct. Category 2 organisations may need more time to adjust, and may benefit from the learnings of how Category 1 organisations met the standards.

If you are uncertain whether the standards apply to your organisation, please seek clarification from the Department of Health and Human Services (details provided above).

While the standards apply to specific types of organisations by law, all organisations are encouraged to consider how they can help prevent child abuse.



### **Box 1: Category 1 organisations<sup>1</sup>**

- an organisation which provides Early Childhood Intervention Services
- approved education and care services (e.g. kindergartens, after hours care services)
- approved education and training organisations providing courses to students from overseas
- child protection services
- children's services (e.g. occasional care providers)
- designated mental health services and publicly funded mental health community support services
- disability service providers
- drug or alcohol treatment services
- support services for parents and families
- government departments and agencies providing services for children (including youth justice)
- housing services and homeless services
- Maternal and Child Health Centres
- local councils
- organisations registered or accredited to provide senior secondary education and training
- out-of-home care services
- public and denominational hospitals, public health services, private hospitals, multipurpose services, day procedure centres and registered community health services
- registered overseas secondary school exchange organisations
- registered schools (government and non-government)
- family violence or sexual assault services
- youth services

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<sup>1</sup> See the Child Wellbeing and Safety Amendment (Child Safe Standards) Bill 2015 for detailed definitions of the types of organisations in scope for Category 1 and Category 2 listed below.

## Box 2: Category 2 organisations

- charities and not-for-profit organisations
- coaching or tuition services for children
- commercial or publically funded transport services for children
- counselling or other support services for children
- cultural, sport or recreation, groups, clubs or associations providing services for children
- disability service providers other than those registered under the *Disability Act 2006* (such as Transport Accident Commission (TAC) funded providers)
- entertainment or party services for children
- gym or play services for children
- organisations which employ a child for whom a permit is required under the *Child Employment Act 2003*
- overnight camps for children
- photography services for children
- post-school education and training providers, including TAFE institutes and universities
- professional babysitting services
- religious organisations, including churches
- residential facilities of boarding schools and student hostels
- schools other than a registered school (such as swimming schools, dance schools)
- talent or beauty competitions in which children participate
- youth organisations (such as Scouts or Girl Guides)

## Monitoring and compliance

The focus of the child safe standards is helping organisations to drive cultural change so that protecting children from abuse is embedded in everyday thinking and practice.

In the first phase of implementation, monitoring and oversight of compliance with the standards will be undertaken through existing regulatory, funding and contractual arrangements. If you have an existing funding or regulatory relationship with a Victorian Government department or regulatory body please make contact through your usual channels. Please contact the Department of Health and Human Services for any additional questions about the child safe standards.

Additional monitoring and oversight of the standards for all organisations is being considered. To help reduce regulatory burden and avoid duplication, it is intended that any additional monitoring will build on existing mechanisms.

## Glossary of terms

Term	Definition
<b>The Act</b>	<i>Child Safety and Wellbeing Act 2005</i> <sup>2</sup>
<b>Aboriginal child</b>	A person under the age of 18 who: <ul style="list-style-type: none"> <li>• is of Aboriginal or Torres Strait Islander descent</li> <li>• identifies as Aboriginal or Torres Strait Islander, and</li> <li>• is accepted as Aboriginal or Torres Strait Islander by an Aboriginal or Torres Strait Islander community.</li> </ul>
<b>Child abuse</b>	For the purposes of these standards, abuse constitutes any act committed against a child involving: <ul style="list-style-type: none"> <li>• physical violence</li> <li>• sexual offences</li> <li>• serious emotional or psychological abuse</li> <li>• serious neglect.</li> </ul> <p>Further explanation of these types of abuse is provided in the section 'What is child abuse?'.</p>
<b>Children from culturally and/or linguistically diverse backgrounds</b>	A child or young person who identifies as having particular cultural or linguistic affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of their parents' identification on a similar basis. <sup>3</sup>
<b>Child</b>	A person who is under the age of 18 years.
<b>Child safety</b>	In the context of the child safe standards, child safety means measures to protect children from abuse.
<b>Child safe organisation</b>	In the context of the child safe standards, a child safe organisation is one that meets the child safe standards by proactively taking measures to protect children from abuse.
<b>Cultural competency</b>	A set of congruent behaviours, attitudes and policies that come together in a system, agency or among professionals that enable them to work effectively in cross-cultural situations. <sup>4</sup>
<b>Cultural abuse</b>	Actions and attitudes that deliberately ignore, denigrate or attack the culture of a person or community. <sup>5</sup>
<b>Cultural safety for Aboriginal children</b>	The positive recognition and celebration of cultures. It is more than just the absence of racism or discrimination, and more than cultural awareness and cultural sensitivity.

<sup>2</sup> If passed, the Child Wellbeing and Safety Amendment (Child Safe Standards) Bill 2015 will amend the *Child Safety and Wellbeing Act 2005*.

<sup>3</sup> Victorian Government, *Cultural Responsiveness: Guidelines for Victorian Health Services* (2009) [http://www.health.vic.gov.au/\\_\\_data/assets/pdf\\_file/0008/381068/cultural\\_responsiveness.pdf](http://www.health.vic.gov.au/__data/assets/pdf_file/0008/381068/cultural_responsiveness.pdf)

<sup>4</sup> Aboriginal Cultural Competence Framework 2008: [http://www.dhs.vic.gov.au/\\_\\_data/assets/pdf\\_file/0011/580934/Aboriginal\\_cultural\\_competence\\_2008.pdf](http://www.dhs.vic.gov.au/__data/assets/pdf_file/0011/580934/Aboriginal_cultural_competence_2008.pdf)

<sup>5</sup> Aboriginal Cultural competence Framework 2008 [http://www.dhs.vic.gov.au/\\_\\_data/assets/pdf\\_file/0011/580934/Aboriginal\\_cultural\\_competence\\_2008.pdf](http://www.dhs.vic.gov.au/__data/assets/pdf_file/0011/580934/Aboriginal_cultural_competence_2008.pdf)

Term	Definition
	<p>A culturally safe environment does not ignore, challenge or deny cultural identity. Cultural safety upholds the rights of Aboriginal children to:</p> <ul style="list-style-type: none"> <li>• identify as Aboriginal without fear of retribution or questioning</li> <li>• have an education that strengthens their culture and identity</li> <li>• maintain connections to their land and country</li> <li>• maintain their strong kinship ties and social obligations</li> <li>• be taught their cultural heritage by their Elders</li> <li>• receive information in a culturally sensitive, relevant and accessible manner</li> <li>• be involved in services that are culturally respectful.<sup>6</sup></li> </ul>
<b>Cultural safety for children from culturally and/or linguistically diverse backgrounds</b>	<p>An environment which is spiritually, socially and emotionally safe, as well as physically safe for children; where there is no assault, challenge or denial of their cultural or linguistic identity, of who they are and what they need.<sup>7</sup> Efforts need to be made to ensure the culturally and/or linguistically diverse children and their families receive information in a culturally sensitive, relevant and accessible manner, including in relevant community languages.</p>
<b>Children with a disability</b>	<p>A disability can be any physical, sensory, neurological disability, acquired brain injury or intellectual disability or developmental delay that affects a child's ability to undertake everyday activities.<sup>8</sup> A disability can occur at any time in life. Children can be born with a disability or acquire a disability suddenly through an injury or illness. Some disabilities may be obvious while others are hidden.<sup>9</sup></p>
<b>Organisation<sup>10</sup></b>	<p>The <i>Child Safety and Wellbeing Act 2005</i> (the Act) will provide that the standards apply to 'applicable entities', which are defined in the Act as:</p> <ul style="list-style-type: none"> <li>• an incorporated body or association</li> <li>• an unincorporated body or association (however structured)</li> <li>• an individual who carries on a business and engages contractors, employees or volunteers to assist in the business in providing services or facilities.</li> </ul>

For further explanation or definitions please refer to the Child Wellbeing and Safety Amendment (Child Safe Standards) Bill 2015.

<sup>6</sup> Victorian Aboriginal Child Care Agency, 2010, *Building Respectful Partnerships*

<sup>7</sup> Williams, R. 1999, 'Cultural Safety – what does it mean for our work practice?', *Australian and New Zealand Journal of Public Health*, Vol 23, Issue 2, p213-214.

<sup>8</sup> s 3 *Disability Act 2006*.

<sup>9</sup> Department of Health and Human Services, [About disability](http://providers.dhhs.vic.gov.au/people-disability-victoria), < http://providers.dhhs.vic.gov.au/people-disability-victoria >

<sup>10</sup> An individual who carries on a business but does not engage contractors, employees or volunteers to assist in the business in providing services or facilities will be required to comply with the child safe standards when the individual belongs to a class prescribed by regulation.

# What is child abuse?

The child safe standards aim to protect children from abuse in organisations. Under the Act, child abuse includes five categories of abuse as outlined below.<sup>11</sup>

While the standards apply specifically to child abuse, organisations should look to promote children's health and wellbeing in a broader sense.

## Physical violence

Physical violence occurs when a child suffers or is likely to suffer significant harm from a non-accidental injury or injuries inflicted by another person. Physical violence can be inflicted in many ways, including beating, shaking, burning or use of weapons (such as, belts and paddles).

Possible physical indicators:

- Unexplained bruises
- Burns and/or fractured bones

Possible behavioural indicators:

- Showing wariness or distrust of adults
- Wearing long sleeved clothes on hot days (to hide bruising or other injury)
- Fear of specific people
- Unexplained absences
- Academic problems

## Sexual offences

Sexual offences occur when a person involves the child in sexual activity, or deliberately puts the child in the presence of sexual behaviours that are exploitative or inappropriate to his/her age and development. Child sexual abuse can involve a range of sexual activity including fondling, masturbation, penetration, voyeurism and exhibitionism. It can also include exposure to or exploitation through pornography or prostitution, as well as grooming behaviour.<sup>12</sup>

Possible physical indicators:

- Presence of sexually transmitted diseases
- Pregnancy
- Vaginal or anal bleeding or discharge

Possible behavioural indicators:

- Displaying sexual behaviour or knowledge that is unusual for the child's age
- Difficulty sleeping
- Being withdrawn
- Complaining of headaches or stomach pains
- Fear of specific people
- Showing wariness or distrust of adults

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<sup>11</sup> These definitions are based on the Victorian [Child Protection Practice Manual: <www.dhs.vic.gov.au/cpmanual/practice-context/child-protection-program-overview/1008-abuse-and-harm-legal-and-practice-definitions>](http://www.dhs.vic.gov.au/cpmanual/practice-context/child-protection-program-overview/1008-abuse-and-harm-legal-and-practice-definitions)

<sup>12</sup> A new grooming offence commenced in Victoria on 9 April 2014. Further information is available on the [Department of Justice website <www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/grooming+offence>](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/grooming+offence)

- Displaying aggressive behaviour

## Serious emotional or psychological abuse

Serious emotional or psychological abuse occurs when harm is inflicted on a child through repeated rejection, isolation, or by threats or violence. It can include derogatory name-calling and put-downs, or persistent and deliberate coldness from a person, to the extent where the behaviour of the child is disturbed or their emotional development is at serious risk of being impaired. Serious emotional or psychological abuse could also result from conduct that exploits a child without necessarily being criminal, such as encouraging a child to engage in inappropriate or risky behaviours.

Possible physical indicators:

- Delays in emotional, mental, or even physical development
- Physical signs of self-harming

Possible behavioural indicators:

- Exhibiting low self-esteem
- Exhibiting high anxiety
- Displaying aggressive or demanding behaviour
- Being withdrawn, passive and/or tearful
- Self-harming

## Serious neglect

Serious neglect is the continued failure to provide a child with the basic necessities of life, such as food, clothing, shelter, hygiene, medical attention or adequate supervision, to the extent that the child's health, safety and/or development is, or is likely to be, jeopardised. Serious neglect can also occur if an adult fails to adequately ensure the safety of a child where the child is exposed to extremely dangerous or life threatening situations.

Possible physical indicators:

- Frequent hunger
- Malnutrition
- Poor hygiene
- Inappropriate clothing

Possible behavioural indicators:

- Stealing food
- Staying at school outside of school hours
- Aggressive behaviour
- Misusing alcohol or drugs
- Academic issues

**Call the police on 000 if you have immediate concerns for a child's safety.**

Information about child protection services can be found on the [Department of Health and Human Services website](http://providers.dhhs.vic.gov.au/child-protection) < <http://providers.dhhs.vic.gov.au/child-protection> >

# The child safe standards

The child safe standards are as follows:

In complying with the child safe standards an applicable entity to which the standards apply must include the following principles as part of their response to each standard:

- **promoting the cultural safety of Aboriginal children**
- **promoting the cultural safety of children from culturally and/or linguistically diverse backgrounds**
- **promoting the safety of children with a disability.**

To create and maintain a child safe organisation, an applicable entity to which the standards apply must have:

**Standard 1: Strategies to embed an organisational culture of child safety, including through effective leadership arrangements.**

**Standard 2: A child safe policy or statement of commitment to child safety.**

**Standard 3: A code of conduct that establishes clear expectations for appropriate behaviour with children.**

**Standard 4: Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel.**

**Standard 5: Processes for responding to and reporting suspected child abuse.**

**Standard 6: Strategies to identify and reduce or remove risks of child abuse.**

**Standard 7: Strategies to promote the participation and empowerment of children.**

## Aboriginal cultural safety

Aboriginal children are significantly over-represented in institutions including child protection, youth justice and out-of-home care systems.<sup>13</sup> The reasons for this are complex and influenced by past policies like forced removals, the effects of lower socio-economic status and differences in child rearing practices and intergenerational trauma.<sup>14</sup> Additionally, impacts of abuse are heightened for Aboriginal children who may not feel culturally safe enough to report abuse.<sup>15</sup>

Organisations need to consider cultural safety of Aboriginal children across the implementation of all the standards. This overview includes non-exhaustive examples of how organisations could do this for each standard.

## Cultural safety for children from a culturally and/or linguistically diverse background

There is a lack of data on the incidence of abuse of children from culturally and/or linguistically diverse backgrounds. However, it is understood that these children face unique risks leading to their involvement with child protection services, including distrust of social service providers.<sup>16</sup> Culturally and/or

<sup>13</sup> Australian Institute of Family Studies '[Child Protection and Aboriginal and Torres Strait Islander Children](https://aifs.gov.au/cfca/publications/child-protection-and-aboriginal-and-torres-strait-islander-children)' CFCA Resource Sheet September 2015, < [aifs.gov.au/cfca/publications/child-protection-and-aboriginal-and-torres-strait-islander-children](https://aifs.gov.au/cfca/publications/child-protection-and-aboriginal-and-torres-strait-islander-children) >

<sup>14</sup> Human Rights and Equal Opportunity Commission, *Bringing Them Home: The 'Stolen Generation' Report* (1997): <https://www.humanrights.gov.au/our-work/aboriginal-and-torres-strait-islander-social-justice/publications/bringing-them-home-stolen>

<sup>15</sup> Consultations with Aboriginal organisations about development of the child safe standards.

<sup>16</sup> Kaur, J. 2012, *Cultural Diversity and Child Protection: A review of the Australian research on the needs of culturally and linguistically diverse (CALD) and refugee children and families*, JK Diversity Consultants, Queensland.

linguistically diverse children, particularly those from refugee or asylum seeker communities, are also more likely to have experienced trauma or displacement and loss (or have parents who have) before coming to Australia.<sup>17</sup> Culturally and/or linguistically diverse children and families may also experience communication barriers when it comes to reporting abuse and knowing where to go for support.

Organisations need to consider cultural safety of culturally and/or linguistically diverse children across the implementation of all the standards. This overview includes non-exhaustive examples of how organisations could do this for each standard.

## Children with a disability

People with a disability have the same rights and responsibilities as other members of the community and should be empowered to exercise those rights and responsibilities. In particular, people with a disability have the same rights as other members of the community to live free from abuse.<sup>18</sup>

Children with a disability have an increased risk of being abused compared with children without a disability. A number of factors may contribute to the risk of abuse including physical impairments or difficulties with speech and communication, memory, literacy, vision and hearing impairments, and reliance on caregivers. People with a disability often receive less sexual education than their peers. These factors may also contribute to poor recognition of abuse of children with a disability.<sup>19</sup>

Children with a disability are also less likely to receive the protection and support they need if they have been abused.<sup>20</sup> Children with a disability are very diverse, with a wide range of needs depending on the nature of their disability and the individual characteristics and circumstances of the child.

Organisations need to consider the safety of children with a disability across the implementation of all the standards. This overview includes some examples of how organisations could do this for each standard.

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<sup>17</sup> Sinney, A. 2014, *Everyone Deserves to Feel Safe: The Culturally and Linguistically Diverse Safe from the Start Project Final Report*, Swinburne University of Technology, Phoenix Centre / Migrant Resource Centre, Salvation Army, Tasmania.

<sup>18</sup> s 5(2) *Disability Act 2006*.

<sup>19</sup> See for example Susan Vig and Ruth Kaminer 2002, 'Maltreatment and Development Disabilities in Children' *Journal of Development and Physical Disabilities* Vol 14(4); David S Mandell et al 2005, 'The prevalence and correlates of abuse among children with autism served in comprehensive community-based mental health settings' *Child Abuse & Neglect* 29.

<sup>20</sup> Miller, D. & Brown, J. 2014, *We have a right to be safe: Protecting disabled children from abuse*, National Society for the Prevention of Cruelty to Children, London.



# Standard 1

## Strategies to embed an organisational culture of child safety, including through effective leadership arrangements

### Description

All staff and volunteers in organisations providing services to children need to recognise the importance of keeping children safe. Under this standard, organisations need to establish new ways or build on existing systems to embed or improve on a culture of child safety throughout all levels of their organisation.

### Rationale

Preventing child abuse and responding to allegations is everyone's business. The child safe standards aim to drive cultural change in organisations so that protecting children from abuse is embedded in everyday thinking and practice. To engage this cultural change, organisations need to:

- help leaders and managers create an organisational culture that protects children from abuse
- ensure the organisation's policies and practices reflect a commitment to child safety
- ensure leadership is aware of allegations and substantiated cases of abuse and responds in ways that protect children from abuse
- ensure staff and volunteers know and understand the organisation's commitment to child safety
- commit to continuous improvement through regular reviews and updating policies and practices, and being open to scrutiny.

### How could your organisation implement this standard?

Examples of how your organisation could implement this standard include the following:

- Ensure strategic direction, vision and mission includes child safety as a key goal.
- Have a section on child safety in the organisation's annual report.
- Have a child safety representative or champion who is appropriately trained and supported.
- Provide induction and training in recognising and responding to child abuse for leadership, relevant management, staff and volunteers, including what to do if an allegation is made or a concern raised or staff observe abusive behaviour towards a child.
- Build responsibility for embedding an organisational culture of safety into performance arrangements for senior staff.
- Promote to staff, volunteers, children and families a confidential reporting culture for suspected abuse by ensuring the organisation's leaders take responsibility for incidents at all levels.
- Include priorities and actions in operational plans that nurture and affirm the involvement in all children in the organisation's activities, and in particular Aboriginal children, children from culturally and/or linguistically diverse backgrounds, and children with a disability.
- Provide culturally safe environments for Aboriginal children, for example by having a cultural safety charter, or developing cultural safety or support plans in partnership with Aboriginal children, families and communities.

- Provide a physical environment that is visually inclusive and welcoming for Aboriginal peoples and culture, such as by displaying symbols that indicate support and respect for Aboriginal peoples (although symbols in isolation would not be sufficient).
- Display information from local Aboriginal services, such as pamphlets for community events.
- Encourage and promote environments where the past is acknowledged and Aboriginal cultural diversity is respected, such as by including an Acknowledgement of Country at each meeting or event.
- Provide culturally safe environments for children from culturally and/or linguistically diverse backgrounds. For example, this could include gathering information about cultural and linguistic backgrounds and needs of children who access the organisation's services, developing cultural safety plans, or having a cultural safety charter.
- Create an environment supportive of children with a disability, for example, by being aware of the different support needs of children with a disability accessing the organisation.
- Maintain adequate record keeping of child safety issues and responses of any incidents, for example in an Excel spreadsheet or 'log book' that is appropriately stored to protect the privacy of children.
- Partner with families and communities to build a culture of child safety, for example by partnering with other local service providers or businesses to promote child safety at local events.
- Develop working partnerships with local Aboriginal community controlled organisations, community leaders, families and children, in order to gather feedback and advice on organisational child safety policies and procedures.
- Partner with culturally and/or linguistically diverse communities to build a cultural safe environment. For example, this could include gathering feedback and advice on organisational child safety policies and procedures from culturally and/or linguistically diverse communities and appropriately acknowledge and discuss cultural days of significance with staff, volunteers and children to build cultural understanding and awareness of diversity.
- Partner with communities and children with experience of disability. For example, this could include gathering feedback and advice on organisational child safety policies and procedures from communities and children with a disability.
- Institute child safety policies and procedures and include improvements to child safety policies and procedures as a regular agenda item at relevant leadership, staff and volunteer meetings.
- Include child safety as a regular newsletter item.
- Promote child safety as an ethical imperative that is everyone's responsibility. For example, child safety could be included in all position descriptions and documents on roles and responsibilities for board members, staff and volunteers.
- Have systems to regularly review and improve child safety policies and practices, particularly following any incidents.

**Successfully implementing this standard should result in organisations in which:**

- there are clear and transparent arrangements for leadership to be made aware of child safety issues
- policies and practices prioritise child safety and promote shared responsibility – not just at a leadership level – by outlining all staff and volunteer responsibilities
- policies and procedures include the steps staff, volunteers, children or their families should take if they have concerns about the organisation's leadership in regard to child safety
- child safety is a core part of public and internal messaging
- a culture exists where staff, volunteers, children and families feel comfortable and supported when talking about any child safety concerns.
- a culture exists of supporting cultural safety for Aboriginal children, and the organisations working in partnership with Aboriginal peoples and Aboriginal community controlled organisations to improve safety for Aboriginal children

- a culture exists of supporting cultural safety for children from culturally and/or linguistically diverse backgrounds.
- a culture exists of supporting safety for children with a disability.

# Standard 2

## A child safe policy or statement of commitment to child safety

### Description

Organisations need to have a publicly accessible child safe policy or public statement of commitment to child safety, with an overarching set of principles guiding the development of policies and procedures to protect children from abuse.

A child safe policy is an overarching document that provides key elements of an organisation's approach to becoming child safe. It sets out the processes for reporting and responding to concerns and allegations (or clearly refers people to where these processes can be found), and refers to the code of conduct which should provide specific guidelines on appropriate behaviour with children (see Standard 3 over page).

A statement of commitment to child safety should be included as part of a child safe policy. This statement affirms the organisation's commitment to child safety by clearly stating that the organisation has zero tolerance for child abuse, is committed to acting in children's best interests and keeping them safe, and actively works to empower children.

A child safe policy is appropriate for organisations that have a higher level of responsibility for children, however, can still be used by other organisations. Smaller organisations with limited responsibility for children may choose to implement a statement of commitment.

Implementation of the principles in the policy or statement will influence organisational culture and create consistent policies and procedures within and across organisations that provide services for children.

### Rationale

Child safe policies or statements influence organisational culture by providing an overarching set of principles that guide the development of other organisational policies and procedures that aim to protect children from abuse. Public statements or policies on child safety help raise awareness about the importance of child safety in the organisation and the community.

### How could your organisation implement this standard?

Examples of how your organisation could implement this standard include the following:

- Develop a new (or review an existing) child safe policy or statement of commitment to child safety, including a statement or description of:
  - what constitutes child abuse
  - zero tolerance of child abuse
  - commitment to children's safety and best interests
  - prevention and management of child abuse risks, including risks presented by physical and online environments
  - roles and responsibilities of personnel involved in protecting children, including the duty of care of the board, management, staff and volunteers
  - the organisation's commitment to the cultural safety of Aboriginal children
  - the organisation's commitment to the cultural safety of culturally and/or linguistically diverse children

- the organisation’s commitment to the safety of children with a disability.
- The child safety statement or policy could also include:
  - details of both children’s rights and adults’ obligations in ensuring child safety, for example by reference to the *United Nations Convention on the Rights of the Child*
  - a detailed description of the systems for promoting a safe environment, including through the early identification and response to risks of abuse in physical and online environments
  - inclusive language and culturally appropriate photographs and artwork
  - contact details for people to access information in relation to child safety, such as the organisation’s Child Safety Champion.
- Communicate the statement or policy publicly. For example, on websites, newsletters, annual reports, mission or vision statements, and recruitment advertisements and welcome packs.
- Communicate the statement or policy in child friendly language and design.
- Communicate the public statement or policy in community languages, including Aboriginal languages, where appropriate.
- Communicate the public statement or policy in accessible methods for people with a disability.
- Ensure board members, staff and volunteers are aware of the organisation’s child safe policy and its key provisions. For example include child safety material in staff induction information and welcome packs.

**Successfully implementing this standard should result in organisations in which:**

- the organisation has a child safe policy or statement of commitment
- the organisation has made public their commitment to child safety
- all board members, staff and volunteers are aware of the organisation’s commitment to child safety and their duty of care requirements
- all staff and volunteers can easily access and understand the organisation’s commitment to child safety
- the organisation’s commitment to child safety includes a commitment to the safety of Aboriginal children, children from culturally and/or linguistically diverse backgrounds and children with a disability.

# Standard 3

## A code of conduct that establishes clear expectations for appropriate behaviour with children

### Description

Organisations are required to develop or review codes of conduct and ensure they provide all staff and volunteers with a set of clear principles about how they should behave with children. Where applicable, organisations can reference professional codes of conduct that clearly outline appropriate behaviour with children.

### Rationale

Codes of conduct establish clear behavioural expectations and boundaries for personnel interacting with children. While many organisations have codes of conduct incorporating child safety, they can vary in content and quality, and often do not provide clear explanation about how their codes of conduct are translated into practice.

### How could your organisation implement this standard?

Examples of how your organisation could implement this standard include the following:

- Ensure existing or new codes of conduct include:
  - clear and specific standards of conduct for working with children in different situations relevant to the organisation, including, for example, an outline of the organisation’s online policy (including downloading of inappropriate material and online communication with children such as on Facebook), and boundaries for physical contact in sports coaching
  - clear explanation of appropriate relationships with children for staff, volunteers and families, for example, when it is appropriate for there to be physical contact
  - instruction on how adults should respond to any risks adults may pose to children, or that children may pose to each other, in both physical and online environments
  - guidance about conduct that is not consistent with the code, the organisation’s procedures for handling any breaches of the code and consequences for people who breach the code
  - information on when and how the code will be reviewed.
  - recognition of the needs of Aboriginal children and culturally appropriate behaviour and relationships for personnel and children, for example, providing recognition of the importance of Aboriginal children’s relationships with their extended family and community including Elders
  - recognition of the needs of children from culturally and/or linguistically diverse backgrounds and culturally appropriate behaviour and relationships for personnel and children, for example, appreciating the tendency of people from culturally and/or linguistically diverse communities to mistrust authority figures and human service providers
  - recognition of the needs of children with a disability and appropriate behaviour and relationships for personnel and children, for example, appropriate ways to physically and emotionally assist a child with a disability
  - recognition of any differences in what is considered acceptable behaviour (for example personal care for children with a disability and supervision).
- Ask staff, volunteers and families to sign the code of conduct.

- A code of conduct for children in accessible language outlining expected behaviour of children, including zero tolerance of abuse, which children can sign.
- Ensure all personnel are aware of the code of conduct.
- Build ownership and commitment to the code of conduct, for example by having staff, volunteers, families and children contribute to the development of the code of conduct, including by providing feedback on draft codes of conduct.

**Successfully implementing this standard should result in organisations in which:**

- appropriate behaviour with children is clearly defined, accessible and understood by staff, volunteers, families and children
- steps staff should take if they identify child safety risks are clearly outlined
- staff, volunteers, families and children understand culturally safe behaviour and relationships with Aboriginal children and children from culturally and/or linguistically diverse backgrounds
- staff, volunteers, families and children understand safe behaviour and relationships with children with a disability
- children and families from culturally and/or linguistically diverse backgrounds can access and understand the code of conduct
- efforts have been made to make the code of conduct accessible to children with a disability.

# Standard 4

## Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel

### Description

Organisations need to ensure that newly recruited and existing staff and volunteers understand the importance of child safety, are aware of the relevant policies and procedures, and are trained to minimise the risk of child abuse. This should be done by engaging various recruitment tools, and providing staff and volunteers with appropriate training and supervision to minimise the risk of child abuse.

It is important to note that the child safe standards are not intended to alter organisations' existing regulatory obligations in relation to the Working with Children Check.

### Rationale

The Working with Children Check is actively used by organisations and is an effective screening tool when hiring new staff and volunteers, and as an effective monitoring tool on an ongoing basis for relevant personnel. However, organisations can over-rely on the Working with Children Check at the expense of other essential recruitment processes such as reference checks, as well as ongoing support, supervision and training, all critical to managing and reducing the risk of child abuse.

### How could your organisation implement this standard?

Examples of how your organisation could implement this standard include the following:

- Design and adhere to recruitment and selection processes that focus on:
  - factors that may indicate a risk to child safety, such reluctance to undergo a Working with Children Check or to provide evidence of a Working with Children Check
  - understanding of child safety
  - understanding of and respect for Aboriginal culture
  - understanding of and respect for cultural and / or linguistic diversity
  - understanding of and respect for the needs of children with a disability
  - declaration of prior conduct, including of any disciplinary action taken against them by an employer, any finding of improper or unprofessional conduct by them by any court or tribunal of any kind, and/or any investigations they have been subject to by an employer, law enforcement agency, any integrity body, or similar in Australia or in another country
  - undertaking face-to-face interviews
  - police record checks (including personal identification checks)
  - checking referees and qualifications
  - use of probation periods
  - references to the organisation's commitment to child safety in recruitment advertisements.
- Regularly assess organisational child safety training needs, for example through questionnaires, or as part of regular performance review processes.
- Ensure staff and volunteers understand the importance of cultural safety for Aboriginal peoples, for example by encouraging awareness of and ability to talk about Aboriginal history and stories.



- Support staff to build resilience and cope with child abuse incidences, for example through training and counselling.
- Regularly provide information, training and education for board members, staff and volunteers about child safety on a needs basis, including:
  - what child abuse is
  - how to identify and reduce child abuse risks
  - understanding and appreciating Aboriginal culture and other cultures and languages they may engage with in their role
  - the importance of ensuring culturally safe environments for children from culturally and/or linguistically diverse backgrounds, and how to promote this
  - the importance of ensuring safe environments for children with a disability, and how to promote this
  - what constitutes inappropriate behaviour between children, such as inappropriate sexualised play, bullying and fighting
  - what is inappropriate behaviour between children and adults, with reference to the code of conduct.
- Induction processes to inform new staff and volunteers about child safety policies and processes, including the code of conduct.
- Provide ongoing training, support, supervision and performance management for all personnel. For example, ask specific questions about understanding of child safety protocols during performance review processes.
- Provide all personnel with training on how to 'ask the question' to children of all cultures and appropriate follow-up actions.<sup>21</sup>
- Use culturally inclusive recruitment practices, for example by gaining advice from Aboriginal, culturally and/or linguistically diverse communities and people with a disability on position descriptions and selection criteria to increase the appeal of a position to these groups.
- Specifically welcome applications from Aboriginal peoples, people from culturally and/or linguistically diverse backgrounds and people with a disability.
- Ensure interview questions are asked which aim to uncover applicants' understanding of child safety.
- During interviews, emphasise the culture of valuing child safety and the expectations of staff responsibilities, to underscore its importance to the organisation.

**Successfully implementing this standard should result in organisations in which:**

- interviews, police record checks (including identity checks), reference checks and Working with Children Checks (where necessary)<sup>22</sup> are undertaken for staff and volunteers
- recruitment processes select appropriate staff and volunteers, and discourage inappropriate staff entering the organisation
- relevant staff and volunteers are trained in child safety, and understand and practice appropriate behaviour
- relevant staff and volunteers are aware of the risk of child abuse, how to identify inappropriate behaviours in other adults, indicators of abuse in children and how to respond
- staff and volunteers are aware of the organisation's commitment to child safety and their duty of care requirements

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<sup>21</sup> Asking the question refers to asking whether people are Aboriginal.

<sup>22</sup> The child safe standards are not intended to expand the existing categories of employees and volunteers requiring a Working With Children Check. For more information on who requires a Working With Children Check, visit the [Working With Children website](http://www.workingwithchildren.vic.gov.au) <www.workingwithchildren.vic.gov.au>

- staff and volunteers can easily access and understand the organisation's commitment to child safety and relevant policies
- staff and volunteers know how to ensure the cultural safety of and engage safely with Aboriginal children and children from culturally and/or linguistically diverse backgrounds
- staff and volunteers know how to ensure the safety of and engage safely with children with a disability.

# Standard 5

## Processes for responding to and reporting suspected child abuse

### Description

Organisations are required to develop and implement clear policies and procedures to ensure:

- a supportive environment for children, personnel or families who report allegations of abuse or child safety concerns
- staff, volunteers, families and children know how to report abuse allegations, and feel comfortable doing so
- clear policies and procedures for notifying authorities, including the police, of suspected child abuse that comply with all legal requirements.

### Rationale

Organisational policies for reporting and responding to suspected child abuse should be clear and comprehensive to encourage staff, volunteers, families and children to report any suspected child abuse through appropriate internal channels, such as the organisation's Child Safety Officer / Champion. Leadership needs to be made aware of any allegations of abuse or child safety concerns, and the police and/or child protection must be notified if child abuse is suspected.

Organisations must be supportive to children, families and staff who have reported or witnessed abuse or have a child safety concern.

### How could your organisation implement this standard?

Examples of how your organisation could implement this standard include the following:

#### Reporting

- Comply with all legal requirements to report child abuse to appropriate authorities, including the police by calling 000 when it is suspected that a child's safety is at immediate risk.
- Ensure processes for reporting suspected child abuse are appropriate, clear and robust, and that children and families feel comfortable following them. This includes:
  - step by step guides for staff outlining when and to whom a report must be made
  - requirements for accurate recording of relevant information and actions taken
  - clear criteria for assessing how and when to report to leadership and authorities (the police and/or child protection), which comply with all legal requirements
  - instituting strategies to make people feel safe and comfortable reporting suspected abuse, for example by designating a person, such as a Child Safety Officer / Champion, for staff and children to contact to discuss a suspected abuse or child safety concern.
- Publicise and make accessible for families and children avenues for reporting incidents or concerns. For example, information could be included in welcome packs and/or on the organisation's website.
- Train relevant staff and volunteers in how to report suspected child abuse, and ensure they can identify signs of children at risk of abuse.
- Institute a feedback process for staff, volunteers, children and families on organisational policies and procedures for reporting abuse, recognising particular needs of Aboriginal peoples, people from culturally and/or linguistically diverse backgrounds and people with a disability.

- Establish and provide information on policies and procedures in relevant community languages, including Aboriginal languages, where relevant.
- Ensure reporting policies and procedures are accessible to children with a disability and/or their families where necessary, such as providing information on policies and procedures in relevant modalities, such as braille and assistive technologies.
- Utilise inclusive language, photography and/or artwork in communications about reporting processes.

### **Responding**

- Ensure children are safe, and that procedures for responding to alleged abuse are fair and focus on child safety, for example by suspending the alleged perpetrator or providing them with alternate duties pending investigation.
- Provide support and comfort to a child reporting abuse or safety concerns, and never blame or interrogate a child.
- Contact parents / carers as appropriate.

Ensure processes for responding to suspected child abuse explicitly include culturally appropriate responses where suspected abuse involves an Aboriginal child. A way to help ensure this could include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal community controlled organisations to review policies and procedures.

- Provide ongoing support or make referrals for support to alleged victims, their families and affected staff, such as helping them understand their rights and the process that will be followed in responding to allegations, and assistance in accessing counselling or other support as required.
- Provide contact details for internal and/or external expertise so that staff have access to advice when managing child safety incidents, including expertise relating to culturally and/or linguistically diverse children, and children with a disability.
- Undertake timely reviews of organisational child safe policies and procedures to be followed if child abuse occurs.
- Review organisational responses following an incident to help drive continuous improvement.

### **Successfully implementing this standard should result in organisations in which:**

- all legal requirements for reporting suspected child abuse are complied with
- staff and volunteers are aware of actions they should take in the event of an incident or allegation, including the type of contact that should be reported, who is responsible for reporting and to whom the report should be made
- allegations of abuse and safety concerns are appropriately recorded and stored securely to protect privacy
- disciplinary processes, that are clearly defined and understood by all staff and volunteers, are adhered to when necessary
- adequate and suitable steps are taken to ensure children are safe if an allegation of child abuse is reported, for example by suspending a worker or providing them with alternative duties while an investigation is undertaken
- children reporting an allegation of abuse or safety concern are provided with support and comfort
- culturally safe practices are applied if an Aboriginal child is involved in an allegation of abuse
- if an allegation of abuse involves a child from a culturally and/or linguistically diverse background, the required steps are taken to ensure the child and child's family are supported to understand the situation, including the use of an interpreter if required
- where an allegation of abuse involves a child with a disability, steps are taken to ensure the child and their family understand the situation and are supported.

# Standard 6

## Strategies to identify and reduce or remove the risk of abuse

### Description

Organisations need to adopt a risk management approach by identifying and considering their child safety risk(s) based on a range of factors including the nature of their activities with children, physical and online environments and the characteristics of children to whom they provide services. This covers both 'business as usual' risks and risks posed by specific activities such as excursions and overnight trips. Where risks are identified, organisations are required to institute measures to reduce or remove them.

### Rationale

Organisations that have an active approach to their duty of care in protecting children tend to have a risk management approach and a commitment to continuous improvement. Additionally, implementation of a risk management approach is part of organisations' recognition of their legal responsibilities to ensure the safety of children.

### How could your organisation implement this standard?

Examples of how your organisation could implement this standard include the following:

- Ensure clear and accessible processes for evaluating risks posed by situations and activities appropriate to the organisation, its size and resources, physical and online environments, and the characteristics of the children to whom it provides services.
- Developing, recording and communicating clear processes for removing risks to children (for example, rules on online communications that could be included in the code of conduct or child safe policy, removing staff or volunteers who may pose a risk).
- Provide relevant staff and volunteers with training in identifying child abuse risks, for example blocked-off/out-of-sight spaces (especially rooms with doors that can be locked), overnight stays, and opportunities for physical contact, such as sports coaching and personal care.
- Engage methods for continual improvement in how risks are managed by learning from past lessons, including policy review and staff training.
- A risk management approach driven through endorsement and ownership by management, including responsibility for risk identification and response in position descriptions.
- Ensure supervision requirements for staff and volunteers who work with children.
- Institute processes for periodic review of risk management approaches and/or processes and following any incidents.
- Recognise and adapt to the needs of particular children and communities, including Aboriginal children, culturally and/or linguistically diverse children and children with a disability. For example, acknowledgement that greater staff or volunteer to child ratios may be needed for some children with a disability.
- Recognise and address risks to Aboriginal children which might exist because of their experiences, for example if a child does not feel safe identifying as Aboriginal, or if there is an inadequate response to self-identification.
- Recognise and address risks to children with a culturally and/or linguistically diverse background, which might exist because of their experiences, for example increased communication with families may be necessary to build trust and understanding of organisational activities.

- Recognise and address risks for children with a disability, for example communication barriers when telling an adult they feel unsafe.
- Have a central reporting and advisory contact for staff to raise concerns and get advice about what to do if they need to report suspected abuse, for example a Child Safety Officer.
- Include statements about shared responsibility for management of risks in all position descriptions.
- Have a consistent risk management approach across all of the organisations' offices and other sites.
- Include discussion about apparent risks or 'near misses' in team meetings and areas for improvement.
- Roster staff with appropriate experience and qualifications to manage high risk environments.

**Successfully implementing this standard should result in organisations in which:**

- situational risks are considered and understood by all personnel
- steps are put in place to reduce risks where possible
- risk management approaches are regularly reflected on and improved
- specific risks to Aboriginal children are identified, assessed and mitigated
- specific risks to children from a culturally and/or linguistically diverse background are identified, assessed and mitigated
- specific risks to children with a disability are identified, assessed and mitigated.

# Standard 7

## Strategies to promote the participation and empowerment of children

### Description

Organisations need to ensure children feel safe and comfortable in reporting concerns or allegations of abuse. Organisations should have simple and accessible processes that help children understand what to do if they want to report abuse, inappropriate behaviour or concerns for their safety. All personnel need to have an awareness of children's rights and adults' responsibilities regarding child abuse.

### Rationale

Children often do not report abuse because they feel uncomfortable or they do not know how to raise their concerns or allegations of abuse. Some organisations do not have simple and accessible processes assisting children to understand their rights and how to report concerns regarding their safety.

### How could your organisation implement this standard?

Examples of how your organisation could implement this standard include the following:

- Provide children with child-appropriate and accessible information about what child abuse is, their rights to make decisions about their body and their privacy, that no one has a right to injure them, and how they can raise concerns about abuse. For example, information could be included in welcome packs, information sessions and posters, as well as on websites and social media.
- Ensure information and processes for reporting concerns are accessible to all children, for example by having policies and procedures that are able to be accessed and understood by children with a disability.
- Ensure information and processes for reporting concerns are culturally appropriate for Aboriginal children. A way to help ensure this could include engaging with parents of Aboriginal children, local Aboriginal communities or an Aboriginal community controlled organisation to review information and processes.
- Consider access and culturally appropriate language, photographs and artwork for Aboriginal children, children from culturally and/or linguistically diverse backgrounds and children with a disability when drafting communications materials.
- Translate organisational information (including information about children's rights, child safe policies, statements of commitment and reporting and response procedures) into relevant community languages, including relevant Aboriginal languages.
- Gather feedback from children, for example through surveys, focus groups, story time and social media, about whether they would feel safe and taken seriously if they were to raise concerns, and implement improvements based on this feedback.
- Enable children to express their views and make suggestions on what child safety means to them, and on child safe policies, reporting and response procedures, and acknowledge and act upon these where possible. For example, views could be gathered through suggestion boxes, feedback sessions, emails or online (via wikis or other social media).
- Ensure services are accessible for people with a disability, for example provide appropriate communication aids such as hearing loops.
- Train relevant staff and volunteers on methods of empowering children and encouraging children's participation.

- Ensure Aboriginal children are accepted when identifying as Aboriginal, and that staff and volunteers understand appropriate responses to children identifying as Aboriginal.
- Encourage participation and empowerment of children in other organisational activities, such as organisational planning and decision making.
- Raise awareness in the community about children's rights, for example through staff conversations with families and communications such as websites and newsletters.

**Successfully implementing this standard should result in organisations in which:**

- reporting procedures for when a child feels unsafe are accessible for all children
- children understand what child abuse is, and their rights (age appropriate)
- children understand how to report an allegation of abuse or concern for their safety to the organisation, a trusted adult and external bodies (for example, the police)
- children feel safe, empowered and taken seriously if they raise concerns
- children feel empowered to contribute to the organisation's understanding and treatment of child safety
- children's reports of concern are responded to appropriately
- staff understand how to empower children and encourage their participation.