

CHILD SAFE STANDARDS

Guidance for TAFEs and Registered Training Organisations in meeting the Standards

The Child Safe Standards (the Standards) were introduced by the Victorian Government to improve the way organisations prevent and respond to abuse of children and young people under the age of 18 within their organisation. The Standards will come into effect for post-school education and training providers in Victoria, including TAFEs and RTOs from 1 January 2017.

It is important that service providers operating in Victoria are aware and understand their obligations in meeting the Standards.

This fact sheet provides background to the Standards, a summary description of the Standards, possible high-risk circumstances that TAFEs and RTOs may consider in developing their response to the Standards, links to general resources and contacts for further information.

Key messages

1. From **1 January 2017** the Child Safe Standards (the Standards) will apply to post-school education and training providers in Victoria.
2. The Standards apply to the safety of all children and young people across the range of services and activities of your organisation. A child or young person is defined as a person under the age of 18 years.
3. Prepare your response to the Standards – see Initial steps in developing your response to the Standards in this fact sheet.
4. During 2017 you may be asked to undertake an online self-assessment and make a declaration about the extent to which the organisation meets the Standards.

BACKGROUND

The *Betrayal of Trust* parliamentary report was tabled on 13 November 2013. It recommended changes to legislation to strengthen the accountability of organisations and their legal duty to take reasonable care to prevent child abuse occurring in their organisation. The Victorian Government's response introduces new Child Safe Standards to drive cultural change in organisations, so that protecting children from the risks of abuse is embedded in everyday thinking and practice.

On 26 November 2015, the Victorian Parliament passed the *Child Wellbeing and Safety Amendment (Child Safe Standards) Bill 2015* to introduce the Standards into law. The Standards apply to all organisations involved in work related to a child or young person under the age of 18 in Victoria. The Standards are being implemented in two phases, and will become compulsory by 2017 for all organisations that provide services to children.

The Standards apply to the safety of all children and young people who are involved with your organisation. A child or young person is defined as a person under the age of 18 years.

In November 2016, the Victorian Government enacted the *Child Wellbeing and Safety Amendment (Oversight and Enforcement of Child Safe Standards) Act 2016* providing the Commission for Children and Young People with functions and powers to educate and provide advice to organisations on safe practices for children and young people under the age of 18 and take action to enforce compliance with the Standards.

In exercising its functions, the Commission works with relevant authorities (including regulators and funders) to promote compliance. Although mandated with compliance and enforcement powers, the Commission intends to adopt a capacity building approach to assist organisations to meet their obligations under the Standards.

From 1 January 2017, the Victorian Department of Education and Training will include the Child Safe Standards in its funding contract with funded post-school education and training providers.

WHAT ARE THE STANDARDS?

The Standards seek to create a culture and environment that is supportive and protective of children and young people under the age of 18, in addition to your organisation's policies and procedures. The Standards are minimum Standards. The Standards should reinforce each other rather than be considered as separate individual areas.

A particular focus for the Standards is recognition that children or young people under the age of 18 from some groups are at a higher risk of abuse than others. As such, each of the Standards must also be understood and applied in the context of:

- The cultural safety of Aboriginal children and young people under the age of 18

- The cultural safety of children and young people under the age of 18 from a culturally and/or linguistically diverse background
- The safety of children and young people under the age of 18 with a disability.

The Standards are as follows:

CHILD SAFE STANDARDS	DESCRIPTION
Standard 1: Strategies to embed an organisational culture of child safety, including through effective leadership arrangements	Preventing the abuse of children and young people and responding to allegations is everyone's business. All staff and volunteers need to recognise the importance of keeping children and young people under the age of 18 safe. Under this Standard, organisations need to establish new ways or build on existing systems to embed or improve on a culture of safety for children and young people under the age of 18 throughout all levels of their organisation. Strong leadership is important to drive cultural change.
Standard 2: A child safe policy or statement of commitment to child safety	A child safe policy is an overarching document that provides key elements of an organisation's approach to being safe for children and young people under the age of 18 under the age of 18. It sets out the processes for reporting and responding to concerns and allegations. Organisations need to have a publicly accessible child safe policy or public statement of commitment to the safety of children and young people under the age of 18, with an overarching set of principles to guide policies and procedures.
Standard 3: A code of conduct that establishes clear expectations for appropriate behaviour with children	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, and in front of, children and young people under the age of 18. Codes of conduct establish clear behavioural expectations and boundaries for personnel interacting with children and young people under the age of 18 under the age of 18. Examples of conduct that is not appropriately tailored to the organisation should be included. The Code may reference professional codes of conduct, and should provide clear explanation about how the code translates into practice.
Standard 4: Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel	Organisations need to ensure that newly recruited and existing staff and volunteers understand the importance of safety for children and young people under the age of 18 and the risks of abuse within their organisation. They need to be aware of the relevant policies and procedures, and trained to minimise the risk of child abuse. This should be done by engaging recruitment and induction, and providing staff and volunteers with appropriate continuing training and supervision to minimise the risk

	of a child or young person under the age of 18 being abused.
Standard 5: Processes for responding to and reporting suspected child abuse	<p>Organisations are required to develop and implement clear policies and procedures to ensure:</p> <ul style="list-style-type: none"> • a supportive environment for children and young people under the age of 18, personnel or families who report allegations of abuse or child safety concerns • staff, volunteers, families and children and young people under the age of 18 know how to report abuse allegations, and feel comfortable doing so • clear policies and procedures for notifying authorities, including the police, of suspected abuse of a child or young person under the age of 18 that comply with all legal requirements <p>Information on policies and procedures should be child friendly, and accessible in relevant modalities (e.g. physical, in-person, online) and languages.</p>
Standard 6: Strategies to identify and reduce or remove risks of child abuse	<p>Organisations need to adopt a risk management approach by identifying and considering the safety risk(s) for children and young people under the age of 18 based on a range of factors including the nature of their activities with children and young people, physical and online environments and the characteristics of children and young people 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. After an incident, organisations should review their response and seek continuous improvement.</p>
Standard 7: Strategies to promote the participation and empowerment of children	<p>Organisations need to ensure children and young people under the age of 18 feel safe and comfortable in reporting concerns or allegations of abuse.</p> <p>Organisations should have simple and accessible processes that help children and young people under the age of 18 understand what to do if they want to report abuse, inappropriate behaviour or concerns for their safety. For example, information could be included in welcome packs, information sessions and posters, as well as on websites and social media.</p> <p>All personnel need to have an awareness of the rights of children and young people under the age of 18 and adults' responsibilities regarding child abuse. In developing the response to this Standard, organisations should consult with and listen to children and young people under the age of 18, particularly in regard to their perception of safety in your organisation.</p>

The way in which the organisation adopts the Standards is likely to change over time as new risks become evident and environmental conditions change.

CONSIDER THE RANGE OF HIGH-RISK CIRCUMSTANCES

TAFEs and RTOs should identify risks and implement risk management strategies that extend to any physical or virtual place made available or authorised for use by a child or young person under the age of 18 during or outside regular hours. Some examples of high-risk circumstances are provided below.

As each organisation varies in size and in the nature of their interaction with children and young people under the age of 18, the identification of risks needs to be undertaken in the organisation's own context.

This may include:

1. Personnel working closely with children and young people under the age of 18 in education and other activities – this includes current staff, contractors and volunteers. It should also include interactions in an online learning context.
2. Children and young people under the age of 18 participating in workplace learning – for example, children and young people may undertake work experience, structured workplace learning, community work (volunteering), apprenticeships, and traineeships.
3. Children and young people under the age of 18 participating in off-campus activities – for example, field trips and camps. Many institutions will have existing policies and procedures relating to such activities.
4. Children and young people under the age of 18 participating in extra-curricular activities – for example, sports, music, drama or social clubs offered through the organisation.
5. Children and young people under the age of 18 living in residential facilities or with local host families.
6. Students working with children and young people under the age of 18 as part of their course – students undertaking clinical placements, teaching/ training education placements or other activity that involves regular contact with children and young people under the age of 18.
7. Research activities involving children and young people under the age of 18 recognising the range of research interests and approaches, and the need for appropriate risk management strategies.

In addition, there may be situations, such as open or orientation days, in which the organisation incorporates a risk management approach to the safety of children and young people under the age of 18. Childcare facilities offered through the organisation are already required to comply with the Standards.

INITIAL STEPS IN MEETING THE STANDARDS

1. Identify individuals who will have a primary responsibility for implementing and monitoring compliance with the Standards.

2. Develop a working group or sub-committee to lead your organisation's focus on developing a safe culture for children and young people under the age of 18.
3. Understand your level of risk in relation to the services and activities you provide. See Appendix 1 *Risk assessment template*
4. Undertake a child and young person safety review to identify: what you already have in place, where you need to improve and when this will be completed. Appendix 2. *Child Safe Standards self-assessment tool* provides a guiding format. It is important to specifically highlight policies and procedures for responding to and reporting suspected child abuse and criminal offences.
5. Identify what further information, advice and support you need – consider also the needs of clubs and associations offered through the organisation and what assistance they may require.
6. Develop and implement an action plan to ensure your organisation meets the Standards.

REFERENCE MATERIALS

A range of third party materials are available. Some examples are provided as links below. The Commission for Children and Young People notes that the material is a useful reference only and has not been accredited in terms of a compliance framework.

- [A guide for creating a child safe organisation](#) (Commission for Children and Young People)
- [Child protection toolkit](#) The Child protection toolkit has been created by Moores Legal and published by Our Community to assist not-for-profit organisations to ensure their compliance with legislative requirements relating to child protection.
- [An overview of the Child Safe Standards](#) (Department of Health and Human Services)
- [Royal Commission into Institutional Responses to Child Sexual Abuse](#) A number of case studies from the Royal Commission have been published that set out how institutions have responded to allegations of abuse.

FURTHER SUPPORTS

Department of Education and Training:

Web: <http://www.education.vic.gov.au/about/programs/health/protect/Pages/default.aspx>

Email: child.safe.schools@edumail.vic.gov.au

The Commission for Children and Young People:

Web: childsafestandards@ccyp.vic.gov.au

Email: <http://www.ccyp.vic.gov.au/child-safe-standards.htm>

APPENDIX 1: RISK ASSESSMENT TEMPLATE [EXAMPLE ONLY]

A key part of a risk management strategy is a risk assessment. Risk assessments can take many forms. An example is provided below. Each organisation will be different and must undertake their organisation-specific assessment.

<i>Risk Event or Environment</i>	<i>Existing Management strategies or internal controls</i>	<i>Likelihood</i>	<i>Consequence</i>	<i>Current risk assessment</i>	<i>New risk management controls or internal controls</i>	<i>Who is responsible?</i>	<i>Residual risk</i>
<i>Inappropriate behaviour is not reported and addressed</i>	<i>Code of conduct for child safety Clear child safety reporting procedures Performance management procedures</i>	<i>Unlikely</i>	<i>Severe</i>	<i>High</i>	<ul style="list-style-type: none"> <i>Strategies to embed organisational culture of child safety are reviewed</i> <i>Refresher training for staff</i> 	<i>Council/ CEO</i>	<i>Low</i>
<i>No organisational culture of safety for children and young people under the age of 18 – lack of leadership, public commitment and frequent messaging</i>	<i>Code of conduct for child safety Strategies developed to embed culture of safety for children and young people under the age of 18</i>	<i>Possible</i>	<i>Severe</i>	<i>Extreme</i>	<ul style="list-style-type: none"> <i>Strategies to embed organisational culture of child safety are reviewed</i> <i>Statement of commitment to safety for children and young people under the age of 18 is publicly available</i> 	<i>Council/ CEO</i>	<i>Low</i>
<i>Unquestioning trust of long term employees and contractors or norms</i>	<i>Strategies developed to embed a culture of safety for children and young people under the age of 18 Clear child safety reporting procedures</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<ul style="list-style-type: none"> <i>Refresher training for staff</i> 	<i>CEO/ Human Resources/ Faculties</i>	<i>Low</i>
<i>Students regularly participate in off-site activities</i>	<i>Appropriate strategies to ensure safety of children and young people under the age of 18</i>	<i>Possible</i>	<i>Major</i>	<i>High</i>	<ul style="list-style-type: none"> <i>Train students to detect inappropriate behaviour</i> 	<i>Human Resources/ Student Well-being / Faculties</i>	<i>Low</i>

<i>Risk Event or Environment</i>	<i>Existing Management strategies or internal controls</i>	<i>Likelihood</i>	<i>Consequence</i>	<i>Current risk assessment</i>	<i>New risk management controls or internal controls</i>	<i>Who is responsible?</i>	<i>Residual risk</i>
	<i>Clear child safety reporting procedures</i>						
<i>Recruitment of an inappropriate person</i>	<i>WWCC for staff, contractors and volunteers Professional body registration (where appropriate)</i>	<i>Unlikely</i>	<i>Major</i>	<i>Medium</i>	<i>Processes updated to require:</i> <ul style="list-style-type: none"> <i>Criminal history search</i> <i>Pre-employment reference check includes asking about child safety</i> 	<i>Human Resources/Faculties</i>	<i>Low</i>
<i>Engagement with children and young people under the age of 18 online</i>	<i>Code of conduct for child safety Strategies developed to embed culture of child safety</i>	<i>Possible</i>	<i>Moderate</i>	<i>Medium</i>	<ul style="list-style-type: none"> <i>Ensure appropriate settings on all student technologies</i> <i>Train students and staff to detect inappropriate behaviour</i> 	<i>Human Resources/Faculties</i>	<i>Low</i>
<i>Ad-hoc contractors on campuses (e.g. maintenance)</i>	<i>Child safe environments information and awareness for visitors, staff, volunteers and contractors Adequate monitoring</i>	<i>Unlikely</i>	<i>Moderate</i>	<i>Medium</i>	<ul style="list-style-type: none"> <i>Refresher training for frequent contractors</i> 	<i>Human Resources</i>	<i>Low</i>

Risk Rating Matrix [Example]

RISK RATING		Consequence				
		Insignificant	Minor	Moderate	Major	Severe
Likelihood	Almost Certain	Medium	High	Extreme	Extreme	Extreme
	Likely	Medium	Medium	High	Extreme	Extreme
	Possible	Low	Medium	Medium	High	Extreme
	Unlikely	Low	Low	Medium	Medium	High
	Rare	Low	Low	Low	Medium	Medium

APPENDIX 2: CHILD SAFE STANDARDS SELF-ASSESSMENT TOOL

The following tool provides general guidance as to the activities that an organisation may undertake to meet the Standards. There are no hard and fast checklists for what activities will meet a minimum standard as the Standards need to be flexibly adopted to meet the specific needs and risk of any given workplace and organisation.

In meeting the Standards, the three overarching principles are a fundamental underpinning that must be incorporated across all Standards:

- promoting the cultural safety of Aboriginal children and young people under the age of 18
- promoting the cultural safety of children and young people under the age of 18 from culturally and/or linguistically diverse backgrounds
- promoting the safety of children and young people under the age of 18 with a disability.

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

Example activities supporting compliance	Self-assessment- <i>Meets/ Partially meets/ Doesn't meet</i>	Applies the principles- <i>Yes/No</i>	Action required	Timeframe
<ul style="list-style-type: none"> • The safety of children and young people under the age of 18 is part of public and internal messaging. • There is a designated role or unit in your organisation that has oversight of child safety. • Policies and practices exist that prioritise the safety of children and young people under the age of 18 and promote shared responsibility, including staff responsibilities and the range of operating environments. • The leadership of the organisation reinforces the culture of Child Safe Standards through promotion of the Standards and promoting a culture where the safety of children and young people under the age of 18 is everyone's responsibility. • A culture exists of supporting cultural safety for Aboriginal children and young people under the age of 18, cultural safety for culturally and/or linguistically diverse children and young people under the age of 18 and the safety of children and young people under the age of 18 with a disability. 				

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

Example activities supporting compliance	Self-assessment- <i>Meets/ Partially meets/ Doesn't meet</i>	Applies the principles- <i>Yes/No</i>	Action required	Timeframe
<ul style="list-style-type: none"> The organisation has a child safe policy or statement of commitment, including a statement of zero tolerance of child abuse in all environments. The organisation has clear procedures to implement the statement of commitment to a culture of safety for children and young people under the age of 18. All staff and volunteers are aware of the organisation's commitment to the safety of children and young people under the age of 18 and their duty of care requirements. 				

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

Example activities supporting compliance	Self-assessment- <i>Meets/ Partially meets/ Doesn't meet</i>	Applies the principles- <i>Yes/No</i>	Action required	Timeframe
<ul style="list-style-type: none"> Appropriate safe behaviour with children and young people under the age of 18 is clearly defined in a code of conduct, including any relevant student codes, which is accessible and understood by staff, volunteers, contractors and children and young people. 				

- Procedures for dealing with identified safety risks for children and young people under the age of 18 or breaches of the code of conduct are understood.

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

Example activities supporting compliance	Self-assessment- <i>Meets/ Partially meets/ Doesn't meet</i>	Applies the principles- <i>Yes/No</i>	Action required	Timeframe
<ul style="list-style-type: none"> • Interviews, reference checks and Working with Children Checks (where necessary) are undertaken for staff and volunteers. • Recruitment processes select appropriate staff and volunteers, and discourage inappropriate staff entering the organisation. • Staff and volunteers are inducted and trained in safety for children and young people under the age of 18, and understand and practice appropriate behaviour, including with Aboriginal children, culturally and/or linguistically diverse children and children with a disability. 				

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

Example activities supporting compliance	Self-assessment- <i>Meets/ Partially meets/ Doesn't meet</i>	Applies the principles- <i>Yes/No</i>	Action required	Timeframe
<ul style="list-style-type: none"> • Staff and volunteers are aware of actions they should take in the event of an incident or allegation, including who is responsible for reporting and who should be notified. • If child abuse is alleged or suspected, all legal requirements for reporting to authorities are complied with (e.g. police and/or child protection). • Disciplinary processes, that are clearly defined and understood by all staff and volunteers, are adhered to when necessary. • Procedures are in place to support the child or young person under the age of 18 who has disclosed abuse or who are the subject of abuse. • All breaches of child safe policies and procedures are appropriately managed, including adhering to all mandatory requirements (e.g. professional codes of conduct) and other matters of law. 				

Standard 6: Strategies to identify and reduce or remove the risk of abuse

Example activities supporting compliance	Self-assessment- <i>Meets/ Partially meets/ Doesn't meet</i>	Applies the principles- <i>Yes/No</i>	Action required	Timeframe
<ul style="list-style-type: none"> • The Governing authority develops and implements risk management strategies regarding child safety in its environments. • Risk management strategies include the needs of all children in your environments and the activities to be undertaken. • Risk management approaches are regularly reflected on and improved. 				

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

Example activities supporting compliance	Self-assessment- <i>Meets/ Partially meets/ Doesn't meet</i>	Applies the principles- <i>Yes/No</i>	Action required	Timeframe
<ul style="list-style-type: none"> • Reporting procedures are accessible for all children, including information at enrolment and in a range of formats. • Children and young people under the age of 18 feel safe, empowered and taken seriously if they raise concerns. • Children and young people under the age of 18 are consulted in the development of relevant policy and procedures. • Measures are taken to promote the cultural safety of Aboriginal children and young people under the age of 18, the cultural safety of culturally and/or linguistically diverse children and young people under the age of 18 and the safety of children and young people under the age of 18 with a disability. 				