Mapping of the new Child Safe Standards against existing regulatory requirements, the National Quality Standard, and the Victorian Early Years Learning and Development Framework

This document shows the extent to which the new Child Safe Standards (new Standards) align with the existing regulatory requirements for early childhood services under National Quality Framework (NQF) or the *Children’s Services Act 1996* (CS Act) and Children’s Services Regulations 2020, the National Quality Standard (NQS) and the Victorian Early Years Learning and Development Framework (VEYLDF).

Each service will need to confirm that it is complying with all elements of the new Child Safe Standards.

Even if a service is meeting the regulatory requirements under the NQF or CS Act, or has been rated as Meeting or Exceeding the NQS, this does not mean that the service will automatically comply with the new Standards.

This document does not relate to the NQF assessment and quality rating process in any way.

**Relevant legislation, regulations, standards and frameworks:**

* [Education and Care Services National Law](https://www.legislation.vic.gov.au/in-force/acts/education-and-care-services-national-law-act-2010/015) (National Law)
* [Education and Care Services National Regulations](https://legislation.nsw.gov.au/view/html/inforce/current/sl-2011-0653) (National Regulations)
* [National Quality Standard](https://www.acecqa.gov.au/nqf/national-quality-standard) (NQS)
* [Children’s Services Act 1996](https://www.legislation.vic.gov.au/in-force/acts/childrens-services-act-1996/038) (CS Act)
* [Children’s Services Regulations 2020](https://www.legislation.vic.gov.au/in-force/statutory-rules/childrens-services-regulations-2020/001) (CS Regulations)
* [Victorian Early Years Learning and Development Framework](file:///C:/Users/09227398/Downloads/•%09Victorian%20Early%20Years%20Learning%20and%20Development%20Framework) (VEYLDF)

# New Child Safe Standard 1:

**Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.** (Victoria only)

Guiding principles – Education and Care Services National Law (National Law)(section 3) and the Children’s Services Act (CS Act) (section 8):

* + that the principles of equity, inclusion and diversity underlie this Law
  + that Australia’s Aboriginal and Torres Strait Islander cultures are valued

Victorian Early Learning and Development Framework (VEYLDF) outcomes and practice principles:

* + recognise and respect Aboriginal cultures and their unique place in Victoria’s past, present and future and acknowledges that this is central to implementing the VEYLDF
  + promotes:
    - learning about and valuing the place of Aboriginal people to enhance all Victorian children’s sense of place in the community
    - personal and collective acknowledgement of each child’s identity, culture and spirit
    - participation and inclusion.

| In complying with Child Safe Standard 1, an organisation must, at a minimum, ensure: | Existing requirements – National Law and National Regulations, National Quality Standard and the VEYLDF | Existing requirements - CS Act and Children’s Services Regulations (CS Regulations) and the VEYLDF |
| --- | --- | --- |
| * 1. A child’s ability to express their culture and enjoy their cultural rights is encouraged and actively supported. | **National Law**   * Section 168 – **Required programs** -a program is delivered to all children being educated and cared for by the service that is:   + based on an approved learning framework   + delivered in a manner that accords with the approved learning framework   + based on the developmental needs, interests and experiences of each child; and   + is designed to take into account the individual differences of each child.   **National Regulations**   * Regulation 73 – **Educational program** – the child will be connected with and contribute to his or her world. * Regulation 155– **Interactions with children** -encourages the children to express themselves and their opinions.   **National Quality Standard**   * Element 1.1.1 - **Approved learning framework** - curriculum decision making contributes to each child’s learning and development outcomes in relation to their identity, connection with community, wellbeing, confidence as learners and effectiveness as communicators. * Element 1.1.2 - **Child-centred -** Each child’s current knowledge, strengths, ideas, culture, abilities, and interests are the foundation of the program * Element 5.1.2 – **Dignity and rights of children** - the dignity and rights of every child are maintained. | **CS Act**   * Section 108 - **Required programs** - a program that is delivered to all children being educated and cared for by the service that is:   + based on an approved learning framework and   + delivered in a manner that accords with the approved learning framework   + based on the developmental needs, interests and experiences of each child; and   + is designed to take into account the individual differences of each child.   **CS Regulations**   * Regulation 42 – **Educational program** – the child will be connected with and contribute to his or her world. * Regulation 104– **Interactions with children** -encourages the children to express themselves and their opinions. |
| * 1. Strategies are embedded within the organisation which equip all members to acknowledge and appreciate the strengths of Aboriginal culture and understand its importance to the wellbeing and safety of Aboriginal children and young people. | **National Law**   * Section 168 **- Required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above).   **National Regulations**   * Regulation 73 – **Educational program** – Educational program to contribute to the child having a strong sense of wellbeing. | **CS Act**   * Section 108 **- Required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above).   **CS Regulations**   * Regulation 42 – **Educational program** – the child will be connected with and contribute to his or her world. |
| * 1. Measures are adopted by the organisation to ensure racism within the organisation is identified, confronted and not tolerated. Any instances of racism are addressed with appropriate consequences. | **National Regulations**   * Regulation 73 – **Educational program** – Educational program to contribute to maintaining at all times the dignity and rights of each child. | **CS Regulations**   * Regulation 42 – **Educational program** – the child will be connected with and contribute to his or her world. |
| * 1. The organisation actively supports and facilitates participation and inclusion within it by Aboriginal children, young people and their families. | **National Law**   * Section 3 – **Objectives and guiding principles** (as above)   **National Quality Standard**   * Element 3.2.1 - **Inclusive environment** - Outdoor and indoor spaces are organised and adapted to support every child's participation and to engage every child in quality experiences in both built and natural environments. | **CS Act**   * Section 8 – **Objectives and guiding principles** (as above) |
| * 1. All of the organisation’s policies, procedures, systems and processes together create a culturally safe and inclusive environment and meet the needs of Aboriginal children, young people and their families. | **National Law**   * Section 3 – **Objectives and guiding principles** (as above)   **National Quality Standard**   * Standard 7.1 – Governance supports the operation of a quality service | **CS Act**   * Section 8 – **Objectives and guiding principles** (as above) |

# New Child Safe Standard 2 – Child safety and wellbeing is embedded in organisational leadership, governance and culture

Guiding principle - National Law (section 3) and the (CS Act) (section 8):

* + the rights and best interests of children are paramount.

Objective - National Law (section 3) and the CS Act ) (section 8):

* to ensure the safety, health and wellbeing of children attending education and care services.

| In complying with Child Safe Standard 2, an organisation must, at a minimum, ensure: | Existing requirements – National Law and National Regulations, National Quality Standard and the VEYLDF | Existing requirements - Children’s Services Act and Children’s Services Regulations and the VEYLDF |
| --- | --- | --- |
| * 1. The organisation makes a public commitment to child safety. | **National Regulations**   * Regulation168(2)(h) – **Policies and procedures** - Education and care service must have policies and procedures - providing a child safe environment (child safety and wellbeing).   **National Quality Standard**   * Element 7.1.1—Service philosophy and purpose – A statement of philosophy guides all aspects of the service’s operations. | **CS Regulations**   * Regulation 112(2)(h) – **Policies and procedures** - Education and care service must have policies and procedures - providing a child safe environment (child safety and wellbeing). |
| * 1. A child safe culture is championed and modelled at all levels of the organisation from the top down and bottom up. | **National Law**   * Section 51(8) - **Conditions on service approval** – education and care services must be operated in a way that ensures: * the safety, health and wellbeing of children; and * meets the educational and developmental needs of the children. * Section 166 – **Discipline** – no child is subject to any form of corporal punishment or unreasonable discipline.   **National Regulations**   * Regulation168(2)(h) – **Policies and procedures** - Education and care service must have policies and procedures - providing a child safe environment. | **CS Act**   * Section 50(8) - **Conditions on service approval** – education and care services must be operated in a way that ensures: * the safety, health and wellbeing of children; and * meets the educational and developmental needs of the children. * Section 106 – **Discipline** – no child is subject to any form of corporal punishment or unreasonable discipline.   **CS Regulations**   * Regulation 112(2)(h) – **Policies and procedures** - Education and care service must have policies and procedures - providing a child safe environment (child safety and wellbeing). |
| * 1. Governance arrangements facilitate implementation of the child safety and wellbeing policy at all levels. | **National Law**   * Section 51(8) - **Conditions on service approval** – the education and care service is operated in a way that ensures the safety, health and wellbeing of the children being educated and cared for by the service   **National Regulations**   * Regulation 170 - **Policies and procedures to be followed** - Policies and procedures to be followed by nominated supervisors and staff members of, family day care educators and volunteers.   **National Quality Standard**   * Standard 7.1 – **Governance** – Governance supports the operation of a quality service. | **CS Act**   * Section 50(8) - **Conditions on service approval** – education and care services must be operated in a way that ensures: * the safety, health and wellbeing of children; and * meets the educational and developmental needs of the children.   **CS Regulations**   * Regulation 113 - **Policies and procedures to be followed** - Policies and procedures to be followed by nominated supervisors and staff members of, family day care educators and volunteers. |
| * 1. A Code of Conduct provides guidelines for staff and volunteers on expected behavioural standards and responsibilities | **National Regulations**   * Regulation 168(2)(i)(i) - Education and care service must have policies and procedures -staffing, including a **code of conduct** for staff members. | **CS Regulations**   * Regulation 112(2)(i) Education and care service must have policies and procedures -staffing, including a **code of conduct** for staff members. |
| * 1. Risk management strategies focus on preventing, identifying and mitigating risks to children and young people. | **National Law**   * Section 167 – **Protection of children from harm and hazards** -Adequate precautions must be taken to protect children from harm and any hazard likely to cause injury.   **National Quality Standard**   * Element 7.1.2—**Management systems:** systems are in place to manage risk and enable the effective management and operation of a quality service. | **CS Act**   * Section 107 – **Protection of children from harm and hazards** -Adequate precautions must be taken to protect children from harm and any hazard likely to cause injury. |
| * 1. Staff and volunteers understand their obligations on information sharing and recordkeeping. | **National Regulations**   * Regulation 183(1) **Storage of records and other documents** - The approved provider of an education and care service must ensure that records and documents are stored (a) in a safe and secure place; and (b) for the relevant period as set out in subregulation (2).   **National Quality Standard**   * Element 2.2.3 — **Child protection** - Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect. * Element 7.1.3 — **Roles and responsibilities** - Roles and responsibilities are clearly defined and understood, and support effective decision-making and operation of the service. | **CS Regulations**   * Regulation 123(1) **Storage of records and other documents** - The approved provider of an education and care service must ensure that records and documents are stored (a) in a safe and secure place; and (b) for the relevant period as set out in subregulation (2). |

# New Child Safe Standard 3 – Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously

Guiding principle – National Law (section 3) and the CS Act (section 8):

* that the rights and best interests of the child are paramount

VEYLDF outcomes and practice principles:

* recognise all children as rights holders (as expressed in the United Nations Convention on the Rights of the Child (1989)).
* children are consulted meaningfully, with families and communities, about issues that affect them.
* educators are expected to:
  + engage respectfully with children to promote confidence and empowerment in everyday routines and experiences
  + promote each child’s capacity for establishing friendships and encourage children to learn from and with each other
  + have positive, respectful engagement with children that supports them to form strong bonds and friendships with others
  + expect and ensure that children express their views and contribute to decisions that affect them (including children who do not communicate with words)
  + engage respectfully with children to promote confidence and empowerment during everyday routines and experiences.
* respectful relationships and responsive engagement (practice principle).

| In complying with Child Safe Standard 3, an organisation must, at a minimum, ensure: | Existing requirements – National Law and National Regulations, National Quality Standard and the VEYLDF | Existing requirements - Children’s Services Act and Children’s Services Regulations and the VEYLDF |
| --- | --- | --- |
| * 1. Children and young people are informed about all of their rights, including to safety, information and participation. | **National Law**   * Section 3 - **Principles and objectives** (see above) * Section 168 **- Required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above).   **National Quality Standard**   * Element 5.1.2 – Dignity and rights – the dignity and rights of every child are maintained. | **CS Act**   * Section 8 - **Principles and objectives** (see above) * Section 108 **- Required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above). |
| * 1. The importance of friendships is recognised and support from peers is encouraged, to help children and young people feel safe and be less isolated. | **National Law**   * Section 168 **- Required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above).   **National Regulations**   * Regulation 155 **– Interactions with children** -gives each child positive guidance and encouragement toward acceptable behaviour * Regulation 156 **- Relationships in groups** - the service provides children being educated and cared for by the service with opportunities to interact and develop respectful and positive relationships with each other and with staff members of, and volunteers at, the service.   **National Quality Standard**   * Element 5.2.1 – **Collaborative learning** – Children are supported to collaborate, learn from and help each other * Element 5.2.2 – **Self-regulation** – Each child is supported to regulate their own behaviour, respond appropriately to the behaviour of others and communicate effectively to resolve conflicts | **CS Act**   * Section 108 **- Required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above).   **CS Regulations**   * Regulation 104– **Interactions with children** -encourages the children to express themselves and their opinions. * Regulation 105 **- Relationships in groups** - the service provides children being educated and cared for by the service with opportunities to interact and develop respectful and positive relationships with each other and with staff members of, and volunteers at, the service. |
| * 1. Where relevant to the setting or context, children and young people are offered access to sexual abuse prevention programs and to relevant related information in an age appropriate way. | No explicit links to National Law or Approved learning Frameworks. | No explicit links to the CS Act or Approved learning Frameworks. |
| * 1. Staff and volunteers are attuned to signs of harm and facilitate child-friendly ways for children and young people to express their views, participate in decision-making and raise their concerns. | **National Law**   * Section 168 **- Required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above).   **National Regulations**   * Regulation 84 - **Awareness of child protection law** * Regulation 155– **Interactions with children** -encourages the children to express themselves and their opinions.   **National Quality Standard**   * Element 1.1.2 - **Child-centred -** Each child’s current knowledge, strengths, ideas, culture, abilities, and interests are the foundation of the program * Element 1.2.3 – **Child directed learning -** Each child’s agency is promoted, enabling them to make choices and decisions that influence events and their world. * Element 2.2.3 - **Child protection** - Management, educators and staff are aware of their roles and responsibilities **to identify and respond to every child at risk of abuse or neglect**. | **CS Act**   * Section 108 **- Required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above).   **CS Regulations**   * Regulation 53 - **Awareness of child protection law** * Regulation 104– **Interactions with children** -encourages the children to express themselves and their opinions. |
| * 1. Organisations have strategies in place to develop a culture that facilitates participation and is responsive to the input of children and young people. | **National Law**   * Section 168 **- Required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework. The VEYLDF requires that early childhood professionals expect and ensure that children express their views and contribute to decisions that affect them, including children who are not able to communicate with words.   **National Quality Standard**   * Element 5.1.1 - **Positive educator to child interactions** - responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included. * Standard 6.2 – **Collaborative partnerships** - Collaborative partnerships enhance children’s inclusion, learning and wellbeing. * Element 6.2.2 - **Access and participation** - Effective partnerships support children's access, inclusion and participation in the program. | **CS Act**   * Section 108 **- Required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework. The VEYLDF requires that early childhood professionals expect and ensure that children express their views and contribute to decisions that affect them, including children who are not able to communicate with words. |
| * 1. Organisations provide opportunities for children and young people to participate and are responsive to their contributions, thereby strengthening confidence and engagement. | **National Law**   * Section 168 **- Required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above).   **National Quality Standard**   * Quality area 4 - Qualified and experienced educators and co-ordinators encourage children’s active engagement in the learning program. | **CS Act**   * Section 108 **- Required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above). |

# New Child Safe Standard 4 – Families and communities are informed, and involved in promoting child safety and wellbeing

Guiding principle – National Law (section 3) and CS Act (section 8):

* that the role of parents and families is respected and supported.

The VEYLDF outcomes and practice principles:

* services work together with families in support of their children, embracing and responding to cultural and linguistic diversity
* partnerships with families.

| In complying with Child Safe Standard 4, an organisation must, at a minimum, ensure: | Existing requirements – National Law and National Regulations, National Quality Standard and the VEYLDF | Existing requirements - Children’s Services Act and Children’s Services Regulations and the VEYLDF |
| --- | --- | --- |
| * 1. Families participate in decisions affecting their child. | **National Law**   * Section 3 – **Objectives and guiding principles** (see above) * Section 168 **- Required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above).   **National Quality Standard**   * Quality area 6 – **Collaborative relationships with families** are fundamental to achieve quality outcomes for children. * Element 6.1.1 - Engagement with the service - Families are supported from enrolment to be involved in the service and contribute to service decisions * Element 6.1.2 - **Parent views are respected** - The expertise, culture, values and beliefs of families are respected and families **share in decision-making** about their child’s learning and wellbeing. | **CS Act**   * Section 8 – **Objectives and guiding principles** (see above) * Section 108 **- Required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above). |
| * 1. Families and communities have a say in the development and review of the organisation’s policies and practices. | **National Quality Standard**   * Quality area 7 – **Governance and leadership** - Well documented policies and practices that are developed and regularly evaluated in partnership with educators, co-ordinators, staff members and families contribute to the ethical management of the service. |  |

# New Child Safe Standard 5 – Equity is upheld and diverse needs respected in policy and practice

Guiding principle – National Law (section 3) and CS Act (section 8):

* that the principles of equity, inclusion and diversity underlie the National Law

VEYLDF outcomes and practice principles:

* acknowledges the uniqueness of each child and that children will require different levels of support – some significantly more than others
* expects educators to
  + work with families in particular those experiencing vulnerability and disadvantage
  + provide equitable opportunities for children with diverse capabilities and life circumstances
  + work with families in particular those experiencing vulnerability and disadvantage
  + understood and value the interests abilities and culture of every child and their family.
* equity and diversity (practice principle).

| In complying with Child Safe Standard 5, an organisation must, at a minimum, ensure: | Existing requirements – National Law and National Regulations, National Quality Standard and the VEYLDF | Existing requirements - Children’s Services Act and Children’s Services Regulations and the VEYLDF |
| --- | --- | --- |
| * 1. The organisation, including staff and volunteers, understands children and young people’s diverse circumstances, and provides support and responds to those who are vulnerable. | **National Law**   * Section 3 – **Objectives and guiding principles** - the principles of equity, inclusion and diversity underlie this Law. * Section 168 **- Required programs** -the program delivered to all children is based on the developmental needs, interests and experiences of each child and is designed to take into account the individual differences of each child. * Section 168 **- Required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above).   **National Quality Standard**   * Element 1.1.2 - **Child-centred -** Each child’s current knowledge, strengths, ideas, culture, abilities, and interests are the foundation of the program. * Element 1.2.2 – Responsive teaching and scaffolding – Educator’s respond to children’s ideas and play and extend children’s learning through open-ended questions, interactions and feedback. | **CS Act**   * Section 8 – **Objectives and guiding principles** (see above) * Section 108 **- Required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above). |
| * 1. Children and young people have access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand. | No explicit requirement in the National Law or Approved Learning Frameworks. | No explicit requirement in the CS Law or Approved Learning Frameworks. |
| * 1. The organisation pays particular attention to the needs of children and young people with disability, children and young people from culturally and linguistically diverse backgrounds, those who are unable to live at home, and lesbian, gay, bisexual, transgender and intersex children and young people. | **National Law**   * Section 168 - Offence relating to **required programs** - a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above). | **CS Act**   * Section 108 **- Required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above). |
| * 1. The organisation pays particular attention to the needs of Aboriginal children and young people and provides/promotes a culturally safe environment for them. | **National Law**   * Section 168 - Offence relating to **required programs** - a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above). * Section 168 **- Required programs** -the program delivered to all children is based on the developmental needs, interests and experiences of each child and is designed to take into account the individual differences of each child. | **CS Act**   * Section 108 **- Required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above). * Section 108 **- Required programs** -the program delivered to all children is based on the developmental needs, interests and experiences of each child and is designed to take into account the individual differences of each child. |

# New Child Safe Standard 6 – People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice

| In complying with Child Safe Standard 6, an organisation must, at a minimum, ensure: | Existing requirements – National Law and National Regulations, National Quality Standard and the VEYLDF | Existing requirements - Children’s Services Act and Children’s Services Regulations and the VEYLDF |
| --- | --- | --- |
| * 1. Recruitment, including advertising, referee checks and staff and volunteer pre-employment screening, emphasise child safety and wellbeing. | **National Regulations**   * Regulation 168(2)(i)(i) - **Education and care service must have policies and procedures** - staffing. * Regulation 169(2)(b)&(e) - **Additional policies and procedures—family day care service:** * engagement or registration of family day care educators * assessment of family day care educators, family day care educator assistants and persons residing at family day care residences. | **CS** **Regulations**   * Regulation 108(2)(i)(i) - **Education and care service must have policies and procedures** - staffing. * Regulation 109(2)(b)&(e) - **Additional policies and procedures—family day care service:** * engagement or registration of family day care educators * assessment of family day care educators, family day care educator assistants and persons residing at family day care residences. |
| * 1. Relevant staff and volunteers have current working with children checks or equivalent background checks. | **National Regulations**   * Regulation 145 – **Staff record** * Regulation 153 - **Register of family day care educators, co-ordinators and educator assistants** * Regulation 154 - **Record of staff engaged or employed by family day care service** | **CS** **Regulations**   * Regulation 97 – **Staff record** |
| * 1. All staff and volunteers receive an appropriate induction and are aware of their responsibilities to children and young people, including record keeping, information sharing and reporting obligations. | **National Regulations**   * Regulation 84 - **Awareness of child protection law**   **National Quality Standard**   * Element 2.2.3 - **Child protection** - Management, educators and staff are aware of their roles and responsibilities **to identify and respond to every child at risk of abuse or neglect** * Element 7.1.3 – **Roles and responsibilities** - Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service. | **CS Regulations**   * Regulation 53 - **Awareness of child protection law** |
| * 1. Ongoing supervision and people management is focused on child safety and wellbeing. | **National Quality Standard**   * Element 7.2.3 – **Development of professionals** – Educators, co-ordinators and staff members performance is regularly evaluated and individual plans are in place to support learning and development. |  |

# New Child Safe Standard 7 – Processes for complaints and concerns are child focused

| In complying with Child Safe Standard 7, an organisation must, at a minimum, ensure: | Existing requirements – National Law and National Regulations, National Quality Standard and the VEYLDF | Existing requirements - Children’s Services Act and Children’s Services Regulations and the VEYLDF |
| --- | --- | --- |
| * 1. The organisation has an accessible, child focused complaint handling policy which clearly outlines the roles and responsibilities of leadership, staff and volunteers, approaches to dealing with different types of complaints, breaches of relevant policies or the Code of Conduct and obligations to act and report. | **National Regulations**   * Regulation 168(2)(o)- **Education and care service must have policies and procedures** -dealing with complaints. | **CS Regulations**   * Regulation 112(2)(o)- **Education and care service must have policies and procedures** -dealing with complaints. |
| * 1. Effective complaint handling processes are understood by children and young people, families, staff and volunteers, and are culturally safe. | **National Regulations**   * Regulation 168(2)(o)- **Education and care service must have policies and procedures** -dealing with complaints. | **CS Regulations**   * Regulation 112(2)(o)- **Education and care service must have policies and procedures** -dealing with complaints. |
| * 1. Complaints are taken seriously, and responded to promptly and thoroughly. | **National Regulations**   * Regulation 168(2)(o)- **Education and care service must have policies and procedures** -dealing with complaints. | **CS Regulations**   * Regulation 112(2)(o)- **Education and care service must have policies and procedures** -dealing with complaints. |
| * 1. The organisation has policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether or not the law requires reporting, and co-operates with law enforcement. | **National Regulations**   * Regulation 168(2)(o)- **Education and care service must have policies and procedures** -dealing with complaints.   **National Quality Standard**   * Element 2.2.3 - **Child protection** - Management, educators and staff are aware of their roles and responsibilities **to identify and respond to every child at risk of abuse or neglect**. | **CS Regulations**   * Regulation 112(2)(o)- **Education and care service must have policies and procedures** -dealing with complaints. |
| * 1. Reporting, privacy and employment law obligations are met. | No explicit requirements in the National Law or Approved Learning Frameworks. | No explicit requirements in the CS Act or Approved Learning Frameworks. |

# Child Safe Standard 8 – Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training

| In complying with Child Safe Standard 8, an organisation must, at a minimum, ensure: | Existing requirements – National Law and National Regulations, National Quality Standard and the VEYLDF | Existing requirements - Children’s Services Act and Children’s Services Regulations and the VEYLDF |
| --- | --- | --- |
| * 1. Staff and volunteers are trained and supported to effectively implement the organisation’s child safety and wellbeing policy. | **National Regulations**   * Regulation168(2)(h) - **Education and care service must have policies and procedures** - providing a child safe environment * Regulation 170 - **Policies and procedures to be followed**   **National Quality Standard**   * Element 7.1.3 – **Roles and responsibilities** - Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service. | **CS Regulations**   * Regulation 112(2)(h)- **Education and care service must have policies and procedures** -dealing with complaints. * Regulation 113 - **Policies and procedures to be followed** |
| * 1. Staff and volunteers receive training and information to recognise indicators of child harm including harm caused by other children and young people. | **National Quality Standard**   * Standard 7.2 - Leadership - Effective leadership builds and promotes a positive organisational culture and professional learning community. * Element 2.2.3 - **Child protection** - Management, educators and staff are aware of their roles and responsibilities **to identify and respond to every child at risk of abuse or neglect**. |  |
| * 1. Staff and volunteers receive training and information to respond effectively to issues of child safety and wellbeing and support colleagues who disclose harm. | **National Quality Standard**   * Standard 7.2 - Leadership - Effective leadership builds and promotes a positive organisational culture and professional learning community. |  |
| * 1. Staff and volunteers receive training and information on how to build culturally safe environments for children and young people. | **National Quality Standard**   * Standard 7.2 - Leadership - Effective leadership builds and promotes a positive organisational culture and professional learning community. |  |

# New Child Safe Standard 9 – Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed

| In complying with Child Safe Standard 9, an organisation must, at a minimum, ensure: | Existing requirements – National Law and National Regulations, National Quality Standard and the VEYLDF | Existing requirements - Children’s Services Act and Children’s Services Regulations and the VEYLDF |
| --- | --- | --- |
| * 1. Staff and volunteers identify and mitigate risks in the online and physical environments without compromising a child’s right to privacy, access to information, social connections and learning opportunities. | **National Law**   * Section 167 – **Protection of children from harm and hazards** -Adequate precautions must be taken to protect children from harm and any hazard likely to cause injury.   **National Quality Standard**   * Element 7.1.2—**Management systems:** systems are in place to manage risk and enable the effective management and operation of a quality service. | **CS Act**   * Section 107 – **Protection of children from harm and hazards** -Adequate precautions must be taken to protect children from harm and any hazard likely to cause injury. |
| * 1. The online environment is used in accordance with the organisation’s Code of Conduct and child safety and wellbeing policy and practices. | **National Law**   * Section 167 – **Protection of children from harm and hazards** -Adequate precautions must be taken to protect children from harm and any hazard likely to cause injury.   **National Regulations**   * Regulation 168(2)(i)(i) - **Education and care service must have policies and procedures** -staffing, including a **code of conduct**. | **CS Act**   * Section 107 – **Protection of children from harm and hazards** -Adequate precautions must be taken to protect children from harm and any hazard likely to cause injury. |
| * 1. Risk management plans consider risks posed by organisational settings, activities, and the physical environment. | **National Law**   * Section 167 – **Protection of children from harm and hazards** -Adequate precautions must be taken to protect children from harm and any hazard likely to cause injury.   **National Quality Standard**   * Element 7.1.2—**Management systems:** systems are in place to manage risk and enable the effective management and operation of a quality service. | **CS Act**   * Section 107 – **Protection of children from harm and hazards** -Adequate precautions must be taken to protect children from harm and any hazard likely to cause injury. |
| * 1. Organisations that contract facilities and services from third parties have procurement policies that ensure the safety of children and young people. | **National Law**   * Section 51(8) - **Conditions on service approval** – education and care services must be operated in a way that ensures: the safety, health and wellbeing of children.   **National Quality Standard**   * Element 7.1.2—**Management systems:** systems are in place to manage risk and enable the effective management and operation of a quality service. | **CS Act**   * Section 50(8) - **Conditions on service approval** – education and care services must be operated in a way that ensures: the safety, health and wellbeing of children. |

# New Child Safe Standard 10 – Implementation of the Child Safe Standards is regularly reviewed and improved

Guiding principles – Education and Care Services National Law (National Law)(section 3) and the CS Act (section 8):

* that best practice is expected in the provision of education and care services

Objective – National Law (sections 3) and the CS Act (section 8):

* to promote continuous improvement in the provision of quality education and care services.

VEYLDF outcomes and practice principles:

* promotes intentional practice that improves outcomes for children
* promotes a culture of inquiry and challenge that builds robust collaboration and continuous improvement
* promotes reflection and critical evaluation of practice that contributes to continuous improvement.

| In complying with Child Safe Standard 10, an organisation must, at a minimum, ensure: | Existing requirements – National Law and National Regulations, National Quality Standard and the VEYLDF | Existing requirements - Children’s Services Act and Children’s Services Regulations and the VEYLDF |
| --- | --- | --- |
| * 1. The organisation regularly reviews, evaluates and improves child safe practices. | **National Law**   * Section 168 **- Offence relating to required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above).   **National Regulations**   * Regulation 31 - **Condition on service approval—quality improvement plan** - Requires a current quality improvement plan for the service is kept at the service and available on request to parents * Regulation 55 - **Quality improvement plans -** quality improvement plan includes an assessment of the quality of the practices of the service considers areas that may require improvement. * Regulation 56 - **Review and revision of quality improvement plans** - quality improvement plan must be reviewed at least annually.   **National Quality Standard**   * Quality area 7 – **Governance and leadership** – There is a focus on continuous improvement. * Element 7.1.1 — **Service philosophy and purpose** – A statement of philosophy guides all aspects of the service’s operations. * Element 7.2.1 - **Continuous improvement**: There is an effective self-assessment and quality improvement process in place. | **CS Act**   * Section 108 **- Offence relating to required programs** -a program is delivered to all children being educated and cared for by the service that is based on an approved learning framework and is delivered in a manner that accords with the approved learning framework (VEYLDF as above).   The CS Regulations do not require children’s services to have a quality improvement plan as there is no assessment and rating process for CS Act services. |
| * 1. Complaints, concerns and safety incidents are analysed to identify causes and systemic failures to inform continuous improvement. | **National Law**   * Section 167 – **Protection of children from harm and hazards** -Adequate precautions must be taken to protect children from harm and any hazard likely to cause injury. | **CS Act**   * Section 107 – **Protection of children from harm and hazards** -Adequate precautions must be taken to protect children from harm and any hazard likely to cause injury. |
| * 1. The organisation reports on the findings of relevant reviews to staff and volunteers, community and families and children and young people. | No explicit requirements in the National Law or Approved Learning Frameworks. | No explicit requirements in the CS Act or Approved Learning Frameworks. |

# Child Safe Standard 11 – Policies and procedures document how the relevant entity is safe for children and young people

| In complying with Child Safe Standard 11, an organisation must, at a minimum, ensure: | Existing requirements – National Law and National Regulations, National Quality Standard and the VEYLDF | Existing requirements - Children’s Services Act and Children’s Services Regulations and the VEYLDF |
| --- | --- | --- |
| * 1. Policies and procedures address all Child Safe Standards. | **National Law**   * Section 167 – **Protection of children from harm and hazards** -Adequate precautions must be taken to protect children from harm and any hazard likely to cause injury. | **CS Act**   * Section 107 – **Protection of children from harm and hazards** -Adequate precautions must be taken to protect children from harm and any hazard likely to cause injury. |
| * 1. Policies and procedures are documented and easy to understand. | **National Regulations**   * Regulation 168 – **Policies and procedures** - Education and care service must have policies and procedures. * Regulation 169 - **Additional policies and procedures—family day care service –** Family day care services must have policies and procedures. |  |
| * 1. Best practice models and stakeholder consultation informs the development of policies and procedures. | **National Law**   * Section 3(3) – **Objectives and guiding principles** - best practice is expected in the provision of education and care services   **National Quality Standard**   * Quality area 7 – **Governance and leadership** - Well documented policies and practices that are developed and regularly evaluated in partnership with educators, co-ordinators, staff members and families contribute to the ethical management of the service. There is a focus on continuous improvement. |  |
| * 1. Leaders champion and model compliance with policies and procedures. | **National Regulations**  Regulation 170 - **Policies and procedures to be followed** - Policies and procedures to be followed by nominated supervisors and staff members of, family day care educators and volunteers. |  |
| * 1. Staff and volunteers understand and implement policies and procedures. | **National Regulations**   * Regulation 170 - **Policies and procedures to be followed** - Policies and procedures to be followed by nominated supervisors and staff members of, family day care educators and volunteers |  |