

A guide for creating a  
**Child Safe  
Organisation**



This is the fifth updated edition of *A guide for creating a Child Safe Organisation* produced by the Commission for Children and Young People. This edition replaces the 2006, 2016 and 2018 editions shown here.



The Commission respectfully acknowledges and celebrates the Traditional Owners of the lands throughout Victoria and pays its respects to their Elders, children and young people of past, current and future generations.

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# Commissioner's message

This edition of *A guide for creating a Child Safe Organisation* has been updated to reflect new standards that further strengthen and reinforce the protection of children's safety when engaging with organisations.

While we know that the overwhelming majority of individuals working with children have their best interests at heart, we continue to see children experience abuse and harm in some of our most trusted organisations.

Child Safe Standards are mandated to make sure organisations have robust policies and practices designed to keep children safe from abuse and harm. They work to build a culture in which children's safety is embedded in everyday thinking and practice.

Victoria was one of the first jurisdictions to introduce Child Safe Standards in 2016, after the Victorian Parliament's *Betrayal of Trust: Inquiry into the handling of child abuse by religious and other non-government organisations* revealed devastating accounts of children experiencing abuse and harm in organisational settings. The following year, the Royal Commission into Institutional Responses to Child Sexual Abuse recommended each state and territory move to introduce similar schemes, in line with nationally agreed principles – since titled the National Principles for Child Safe Organisations.

In light of this, Victoria has updated its Child Safe Standards to create greater consistency with the ten National Principles. These broadly require organisations to embed child safety in organisational culture and governance, have clear policies that promote child safety, to respect and acknowledge the diverse needs of children and engage effectively with children about their experiences of safety.

Following an Aboriginal-led development process, Victoria has introduced a new and additional Standard specifically focused on promoting the cultural safety of Aboriginal children across all organisations captured by the scheme. This Standard was recommended by the former



Commissioner for Aboriginal Children and Young People, Justin Mohamed, recognising that respecting Aboriginal children's cultural rights is crucial to ensuring their safety and wellbeing.

Other changes arising from the updated Child Safe Standards include requirements to more closely involve families and the broader community in organisations' efforts to keep children safe and to take steps to manage the risk of child abuse in online environments. They also provide clearer guidance on the governance, practices and processes that organisations are expected to have in place, in order to meet minimum standards and keep children safe.

Noting Victoria's Child Safe Standards having been in operation for over five years, most organisations have done substantial work to develop and embed their child safe practices and recognise that they require ongoing review to ensure they continue to reflect best practice. However, we recognise that the updated Standards will require organisations to review and adjust their practices, and that child-centred cultural and behavioural change takes time and sustained effort – acknowledging that community-wide understanding of the risks of child abuse, and its impact, is still developing.

## Commissioner's message

The Commission for Children and Young People stands ready to support organisations to adapt to these changes and will continue to provide advice, support and resources to help organisations large and small, employee-run or volunteer-run, to comply with the changes.

Children deserve to feel safe, nurtured and protected by the organisations they interact with. They need to feel confident to share their views and concerns and trust that these will be heard and taken seriously. The culture, practices and priorities of an organisation are critical to achieving this. We trust you will continue to work alongside us in embracing the new Child Safe Standards that help make your organisation safe and inclusive for all children.



**Liana Buchanan**  
Principal Commissioner

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# Introduction

This guide aims to support organisations to implement child safe practices to create a culture where the safety of children is promoted, child abuse is prevented, and allegations of child abuse will be taken seriously and acted on. It aims to help organisations comply with the Child Safe Standards (the Standards) under the *Child Wellbeing and Safety Act 2005* (Vic).

The Commission for Children and Young People (the Commission) developed the first edition of *A guide for creating a Child Safe Organisation* (the guide) in 2006. This 2022 version reflects changes made to the Standards commencing 1 July 2022 and added knowledge and experience in creating and supporting child safe organisations.

## Setting the scene

Over the past decade, Victoria has implemented wide-ranging laws, policies and procedures aimed at reducing the risk of child abuse and harm for children in organisations.

Two recent inquiries into the abuse of children in organisations, the Victorian Parliamentary Inquiry into the Handling of Child Abuse by Religious and other Non-Government Organisations and the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission), have shown the devastating extent of harm done to children when organisations do not have the right culture, systems, processes and understanding to prevent abuse. They have also provided us with in-depth research and evidence-based ways to promote child safety in organisations.

**Child abuse still happens now in organisations. It is not just in the past.**

## The *Betrayal of Trust* report

In April 2012, the Victorian Government initiated an inquiry into the handling of child abuse allegations within religious and other non-government organisations. The inquiry's final report in 2013, *Betrayal of Trust*, made a number of recommendations that have been acted on by Victorian governments. These included:

- **Criminal law reform** – offences relating to grooming, failure to protect and failure to disclose. These laws are discussed in more detail in [Standard 7](#).
- **Creation of child safe organisations – mandatory Child Safe Standards and the Reportable Conduct Scheme (the Scheme).**

The Standards are compulsory for most organisations working with children, while the Scheme requires certain organisations to report and investigate allegations of child abuse and child-related misconduct.

The Standards commenced in Victoria in January 2016 and became fully operational on 1 January 2017.

**'Thanks to recent inquiries and the advocacy of many survivors, we now know more than ever about the extent of harm done to children in organisational settings and this knowledge brings an obligation to act.'**

– Liana Buchanan, Principal Commissioner for Children and Young People

### The Royal Commission into Institutional Responses to Child Sexual Abuse

From 2013 to 2017, the Royal Commission investigated how organisations responded to allegations and instances of child sexual abuse. It found evidence of widespread sexual abuse of children in institutions. While the primary focus of the Royal Commission was on child sexual abuse, three volumes of the final report outline processes for creating child safe organisations and can be broadly applied to keeping children safe from all forms of abuse.

**Volume 6** of the Royal Commission's report outlines the role that the Standards can play in making organisations safer for children. It recommends the national implementation of ten Standards. It also discusses how regulatory oversight could be improved to better facilitate the implementation of the Standards in organisations. In many ways, the ten Standards described in the Royal Commission's report aligned with the work already undertaken in Victoria. They focus on organisations creating child safe cultures, adopting strategies and taking action to prevent harm to children.

**'One of the greatest risk factors for the harm or abuse of children is the lack of awareness about it among an organisation's staff and volunteers.'**  
– the Royal Commission

The **National Principles for Child Safe Organisations** (the National Principles) put into practice recommendations from the Royal Commission to make organisations across the country safe for children and were endorsed by the Commonwealth and all state and territory governments in 2019. The National Principles set out a nationally consistent approach to promoting a culture of child safety and wellbeing within organisations.

# Child safe organisations and the Standards

## The Victorian Child Safe Standards

The Standards are a compulsory framework that supports organisations to promote the safety of children by requiring them to implement policies to prevent, respond to and report allegations of child abuse and harm.

In Victoria, the legislation that creates the Standards is the *Child Wellbeing and Safety Act 2005 (Vic)*. The Standards are designed to drive cultural change and embed a focus on child safety by placing children's rights and wellbeing at the forefront of everything done within an organisation.

The Victorian Government committed to reviewing the Standards in response to the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission). The review was completed in late 2019. It recommended a number of changes to better align the Standards with the National Principles and made other recommendations to strengthen administration of the Standards.<sup>1</sup> The Victorian Government adopted these recommendations.

New updated Standards were released by the Victorian Government in 2021 and apply from 1 July 2022.

## Who do the Standards apply to?

Organisations in Victoria are usually required to comply with the Standards if they do one or more of the following:

- provide any services specifically for children
- provide any facilities specifically for use by children who are under the organisation's supervision
- engage a child as a contractor, employee or volunteer to assist the organisation in providing services, facilities or goods.

Organisations can check the Commission for Children and Young People's (the Commission)

[website](#) or the [Child Wellbeing and Safety Act 2005 \(Vic\)](#) to confirm if they need to comply.

For those required to comply, the Standards are law and are mandatory within Victoria. Organisations must comply with all aspects of the Standards and there can be legal consequences for non-compliance.

All organisations, even those not legally required to implement the Standards, are strongly encouraged to review how they interact with children and how they support children's safety. Any organisation can use this guide to improve responses to child safety concerns and reduce the risk of child abuse and harm.

## What is a child safe organisation?

All children have the right to feel safe and to be safe all the time, but safety does not just happen.

A child safe organisation takes deliberate steps to protect children from physical, sexual, emotional and psychological abuse and neglect. It puts children's safety and wellbeing first and embeds a commitment to child safety in every aspect of the organisation. A child safe organisation fosters and demonstrates openness. This creates a culture in which everyone – staff, volunteers, members, parents, carers and children – feels confident, enabled and supported to safely disclose child safety or wellbeing concerns.

All children, their families and carers should feel welcome in an organisation, including feeling able to express their identity and raise concerns about their own or others' safety.

Organisations involved with children vary enormously in size, structure, resources and the types of interactions that occur between staff, volunteers and children. One of the key objectives of this guide is to help organisations embed child safety policies and practices within their culture.

<sup>1</sup> Department of Health and Human Services (DHHS), [Review of the Victorian Child Safe Standards](#), DHHS website, 2019.

A child safe organisation has policies and practices that promote the safety and wellbeing of children. Policies and practices should establish an effective, consistent approach to child safety at all levels of your organisation and, working together, should prevent, respond to and encourage reporting of allegations of child abuse and harm.

Building a child safe organisation is a dynamic and ongoing process of learning, monitoring and reviewing. Following the steps in this guide, embedding them into your organisation's culture and practice, and reviewing regularly, will reduce opportunities for harm to children.

### The role of the Commission and co-regulators

The Commission is an independent statutory body that promotes improvement in policies and practices affecting children in Victoria.

The Commission has a responsibility to help organisations understand the Standards and what they need to do to ensure they are fully implemented. The Commission also has a range of powers to support its role as a regulator for the Standards. Legislative changes that provide the Commission with new, enhanced enforcement and compliance powers start in January 2023.

### Working with co-regulators

There are several different regulators for the Standards in Victoria.

Currently, the Commission has power to regulate all organisations that must comply with the Standards and works together with other regulators to do this.

Organisations that are funded or regulated by a Victorian Government department, the Victorian Registration and Qualifications Authority or the Wage Inspectorate Victoria may have an additional regulator for the Standards. Legislative changes starting in January 2023 will alter these arrangements. You will receive more information about these changes.

Some sectors that are regulated by a co-regulator include:

**Early childhood education and care:** The Department of Education and Training, through its [Quality Assessment and Regulation Division](#), is the Victorian regulator for early childhood services, including children's services within the meaning of the *Children's Services Act 1996* (Vic) and approved providers within the meaning of the *Education and Care Services National Law Act 2010* (Vic). This includes organisations such as registered early childhood education and care providers, out-of-school hours care and family day care, as well as registered creche, occasional or short-term care services.

**Schools:** [Victorian Registration and Qualifications Authority](#) (VRQA) is the Victorian regulator for registered schools, school boarding premises, school-sector providers of courses to overseas students, student exchange organisations, non-school senior secondary providers and registered training organisations (RTOs) that are registered with VRQA.

**Social services:** [Department of Families, Fairness and Housing](#) (DFFH) is the Victorian regulator for providers of out-of-home care, housing services, family violence and sexual assault services, and support services for parents and families.

**Health services:** [Department of Health](#) is the Victorian regulator for hospitals, community health services, mental health services, drug and alcohol treatment services, and maternal and child health services.

**Employers of children:** [Wage Inspectorate Victoria](#) is the Victorian regulator for organisations that employ children and hold a permit under the *Child Employment Act 2003* (Vic).

**Other Victorian organisations:** The [Commission for Children and Young People](#) is the regulator for the Standards for organisations where there is no specified co-regulator. The Commission can also help you identify the appropriate co-regulator for your organisation.

# Using this guide

The Standards that take effect on 1 July 2022 impose a set of minimum requirements on organisations. Some requirements are for things your organisation should already have in place under the previous Standards, like a Code of Conduct. Other requirements are new and require organisations to change practices and update policies and procedures. This guide provides detailed information to help organisations implement the 11 Standards.

You should start by reading the 11 Standards and their compliance indicators. Then read a detailed chapter to gain more in-depth understanding about a topic, what to do and what options might work for your organisation. Our [Child Safe Standards self-assessment tool](#) can help you identify gaps in your organisation's policies, procedures and practices.

## How each Standard is structured in this guide

This guide devotes a chapter to each of the 11 Standards, identifying the expected outcomes, minimum requirements and compliance indicators which will enable organisations to comply with each Standard.

Each Standard is expressed as an expected **outcome** that organisations must achieve. For example, Standard 4 is expressed as 'Families and communities are informed, and involved in promoting child safety and wellbeing.'

Each Standard includes **minimum requirements** that organisations must meet. The new Standards provide greater guidance for organisations on what they must do to meet the outcome, while still allowing flexibility.

For each Standard, the Commission for Children and Young People (the Commission) has provided a list of documents and actions that will show your organisation is meeting these minimum requirements. We call these **compliance indicators**. The indicators were developed in response to feedback and formal reviews that

showed organisations were seeking more advice about what regulators look for when assessing compliance.

Organisations will generally comply with the Standards if they produce the listed documents and complete the actions set out in the **compliance indicators** in each chapter. However, your organisation will need to make sure the approach you take achieves the **outcome** and the **minimum requirements**, as set out in the Standard.

This is a general guide. The particular characteristics of some organisations might mean you need to do something different to what is proposed in the **compliance indicators**. If so, you may have to explain to the Commission how you believe your approach means you comply with the **outcome** and the **minimum requirements** of the Standards.

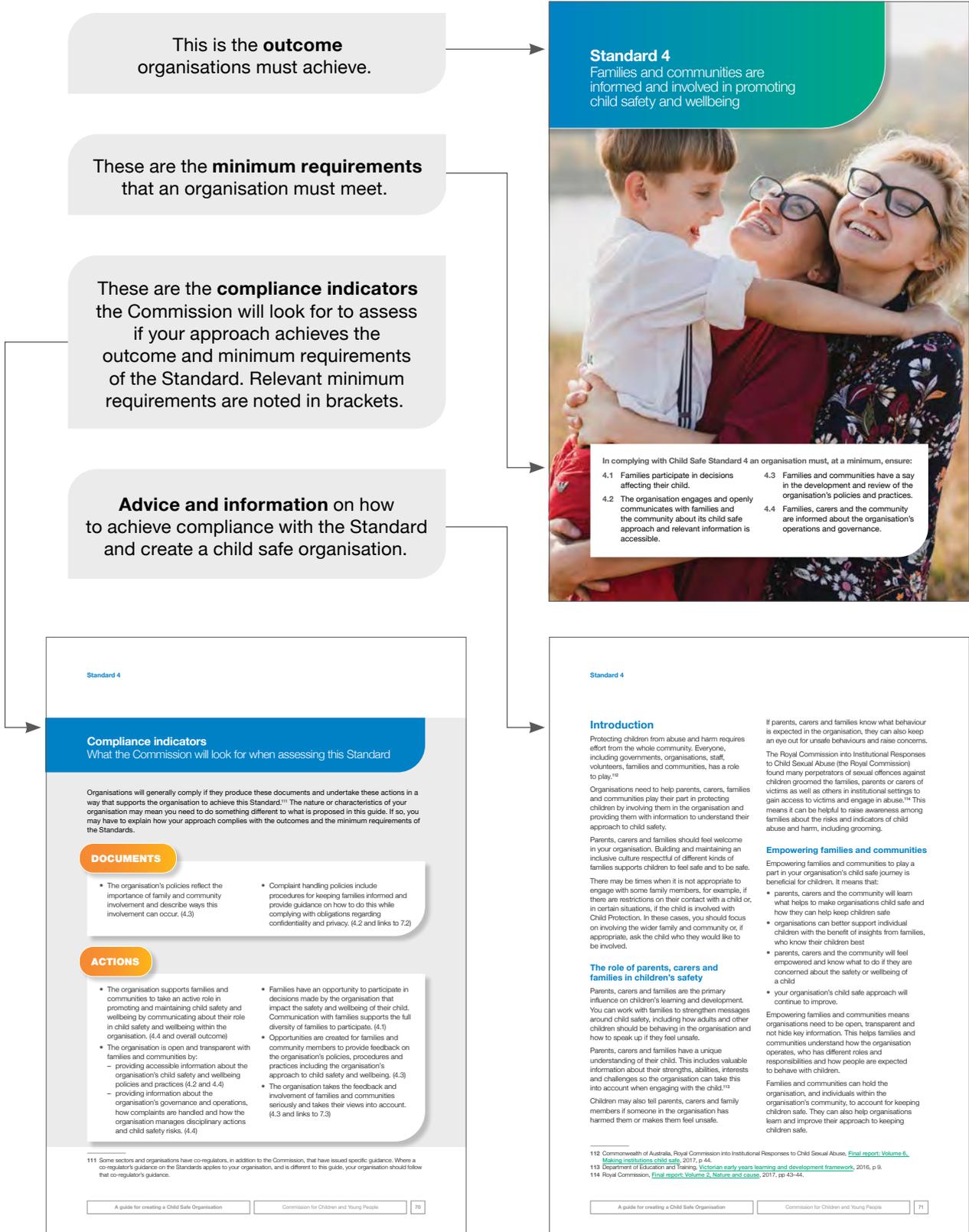
After the **compliance indicators** in each chapter, we also provide more detailed advice and information on how to achieve compliance with each Standard and create a child safe organisation, including tools and tips, case studies and links to relevant resources. In some chapters links to additional tools and templates are provided, which you may like to adapt for use in your organisation. Tools and templates are available in Word format on the [Commission's website](#).

The term Aboriginal in this guide is inclusive of Aboriginal and Torres Strait Islander peoples.

We use the term child or children to include both children and young people under the age of 18 years.

A glossary of key terms used in this guide is at [page 171](#).

# How each Standard is structured



## Note on compliance indicators for Child Safe Standard 1

The compliance indicators for Standard 1 ('Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children are respected and valued') are set out differently to the other Standards. **Foundation steps** provide a starting point for organisations who need some guidance on how to start implementing this new Standard. Some organisations will want to take these **foundation steps** before they move to achieve the **further steps** required for full compliance with this Standard. For many mainstream<sup>2</sup> organisations, establishing a culturally safe environment will take considerable time, effort and meaningful engagement, and the two stages of compliance indicators take this into account.

## Guidance by co-regulators

Some co-regulators have issued specific guidance on the Standards for the sectors they regulate. Where a co-regulator's guidance applies to your sector, and is different to this guide, your organisation should follow your co-regulator's guidance.

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<sup>2</sup> In Standard 1, the term 'mainstream' means an organisation that is non-Aboriginal or not an Aboriginal Community Controlled Organisation (ACCO).

# Child abuse and harm



Child abuse can take many forms and occur in many different settings. It can have lifelong and devastating impacts. Child abuse is not just something that happened in the past but, unfortunately, continues to occur in organisations today.

**‘The sexual abuse of a child is intolerable in a civilised society. It is the responsibility of our entire community to acknowledge that children are vulnerable to abuse. We must each resolve that we will do what we can to protect them. The tragic impact of abuse for individuals and through them our entire society demands nothing less.’**  
– the Royal Commission<sup>3</sup>

Child abuse can be defined in many ways. The term is often used broadly to cover behaviour by people in a position of responsibility, trust or power that results in a child being harmed physically or emotionally.<sup>4</sup>

The Standards use a particular definition of ‘child abuse’ from the *Child Wellbeing and Safety Act 2005* (Vic) which includes:

- a sexual offence committed against a child
- grooming for sexual conduct with a child under the age of 16 under section 49M(1) of the *Crimes Act 1958* (Vic)
- physical violence against a child
- causing serious emotional or psychological harm to a child
- serious neglect of a child.<sup>5</sup>

This definition of child abuse is deliberately broad. It allows for a wide range of harmful behaviour and conduct towards a child to be covered by the definition, even if it is not expressly listed.

<sup>3</sup> Commonwealth of Australia, Royal Commission into Institutional Responses to Child Sexual Abuse, [Final report: Preface and executive summary](#), 2017, p 4.

<sup>4</sup> Australian Institute of Health and Welfare, [Australia’s children](#), Cat no. CWS 69, Canberra, 2020, AIHW website, p 327.

<sup>5</sup> *Child Wellbeing and Safety Act 2005* (Vic), s 3.

Under the Standards, organisations need to understand and focus attention on the prevention of child abuse and harm.

‘Harm’ is damage to the health, safety or wellbeing of a child, including as a result of child abuse by adults or the conduct of other children. It includes physical, sexual, emotional and psychological harm. Harm can arise from a single act or event. It can also be cumulative, that is, arising as a result of a series of acts or events over a period of time.

The Standards require organisations to prevent and respond to child abuse or harm caused by other children, as well as adults.

## Types of child abuse and harm

### Sexual abuse

Child sexual abuse is when a person uses power or authority over a child to involve them in sexual activity.<sup>6</sup> It includes a broad range of behaviours involving a sexual element that are committed against, with or in the presence of a child.

Child sexual abuse does not always involve force. In some circumstances, a child may be manipulated into believing that they have brought the abuse on themselves, or that the abuse is an expression of love.<sup>7</sup>

Sexual offences may involve contact, like touching or penetration. They also include acts that do not involve physical contact like ‘flashing’, possessing child abuse material or grooming. A full list of relevant child sexual offences is included in clause 1 of schedule 1 to the [Sentencing Act 1991 \(Vic\)](#).

While a child sexual offence will generally include any sexual encounter by an adult that involves a child, in some circumstances conduct by children aged ten years or over can also constitute a sexual offence.<sup>8</sup>

### Grooming

Grooming behaviour can involve the use of a variety of manipulative and controlling techniques used to build trust or normalise sexually harmful behaviour. Grooming is often described as the ‘preparation’ phase of child sexual abuse, undertaken by the perpetrator to gain the trust of a child, and to establish secrecy and silence.<sup>9</sup> Perpetrators may groom to gain access to a child, initiate and maintain sexual abuse of that child, and to conceal the sexual abuse from others who may identify it.<sup>10</sup>

Grooming can include communicating or attempting to befriend or purposely establishing a relationship or other emotional connection with a child, their family or organisations they are engaged with. At first people may be tricked into thinking the relationship with the perpetrator is safe and normal. Children may not understand that what is happening is grooming or may feel they have no choice but to be abused.<sup>11</sup>

Grooming behaviours and tactics are often complex and gradual. They can involve a range of subtle, drawn out, calculated, controlling and premeditated behaviours.<sup>12</sup> Grooming can involve behaviour in person and activities on social media, email or phone.

<sup>6</sup> Department of Education and Training (DET), [Identify child abuse](#), PROTECT website.

<sup>7</sup> DET, [Identify child abuse](#).

<sup>8</sup> Under Victorian law children between 12 to 15 can only consent to sexual activity with another child no more than two years older. Therefore, sexual contact by a child with a child outside of this age range may involve a sexual offence.

<sup>9</sup> Bravehearts, [What is grooming?](#), Bravehearts website.

<sup>10</sup> Royal Commission, [Final report: Volume 4, Identifying and disclosing child sexual abuse](#), p 12.

<sup>11</sup> Adapted from Victorian Government, Department of Education and Training, [Child sexual exploitation and grooming](#), PROTECT website, 2022.

<sup>12</sup> Royal Commission, [Final report: Volume 4, Identifying and disclosing child sexual abuse](#), p 12.

Some perpetrators may use their power and authority in an organisation to create the impression that they are trustworthy and to pressure children to prevent disclosure. Perpetrators often isolate the child or alienate them from others, creating a barrier between the child and adults they might otherwise talk to about the abuse or who might see that something is wrong. Perpetrators often blame the child for the abuse or create a shared sense of responsibility with the child.<sup>13</sup>

Some types of grooming are captured by the criminal offence of grooming.<sup>14</sup> This offence targets predatory conduct by an adult designed to facilitate later sexual activity with a child under 16 years of age.<sup>15</sup> Other grooming behaviours, while not a criminal offence, may still come within the definition of child abuse.

### Sexual misconduct

Sexual misconduct includes a variety of sexualised behaviours against, with or in the presence of a child. These behaviours may not meet the threshold for a sexual offence but can still pose a significant risk to children. Behaviours could include inappropriate conversations of a sexual nature, comments that express a desire to act in a sexual manner, or in some cases, behaviour that crosses a professional boundary, such as having or seeking to establish an inappropriate or overly personal or intimate relationship with a child.<sup>16</sup>

### Physical violence

Physical violence can occur when a person intentionally or recklessly uses physical force against, with or in the presence of a child without their consent, which causes, or could cause, the child harm.

Physical violence can also occur when someone intentionally or recklessly causes a child to believe that physical force is about to be used against them without their consent.

Physical violence can include hitting, punching, kicking, pushing or throwing something that strikes a child. It also includes the use of words or gestures that cause a child to believe that they are about to suffer physical violence.

In some cases, physical contact with a child may be necessary, such as to physically restrain them from hurting another child or themselves, but the use of physical contact must be reasonable and no more force should be used than is absolutely necessary.

### Emotional or psychological harm

Emotional and psychological harm can arise as a result of experiencing a sexual offence, sexual misconduct, physical violence or neglect. Emotional and psychological harm may also arise in circumstances that involve persistent verbal abuse, coercive or manipulative behaviour, hostility towards a child, humiliation, belittling or scapegoating, conveying to a child that they are worthless, unloved, inadequate or rejected, or causing a child to frequently feel frightened or in danger. Serious emotional or psychological harm often decreases a child's sense of identity, dignity and self-worth, and the impact can be chronic and debilitating.

'Emotional harm' is expressed in a tangible or visible way. For example, a child may show signs of distress, withdrawal, fear, anxiety, anger or despair. Emotional harm may have an impact on emotional health and development, the ability to show emotions and the ability to sustain and develop healthy relationships.

'Psychological harm' has a longer-term cognitive impact which may affect a child's conscious and unconscious mind. Psychological harm may not become clear for days, weeks or years after an event. Psychological harm may negatively affect and delay a child's cognitive development. Psychological harm often takes the form of a diagnosable psychological disorder.

<sup>13</sup> Royal Commission, [Final report: Volume 4, Identifying and disclosing child sexual abuse](#), p 12.

<sup>14</sup> *Crimes Act 1958* (Vic), s 49M.

<sup>15</sup> For more information refer to the Victorian Government, Department of Justice and Community Safety (DJCS), [Grooming fact sheet](#), DJCS website.

<sup>16</sup> Organisations subject to the Reportable Conduct Scheme have an obligation under s 16K of the *Child Wellbeing and Safety Act 2005* (Vic) to have a system for preventing the commission of reportable conduct by an employee of the organisation within the course of the person's employment. The definition of reportable conduct includes sexual misconduct.

Cultural abuse can cause emotional and psychological harm. Cultural abuse occurs when the culture of a people is ignored, denigrated or intentionally attacked. It can be overt or covert, for example, a lack of cultural sensitivity or absence of positive images about another culture. Cultural abuse is especially harmful for children 'because it strikes their sense of identity, self-esteem and connectedness to family and community'.<sup>17</sup>

Discrimination can have negative impacts on children. It can cause emotional or psychological harm or constitute neglect of a child. Being treated unfairly because of who you are or what you like can have a negative effect on mental health.<sup>18</sup> Experiencing discrimination can also increase a child's vulnerability to abuse and harm and can mean that children are less likely to ask for help or speak up if they have a concern.

For emotional or psychological harm to be *serious*, it must involve an act (or the cumulative effect of many acts) resulting in harm that is more than significant, being either substantial and protracted, or that endangers life.<sup>19</sup>

### Neglect

Neglect is a failure to meet the basic needs of a child (such as their wellbeing and safety). Neglect can arise as a result of a single event or a combination of different events.

Some neglectful behaviours that can occur in organisations include:

- supervisory neglect (failure to appropriately exercise adequate supervision or control of a child)

- physical neglect (failure to meet a child's physical needs including the provision of adequate and appropriate food, clothing, shelter or physical hygiene)
- educational neglect (failure to ensure that a child's formal educational needs are being met)
- emotional neglect (failure to provide adequate nurturing, encouragement and support to a child).<sup>20</sup>

For neglect to be *serious*, it must involve a failure to meet the basic needs of a child that is more than significant, being either substantial and protracted, or that endangers life. 'Serious' refers to the quality of the failure to meet the basic needs of a child, not to the outcome of the neglect. It is not necessary that a child suffered any harm as a result of the neglect.<sup>21</sup>

## Recognising signs of child abuse and harm

Whether child abuse and harm is perpetrated in the organisation or in the home, being aware of behavioural indicators that may signify a child is being abused is important to creating a child safe organisation.

Different types of child abuse and harm can have different indicators. Information on indicators of the different types of abuse and harm is available from the [Department of Fairness Families and Housing, Department of Education, Raising Children Network](#) and the [Better Health Channel](#).

The following is a short overview of some common behavioural indicators of child abuse and harm to look out for.

<sup>17</sup> Secretariat of National Aboriginal and Islander Child Care (SNAICC), with the help of Victorian Aboriginal Child Care Agency (VACCA), in partnership with the National Office for Child Safety created: Commonwealth of Australia, Department of the Prime Minister and Cabinet, [Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations](#), 2021, p 20.

<sup>18</sup> Beyond Blue, [Multicultural People](#), Beyond Blue website.

<sup>19</sup> Section 3(1) of the *Child Wellbeing and Safety Act 2005* (Vic) defines 'significant', in relation to emotional or psychological harm or neglect, to be something that is more than trivial or insignificant, but need not be as high as serious, and need not have a lasting or permanent effect. This definition is utilised by the Reportable Conduct Scheme to define types of reportable conduct.

<sup>20</sup> Commission for Children and Young People, [Information sheet 11: Significant neglect](#), Reportable Conduct Scheme web page.

<sup>21</sup> Section 3(1) of the *Child Wellbeing and Safety Act 2005* (Vic) defines 'significant', in relation to emotional or psychological harm or neglect, to be something that is more than trivial or insignificant, but need not be as high as serious, and need not have a lasting or permanent effect. This definition is utilised by the Reportable Conduct Scheme to define types of reportable conduct.

## SIGNS THAT MAY INDICATE A CHILD IS BEING ABUSED

Abuse can be hard to spot. Some children show no external signs of abuse.

Sometimes a child may tell us if they are being harmed, and at other times we will need to look out for changes in behaviour, emotions or physical appearance. Common signs across different abuse types include:<sup>22</sup>

- unusual or regressive changes in behaviour, like a sudden decline in academic performance, anxiety, withdrawal, hyperactivity, bedwetting, sleep disturbances, drug or alcohol misuse
- concerning behaviours that may be harmful to themselves or others
- being extremely sensitive and alert to their surroundings (hypervigilance)
- absences from school without reasonable explanation
- frequent headaches or stomach pains
- drawings or writing which depict violence or abuse
- raising a concern about a friend or someone they know
- attempted suicide or self-harm
- unexplained or inconsistent, vague, or unlikely explanations for an injury
- unexplained bruising, fractures or other physical injuries
- unusual fear of physical contact
- harm to others or animals
- wariness or fear of someone including a parent, carer, other adult or child
- trying to protect friends or other family members from someone
- reluctance to go home
- the child is assessed as having experienced a significant delay in their emotional or intellectual development or that their functioning has been impaired
- taking on a caring or parental role with siblings prematurely.

A child may be suffering from one or more types of abuse.

Watch for any changes in the child's general mood. The child may become anxious, irritable, depressed, angry, or show a combination of emotions. However, do not assume that just because you see these signs the child is being abused. Keep in mind that these signs can apply to a child under stress and may not be related to child abuse.

<sup>22</sup> Adapted from Government of Western Australia, Department of Communities, [Recognising child abuse](#); Victorian Government, Department of Education and Training, [Spotting the warning signs of child abuse for school staff](#) [pdf, 311kb]; Victorian Government, Department of Families, Fairness and Housing, [Indicators of abuse, Child Safe Standards toolkit resource 4B](#); Victorian Government, Department of Families Fairness and Housing, [Recognising when a child is at risk](#), Better Health Channel, September 2018.

## Recognising grooming

Recognising the signs of grooming can be difficult. Grooming behaviours can often look like normal caring behaviours. Anyone can groom a child, including people involved with your organisation.

People engaging in grooming behaviour may use social media, the internet and mobile phones to interact with children and ask the child to keep the interaction secret. This could continue for months before the offender arranges a physical meeting.<sup>23</sup> There may be no online element to the grooming.

Some signs of grooming include a child:

- having unexplained gifts or money and not wanting to talk about where they came from
- not wanting to talk about what they've been doing or lying about it
- getting lots of messages from someone they only know online
- spending less time with friends or changing friendship groups suddenly
- not wanting to talk about their day, thoughts or feelings anymore
- regularly missing school, work or other activities
- developing an unusually close connection with an older person
- not wanting others around when they're with particular friends or adults.<sup>24</sup>

Groomers may also try to gain the trust of a child's family or carers including:

- offering to take the child to activities (such as sports) or babysit
- offering to mentor or coach the child individually
- buying gifts or doing things for the family (such as repairs)
- complimenting the family and parenting.

More information about recognising the signs of grooming can be found at the [raising children website](#).

## Impacts of child abuse

Child abuse can impact all parts of a child's development – physical, psychological, emotional, behavioural and social.<sup>25</sup> The impacts of child abuse can be profound. Some impacts can be short term and temporary, but for many children they persist and present in different ways throughout their life.<sup>26</sup>

The Royal Commission found that child sexual abuse can affect many areas of a person's life including their:

- mental health
- interpersonal relationships
- physical health
- sexual identity, gender identity and sexual behaviour
- connection to culture
- spirituality and religious involvements
- interactions with society
- education, employment and economic security.<sup>27</sup>

These impacts can affect the child's ability to engage with education and employment and lead to negative long-term health outcomes as they age, and for some can have fatal consequences.

Distrust and fear of institutions and authority often result from child sexual abuse in an institutional context.<sup>28</sup> It is important to note that institutional child abuse does not just impact the individual child. It can have a ripple effect that reaches a wide range of people, including the child's family, carers and friends, other children and staff connected to the organisation, the community and wider society.<sup>29</sup> Child abuse can also have long-lasting intergenerational impacts across the family, as the

<sup>23</sup> Department of Education and Training, [Child sexual exploitation and grooming](#), PROTECT website.

<sup>24</sup> raisingchildren.net.au, [Grooming: recognising the signs](#), the Australian parenting website, 2020; and Department of Education and Training, [Child sexual exploitation and grooming](#).

<sup>25</sup> Australian Government, [Effects of child abuse and neglect for children and adolescents](#), Australian Institute of Family Studies website, 2014.

<sup>26</sup> Royal Commission, [Final report: Volume 3, Impacts](#), p 9.

<sup>27</sup> Royal Commission, [Final report: Volume 3, Impacts](#), p 10.

<sup>28</sup> Royal Commission, [Final report: Volume 3, Impacts](#), p 11.

<sup>29</sup> Royal Commission, [Final report: Volume 3, Impacts](#), p12.

victim-survivor's children are exposed to the effects of trauma on their parents and family members.<sup>30</sup>

The way an organisation responds to a disclosure of child abuse can have a profound impact on children. This includes reactions to the disclosure, action taken following the abuse and broader prevention and protection measures.<sup>31</sup>

**'Institutional responses have the potential to either significantly compound or help alleviate the impacts of the abuse.'**

– the Royal Commission<sup>32</sup>

### Trauma-informed approach

Trauma is an event or events in which a person is threatened or feels threatened. Trauma also describes the impacts of the event or events on a person and the ongoing impact on a victim-survivor's psychological wellbeing. Trauma is very common.<sup>33</sup> People can experience trauma in lots of different situations. Childhood trauma, including exposure to abuse and poor organisational responses, can take a great toll on a child's development and affect their sense of safety and security. Organisations may not know whether the children they engage with have experienced trauma.

A trauma-informed approach involves understanding, recognising and responding to the effects of trauma and stress on a person. This aims to safeguard individuals from further harm. Organisations should work with children in ways that give them opportunities to safely participate without causing them undue distress or harm.

Children who have experienced trauma are more likely to display challenging behaviours, like poor impulse control, hyperactivity or disruptive behaviours. When you provide services to children you should recognise that the way some children behave may be a result of their traumatic experiences.

Trauma-informed approaches in organisations:

- Always consider that anyone in the organisation may have experienced trauma and design your processes to account for this.
- Minimise the risks of re-traumatisation and promote healing.
- Apply the core principles of safety, trustworthiness, choice, collaboration and empowerment:
  - Safety includes providing physical, emotional, and cultural safety. When children do not feel safe, they may struggle to regulate their emotions.
  - Trustworthiness means developing trusting relationships with children. This can include being clear about what is going to happen and setting boundaries, being consistent and reliable, and staying calm and being reassuring.
  - Choice and consent have often been denied to children who have experienced trauma. Providing as many suitable choices as possible for the child empowers them and shows them that they matter.
  - Collaboration also shows children that they have power and a say in what happens. Communicating clearly in age-appropriate language and allowing time and space for decisions are important.
  - Empowerment supports children to develop a sense of control and agency in their life. Showing them what they say and feel matters and treating them with respect will empower them.

<sup>30</sup> Royal Commission, [Final report: Volume 3, Impacts](#), p 12.

<sup>31</sup> Royal Commission, [Final report: Volume 3, Impacts](#), p 11.

<sup>32</sup> Royal Commission, [Final report: Volume 3, Impacts](#), p 12.

<sup>33</sup> Blue Knot Foundation, [Understanding trauma and abuse](#), Blue Knot website.

## Child abuse and harm

- Respond in a way that is culturally appropriate and respectful of diversity.
- Recognise coping strategies and behaviours as attempts to cope and not as misbehaviour. Traumatized children can adopt strategies to cope with what has happened, including anger, swearing, silence, isolating themselves, acting younger or older than their age, and drug and alcohol use.
- Focus on the whole context in which a service or activity is conducted (for example, culture, attitudes and practices) and not just on what is provided.<sup>34</sup>

You should also consider taking a trauma-informed approach with staff and volunteers recognising they may have experienced trauma. Provide ways for staff and volunteers to discuss concerns and to also seek support outside the organisation through services such as [Lifeline](#) and [Beyond Blue](#), or through the organisation's employee assistance service.

Refer to [Standard 8](#) for more information on providing training for staff and volunteers in a trauma-informed way.

## Further resources

### Child abuse

Raising Children Network has produced information suitable for children about the [Signs of sexual abuse in children and teenagers](#).

The Victorian Government's Department of Education and Training has developed [Spotting the warning signs of child abuse for school staff](#) about the physical and behavioural signs of child abuse. A similar guide has also been produced by the Department of Families, Fairness and Housing, as part of their Child Safe Standards Toolkit [Indicators of abuse](#) and the Better Health Channel has [Recognising when a child is at risk](#).

The Australian Centre to Counter Child Exploitation has published [Stop the stigma](#) with a series of videos of survivors telling their stories.

The Government of Western Australia has produced a guide to [Recognising child abuse](#).

### Grooming

The eSafety Commissioner's resource [Unwanted contact and grooming](#) is a guide for parents and carers to understand and respond to grooming.

The Department of Education and Training's [Child sexual exploitation and grooming](#) is guidance for school staff on how to spot grooming and how to respond.

[The six stages of sexual grooming](#) explained by Grace Tame (YouTube video) explains the six phases of sexual grooming and shares her story.

Raising Children Network has produced information suitable for children about [Grooming: recognising the signs](#).

Australian Centre to Counter Child Exploitation's website and fact sheets [What is online child sexual exploitation?](#) explain what online child sexual exploitation is and signs to look out for.

### Trauma

The [Blue Knot Foundation](#) is the National Centre of Excellence for Complex Trauma and provides support for individuals with complex trauma and resources and training for organisations on how to be trauma-informed.

The [Healing Foundation](#) is a national Aboriginal and Torres Strait Islander organisation that focuses on addressing the trauma caused by the widespread and deliberate disruption of populations, cultures and languages over 230 years.

<sup>34</sup> Adapted from Blue Knot Foundation, [Building a trauma-informed world](#), Blue Knot website.

## 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

In complying with Child Safe Standard 1 an organisation must, at a minimum, ensure:

- 1.1 A child's ability to express their culture and enjoy their cultural rights is encouraged and actively supported.
- 1.2 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.
- 1.3 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.
- 1.4 The organisation actively supports and facilitates participation and inclusion within it by Aboriginal children, young people and their families.
- 1.5 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.

## Compliance indicators

### What the Commission will look for when assessing this Standard

This Standard places new obligations on organisations to ensure safety for Aboriginal children.

Establishing a culturally safe environment takes time, dedication and meaningful engagement. Organisations need to commit long term and take meaningful action each year to keep progressing their compliance with Standard 1.

The Commission for Children and Young People (the Commission) understands that organisations will be at different stages in achieving compliance with this new Standard. **Foundation steps** are provided to help organisations who are yet to make a significant effort to establish a culturally safe environment for Aboriginal children. These **foundation steps** help organisations to identify the work they must do to comply with the Standard and to build a plan of action.

The Commission recognises that some organisations will need more detailed guidance to help them achieve this Standard and is developing additional guidance under the oversight of an Aboriginal Advisory Committee. Other useful resources are listed at the end of this chapter.

If your organisation feels it is already well progressed in establishing a culturally safe environment for Aboriginal children, then focusing on the **foundation steps** may not be necessary. **Further steps** are provided so your organisation can build on the work already done to continue the journey towards becoming a culturally safe organisation.

The Commission will first look for compliance with the **foundation steps**. The **foundation steps** outline the changes required to policies, procedures and public commitments, but recognise that change in organisations takes time. The plan of action should outline the organisation's path to reaching full compliance with the Standard. **Further steps** help organisations understand what full compliance with this Standard may look like.

## Foundation steps

### DOCUMENTS

- A public commitment to the cultural safety of Aboriginal children is available and displayed for public access. (1.1, 1.4, 1.5 and links to 5.4)
- Policies and procedures relating to child safety and wellbeing, including the Child Safety and Wellbeing Policy, describe the organisation's commitment to respecting and valuing Aboriginal children. This includes that:
  - staff and volunteers must encourage and support children to express their culture and enjoy their cultural rights
  - staff and volunteers must actively support and facilitate participation and inclusion within the organisation by Aboriginal children and their families
  - racism will not be tolerated within the organisation and how the organisation will respond, including potential consequences
  - the organisation's leadership has a responsibility to help everyone involved with the organisation to acknowledge and appreciate the strengths of Aboriginal culture and understand its importance to the wellbeing and safety of Aboriginal children. (1.1, 1.2, 1.3, 1.4, 1.5)
- The Code of Conduct and position descriptions outline expectations of staff and volunteer behaviour including:
  - zero tolerance of racism and expectations that staff and volunteers will act on incidents of racism
  - that children will be supported to express their culture and enjoy their cultural rights. (1.1, 1.3)
- A plan of action sets out the steps the organisation will take by 1 July 2023 to establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children are respected and valued. (1.1, 1.2, 1.3, 1.4, 1.5)

## Foundation steps

### ACTIONS

- Instances of racism are consistently identified and addressed. (1.3)
- The organisation identifies steps already taken to:
  - support, guide or train staff and volunteers and leaders to understand, respect and value Aboriginal culture and to understand the importance of this to the wellbeing and safety of Aboriginal children (1.2 and links to 8.4)
  - actively support and facilitate participation and inclusion of Aboriginal children and their families (1.4)
  - recognise and celebrate Aboriginal peoples, their achievements, communities and cultures (1.2)
  - ensure racism within the organisation is identified and appropriately addressed (1.3)
  - create a culturally safe environment for Aboriginal children within the organisation. (1.5 and links to 5.4)
- Identify actions the organisation needs to take to fully implement Standard 1, considering steps already taken and any gaps identified. A plan of action should identify the person or team responsible for taking action, the resources available and the timeframe. (1.1, 1.2, 1.3, 1.4, 1.5)

## Further steps

### DOCUMENTS

- Policies and procedures, including the Child Safety and Wellbeing Policy, describe the organisation's expectations and provide detailed guidance about actions staff, volunteers and leaders must take to establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children are respected and valued. (1.5)

### ACTIONS

- The organisation creates an inclusive and welcoming physical and online environment for Aboriginal children and their families by acknowledging and respecting Aboriginal peoples, communities, cultures and values. (1.2)
- All children receive information from the organisation about cultural rights and the organisation takes active steps to encourage Aboriginal children to express their culture. When children express their culture, staff and volunteers in the organisation give them support. (1.1, 1.4 and links to 3.1)
- The organisation takes steps to empower children in the organisation and provide them with opportunities to participate in a way that is culturally safe for Aboriginal children. (1.4 and links to 3.6)
- The organisation provides culturally safe opportunities for Aboriginal families to participate in the organisation. (1.4)
- The organisation provides members of the organisation's community with:
  - information on cultural rights, the strengths of Aboriginal cultures and the importance of culture to the wellbeing and safety of Aboriginal children
  - information on the connection between cultural safety and the prevention of child abuse and harm for Aboriginal children
  - opportunities to learn and express appreciation of Aboriginal cultures and histories. (1.1, 1.2)
- Strategies that encourage the organisation's community to acknowledge and appreciate the strengths of Aboriginal cultures are developed, implemented and embedded into the organisation. (1.2)
- Strategies to prevent racism are implemented and incidents of racism are not tolerated. (1.3)

### Introduction

You must ensure that all children feel safe, and are safe, when participating in your organisation. This includes Aboriginal children.

Standard 1 requires organisations to establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children are respected and valued. This new obligation was introduced by the Victorian Government after a review of the Standards.<sup>35</sup> Some views shared in the review included that:

- it is important not to overlook the distinctive history and experience of Aboriginal peoples and to recognise their unique place as First Nations peoples
- it is important for mainstream<sup>36</sup> services to provide a culturally safe choice for Aboriginal people and organisations must recognise that they need to do extra work to ensure Aboriginal community trust, ownership and engagement<sup>37</sup>
- special attention must be given to achieve cultural safety and it is not enough for organisations to simply say that they prioritise it.<sup>38</sup>

Following the review, the Victorian Government asked the then Victorian Commissioner for Aboriginal Children and Young People, Justin Mohamed, to recommend a new Standard to meet these objectives. Mr Mohamed is a proud Aboriginal man of the Gooreng Gooreng nation.

Mr Mohamed began an Aboriginal-led process to develop the new Standard. He spoke with many Aboriginal people and organisations throughout Victoria, and considered the evidence and approaches to cultural safety for Aboriginal children

in other areas. The Victorian Government accepted his recommendation, which now forms the new Standard 1.

This chapter provides an overview of the requirements of Standard 1 and some initial guidance for organisations. This can help organisations start to identify the work they have ahead and plan how they will implement Standard 1. For organisations that have already established culturally safe environments for Aboriginal children, this initial guidance can help them to reflect on the steps they have taken and any further steps required.

This new Standard requires organisations to take a different approach to safety for Aboriginal children from the previous Standards.

### Cultural safety and why it is important

Cultural safety has been described as ‘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’. It empowers people and enables them to contribute and feel safe to be themselves’.<sup>39</sup>

Cultural safety for Aboriginal children has been defined as ‘the child being provided with a safe, nurturing and positive environment where they are comfortable with being themselves, expressing their culture... their spiritual and belief systems, and they are supported by the carer... (who) respects their Aboriginality and therefore encourages their sense of self and identity’.<sup>40</sup>

<sup>35</sup> Victorian Government, Department of Health and Human Services, [Review of the Victorian Child Safe Standards final report](#), December 2019.

<sup>36</sup> In Standard 1, the term mainstream means an organisation that is non-Aboriginal or not an Aboriginal Community Controlled Organisation (ACCO).

<sup>37</sup> Victorian Government, Department of Health and Human Services, [Review of the Victorian Child Safe Standards final report](#), December 2019, VACCA submission, p 37.

<sup>38</sup> VACCA submission to [Review of the Victorian Child Safe Standards final report](#), p 37.

<sup>39</sup> Secretariat of National Aboriginal and Islander Child Care (SNAICC), with the help of Victorian Aboriginal Child Care Agency (VACCA), in partnership with the National Office for Child Safety created: Commonwealth of Australia, Department of the Prime Minister and Cabinet, [Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations](#), 2021, p 7.

<sup>40</sup> SNAICC, [Cultural safety](#), SNAICC website, 2021.

## Standard 1

Being able to express their cultural identity makes Aboriginal children stronger and safer.<sup>41</sup> This is important for many reasons. In the context of preventing child abuse and harm, it is important because when Aboriginal children do not feel safe to be themselves and express their individual culture, the risk they will be abused by others increases and it may reduce their willingness to report abuse.<sup>42</sup>

Identifying as Aboriginal is one part of a child's identity. Like everyone, Aboriginal people have different life experiences and characteristics. Organisations must provide supportive environments for Aboriginal children that recognise each person is unique, with their own characteristics, strengths and challenges.

Culture and identity are linked, and by supporting Aboriginal children to feel strong in their identity you also help them enjoy their cultural rights.

Achieving cultural safety involves understanding how an organisation is viewed and experienced by Aboriginal people and particularly by Aboriginal children.

Australia's colonial history is characterised by land dispossession, violence and racist government policies.<sup>43</sup> Many Aboriginal people have been directly impacted by the forced removal of children from their families and ancestral lands. This has caused significant trauma and hurt which is still being felt today by individuals, families and communities.<sup>44</sup>

However, Aboriginal communities have a long history of resilience and growth in the face of adversity and trauma.<sup>45</sup> Resilience is deeply embedded in Victorian Aboriginal communities.<sup>46</sup>

Making your organisation culturally safe means your organisation is taking the specific action needed to

keep Aboriginal children safe from abuse and harm.

Implementing Standard 1 requires organisations to consider attitudes and practices that are a barrier to providing a culturally safe environment and to address racism in all its forms. It also requires individuals to reflect on their biases and the organisation's community to increase its understanding of Aboriginal cultures.

This journey will make your organisation more inclusive for all children and increase your ability to meet the needs of Aboriginal children and their families.

### Cultural rights are protected in law

Aboriginal cultural rights are protected through a range of Victorian, Commonwealth and international laws, including:

- the [Declaration on the Rights of Indigenous Peoples](#)
- the [Convention on the Rights of the Child](#)
- the [International Covenant on Civil and Political Rights](#)
- the [Equal Opportunity Act 2010 \(Vic\)](#)
- the [Racial and Religious Tolerance Act 2001 \(Vic\)](#)
- the [Charter of Human Rights and Responsibilities Act 2006 \(Vic\)](#).

Collectively these laws mean that Aboriginal children have the right to know and remain connected to their cultural heritage, take part in their cultural practices, learn and speak their language and learn their histories and traditions.<sup>47</sup> As well as promoting and protecting connection to culture, some of these laws specifically protect Aboriginal children and their families from racial discrimination and vilification.

41 State of Victoria, [Wungurilwil Gagapduir Aboriginal children and families agreement](#), A partnership between the Victorian Government, Victorian Aboriginal communities and the child and family services sector, 2018, p 35.

42 P Anderson et al., [Aboriginal and Torres Strait Islander children and child sexual abuse in institutional settings](#) [pdf 1MB], Report for the Royal Commission into Institutional Responses to Child Sexual Abuse, 2017, pp 30–33.

43 P Anderson et al., [Aboriginal and Torres Strait Islander children and child sexual abuse in institutional settings](#) [pdf 1MB], p 7.

44 P Anderson et al., [Aboriginal and Torres Strait Islander children and child sexual abuse in institutional settings](#) [pdf 1MB], p 19.

45 Commonwealth of Australia, [Kids matter: Australian primary schools mental health initiative, trauma information sheet 1](#) [pdf 404kb], 2014.

46 Victorian Government, Department of Health and Human Services, [Nargneit Birrang – Aboriginal holistic healing framework for family violence](#), 2019.

47 SNAICC, [Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations](#), p 13.

## Standard 1

In Victoria, the *Charter of Human Rights and Responsibilities Act 2006* (Vic) outlines Aboriginal cultural rights that are distinct and must not be denied to Aboriginal people. Public authorities<sup>48</sup> must observe these rights. They include the right for Aboriginal people to:

- enjoy their identity and culture
- maintain and use their language
- maintain their kinship ties
- maintain their distinctive spiritual, material and economic relationship with the land and waters and other resources with which they have a connection under traditional laws and customs.<sup>49</sup>

### Aboriginal children in Victoria

Aboriginal communities represent the oldest continuous cultures in the world with diverse languages, kinship or family structures, and ways of life.<sup>50</sup> There is no single Aboriginal culture.

In Victoria, almost 25,000 children and young people aged between 0 and 24 years identify as Aboriginal and/or Torres Strait Islander.<sup>51</sup>

Just like all children in Victoria, Aboriginal children access organisations and activities including school, sport and recreation, health and support services, and religious and faith-based organisations. This means Aboriginal children are likely to engage with your organisation at some point.

When someone first enters your organisation, they may not share details about their background and identity. As with any other personal characteristic, Aboriginal people may not tell you about this part of their identity and they do not have to. There may be

Aboriginal children and families in your organisation already, but perhaps they have not shared this with you.

Everyone has a unique culture and identity. For Aboriginal people, like all people, cultural identity varies between individuals. Cultural identity may generally be described as connection to community, respect for Elders, kinship and family connections, gender and age roles, identity, language, art, ceremony and connection to Country.<sup>52</sup> People who identify as Aboriginal may also strongly identify with other cultures and personal attributes as well.

Standard 1 requires you to create culturally safe environments for Aboriginal children, and this requirement exists whether or not you know Aboriginal children are currently using your services or facilities. Aboriginal children have the right to join organisations that will be safe for them.

### Encouraging and supporting a child's ability to express their culture and enjoy their cultural rights

Aboriginal children who are strong in their identity will be more likely to engage, participate and say if they are feeling unsafe or being abused.<sup>53</sup> A culturally safe environment is one that supports Aboriginal children to feel proud of their identity and culture so they feel safe to speak up.<sup>54</sup> Being connected to culture is a source of resilience associated with better emotional, social and physical health for Aboriginal people.<sup>55</sup>

<sup>48</sup> Public authorities are defined in the *Charter of Human Rights and Responsibilities Act 2005* (Vic) to include: (1) public officials (generally public servants), (2) an entity established by a statutory provision that has functions of a public nature, (3) an entity whose functions are or include functions of a public nature, when it is exercising those functions on behalf of the State or a public authority (whether under contract or otherwise), (4) Victoria Police, (5) a Council, Councillors and members of Council staff, (6) a Minister, (7) a Parliamentary Committee when acting in an administrative capacity, and (8) any other body declared to be a public authority in the regulations.

<sup>49</sup> *Charter of Human Rights and Responsibilities Act 2006* (Vic), s 19 (2).

<sup>50</sup> Commonwealth of Australia, Royal Commission into Institutional Responses to Child Sexual Abuse, [Fact sheet, a brief guide to the Final report: Aboriginal and Torres Strait Islander communities](#) [pdf 4MB], p 1.

<sup>51</sup> Australian Bureau of Statistics, [2016 Census: Aboriginal and/or Torres Strait Islander Peoples QuickStats](#), ABS website, 2016.

<sup>52</sup> Salmon et al., [Defining the indefinable: descriptors of Aboriginal and Torres Strait Islander Peoples' cultures and their links to health and wellbeing – A literature review](#), prepared for Mayi Kuwayu and The Lowitja Institute, 2019, p 25.

<sup>53</sup> SNAICC, [Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations](#).

<sup>54</sup> SNAICC, [Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations](#), p 13.

<sup>55</sup> Royal Commission, [Final report: Volume 3, Impacts](#), 2017, p 59.

## Standard 1

It is important to remember there are diverse Aboriginal cultures and cultural practices in Victoria.<sup>56</sup> The way Aboriginal children and their families decide to express their Aboriginal identity may differ and some people may choose not to identify at all.<sup>57</sup> People have the right to identify as Aboriginal when participating in your organisation and their identity should not be challenged.<sup>58</sup> It is important that organisations provide children with choice about cultural rights. Some children may not want to engage with culture or may prefer to express their culture only in specific settings.

**When you have experienced something culturally unsafe ... 'You're hurt in the moment, they'll check on you for a couple of days. No change, no systemic change. No personal consequences for the perpetrator – it's frowned upon but it's excusable. People who experience it need to stay in the unsafe environment, they need their education or need to pay the bills, so they have to keep going to that place. If there aren't any senior people of colour in the organisation there might not be a will to change things. So, it leaves the burden to the person or peoples feeling unsafe to change the environment or culture.'**

– Tahlia Biggs, Barkindji Young Person and Commission Youth Council Member

For a child to feel safe to express their culture and enjoy their cultural rights, they need to see supportive and encouraging responses to expressions of Aboriginal culture and identity within the organisation. Leaders can start by making sure the organisation's community understands the importance of cultural safety. They can model respect for Aboriginal people and advocate for the safety and wellbeing of Aboriginal children. They can create an environment where speaking up about racism and discrimination is encouraged and make sure the organisation's community knows how to address racism. Training and support may help leaders, staff and volunteers to have awareness and insight into their own attitudes towards expressions of Aboriginal culture and identity.<sup>59</sup>

There are many ways organisations can support children to express their culture and enjoy their cultural rights. These can include children:

- learning their histories, stories and traditions
- knowing where they come from and who they are connected to
- being part of cultural practices, including arts, songs, dance and ceremonies
- learning and speaking their language without discrimination.<sup>60</sup>

When Aboriginal children enjoy these cultural rights:

- they are more likely to experience services that are culturally respectful<sup>61</sup> and experience cultural safety
- they feel respected and proud of their identity and culture
- they experience a culturally safe environment where they feel safe to speak up and trust that they will be heard.<sup>62</sup>

<sup>56</sup> Victorian Equal Opportunity and Human Rights Commission, [Aboriginal cultural rights, fact sheet for public authorities](#), VEOHRC website, 2018.

<sup>57</sup> VEOHRC, [Aboriginal cultural rights, fact sheet for public authorities](#).

<sup>58</sup> VEOHRC, [Aboriginal cultural rights, fact sheet for public authorities](#).

<sup>59</sup> SNAICC, [Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations](#), p 30.

<sup>60</sup> SNAICC, [Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations](#), p 13.

<sup>61</sup> SNAICC, [Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations](#), p 7.

<sup>62</sup> SNAICC, [Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations](#), p 13.

## TOOLS AND TIPS

### Support Aboriginal children to enjoy their cultural rights

- Reflect on your understanding of what cultural safety of Aboriginal children means to you and your organisation. What further information or training do you require?
- Make sure you have safe processes for Aboriginal children to identify as Aboriginal when accessing your services or activities, remembering that Aboriginal people have the right to determine their own identity.<sup>63</sup>
- Engage with Aboriginal children in your organisation around what makes them feel safe:
  - the Victorian Aboriginal Child Care Agency (VACCA) provides guidance in [Our Child's Voice – our children have the right to be heard](#) [pdf 4.4MB]
  - read the Commission for Children and Young People's [Empowerment and participation: a guide for organisations working with children and young people](#).
  - watch VACCA's [Keeping Aboriginal children safe in mainstream organisations](#) and reflect on what actions you can take to provide a culturally safe environment
  - talk to children about their rights. SNAICC has developed an educator's guide with activities aimed to help educators to talk about children's rights with children called ['Bringing child rights into your classroom'](#) [pdf 5MB].

### Acknowledging and appreciating the strengths of Aboriginal culture and understanding its importance to the wellbeing and safety of Aboriginal children

Aboriginal culture in Victoria is strong and vibrant. Many Aboriginal people enjoy strong kinship ties, social connections and connections to community and Country. There are cultural centres, dance and theatre companies and events, film and art that teach and celebrate Aboriginal culture.<sup>64</sup> There are about 40 Aboriginal language groups in Victoria as well as many different dialects.<sup>65</sup>

**NAIDOC Week celebrations are held across Australia each July to celebrate the history, culture and achievements of Aboriginal and Torres Strait Islander peoples. NAIDOC is celebrated by Aboriginal and non-Aboriginal communities. NAIDOC is a great opportunity to participate in a range of activities and to support your local Aboriginal community.**

Organisations must help their community understand the strength of Aboriginal culture. Culture is central to the safety and wellbeing of Aboriginal children, so it needs to be supported across all levels of your organisation.

<sup>63</sup> Article 33(1) of the [United Nations Declaration on the Rights of Indigenous Peoples](#), United Nations website.

<sup>64</sup> Adapted from Victorian Public Sector Commission, [Aboriginal cultural capacity toolkit](#), VPSC website.

<sup>65</sup> Deadly Story, [Our deadly languages](#), Deadly Story website.

## Standard 1

Your organisation's community includes staff, volunteers, children and their families, members and others who engage with the organisation. Your organisation's leadership and governance will play an important role in embedding an organisational culture that acknowledges and respects Aboriginal culture.<sup>66</sup>

Celebrating the strengths of Aboriginal culture helps an organisation to be inclusive. At the same time your organisation will need to help those involved with it understand the ongoing impacts of Australia's colonial history on Aboriginal children today.

Individual members of your organisation's community will be at different stages in their understanding. You will need to develop strategies that support staff and volunteers along the journey to increase knowledge and understanding.

Organisations should support people involved in the organisation to reflect on the intergenerational effects of colonisation, dispossession of land and forced removal of Aboriginal children and the continuing legacy of this violent and racist history. There also needs to be support for the organisation's community to understand the strengths of Aboriginal culture and how important being strong in culture is to the safety and wellbeing of Aboriginal children.

The journey towards knowledge and understanding within your organisation should not be a passive one. Members of the organisation's community should know how to look for information to strengthen their learning and understanding.

### Training, guidance and information can improve understanding of Aboriginal culture

Learning about Aboriginal culture should be part of an ongoing journey tailored to meet the specific needs of the different groups in your organisation. It will be important to build awareness and understanding among leaders, staff and volunteers, children and other members of your community. Think about the different support they might need depending on their role and responsibilities.

Cultural awareness and cultural safety training is one important way to increase knowledge and understanding.<sup>67</sup> Many local Aboriginal organisations deliver cultural awareness training either online or in person. Staff and volunteers may also be able to attend professional development opportunities like conferences or workshops. Your organisation could also consider arranging tailored onsite training or workshops.

There are also other ways to support learning about Aboriginal cultures and Australia's colonial history, particularly for organisations with limited resources. Free and accessible information is available online. Learning for your organisation's community could involve reading, visiting websites, watching videos and hosting discussions.

You can also encourage your community to attend Aboriginal events and activities. This can assist in building understanding and a rapport with local Aboriginal communities.<sup>68</sup>

**Staff and volunteers in a child safe organisation celebrate diversity and the opportunity to work with Aboriginal people, acknowledge the gaps in their knowledge and commit themselves to ongoing cultural supervision and training.<sup>69</sup>**

<sup>66</sup> SNAICC, [Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations](#), p 37.

<sup>67</sup> SNAICC, [Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations](#), p 30.

<sup>68</sup> SNAICC, [Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations](#), p 26.

<sup>69</sup> SNAICC, [Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations](#), p 25.

## TOOLS AND TIPS

### Appreciate Aboriginal culture and how it supports safety and wellbeing

- Find out about the Traditional Owners of the land/s on which your organisation operates at the [Map of formally recognised Traditional Owners in Victoria](#) and learn about [acknowledging Traditional Owners](#). Make it standard practice in your organisation to demonstrate respect for Traditional Owners and Aboriginal people's ongoing connection to Country.
- Share resources to build knowledge and understanding in your organisation:
  - [Australians Together](#) has information on our shared history, Aboriginal culture and connection to land, including free resources to build understanding in different settings.
  - [VACCA](#) has a cultural hub providing resources that celebrate Aboriginal culture.
  - [Deadly & Proud](#) and [Deadly Questions](#) share information and stories of Aboriginal cultures from all over Victoria.
  - [The Healing Foundation](#) provides resources on racism, identity, culture and healing, through Aboriginal and Torres Strait Islander voices and experiences, including through the [Healing Our Way podcast](#).
  - The [Victorian Equal Opportunity & Human Rights Commission](#) provides guidance on Aboriginal cultural rights and how they are protected by Victoria's *Charter of Human Rights and Responsibilities Act 2006* (Vic).
- Visit an Aboriginal cultural learning centre, such as [Koorie Heritage Trust](#) (Melbourne), [Bunjilaka Aboriginal Cultural Centre](#) (Melbourne), [Brambuk Cultural Centre](#) (Grampians), [Bangerang Cultural Centre](#) (Shepparton), [Krowathunkooloong Keeping Place](#) (Bairnsdale), or [Narana Aboriginal Cultural Centre](#) (Geelong region).
- Celebrate events like [NAIDOC](#) week, [National Reconciliation Week](#) and [International Day for the Elimination of Racial Discrimination](#), and encourage participation across the organisation.

## Ensuring racism within the organisation is identified, confronted and not tolerated

Racism means mistreating someone because of their skin colour, ethnicity or cultural background. It can take many forms and occur in different situations. It can include harassment, abuse or humiliation, or in some cases, violence or intimidation. Name calling and hurtful jokes are also forms of racism, as is excluding people from groups or activities.<sup>70</sup>

Many people experience racism. Surveys show that approximately 20% of Australians experience discrimination because of their skin colour, ethnic origin or religion.<sup>71</sup> Aboriginal people, migrants and refugees report higher levels of racism.<sup>72</sup>

Racism can occur privately in one-on-one interactions or openly in public spaces, like a classroom or sporting field. People can be racially targeted on social media platforms. Racism is experienced by individuals, groups of people or whole cultures. It can be the words, actions or omissions of an individual or group of individuals or it can be reflected in the values and the ways an organisation responds to racism.<sup>73</sup>

In organisations, racism can occur through the attitudes and actions of staff, volunteers, leaders or members of your community. These actions and attitudes could be explicit and obvious or the result of people's unconscious beliefs and assumptions. Racism can be directed towards children and families using an organisation's services or experienced by staff or volunteers. Sometimes children experience racism directed at them from other children.

Racism can also occur because of an organisation's culture. Perhaps the organisation is not welcoming for people of different cultures or backgrounds. Or the organisation's systems and practices result in the unfair treatment of some groups compared to others. This is often referred to as **systemic racism**.<sup>74</sup> For Aboriginal people, systemic racism is a continuing legacy of the racist policies and practices of Australia's colonial history.

Careful consideration is needed to uncover systemic racism. Organisations will need to closely examine their history and practices to see if they have developed any barriers to participation or assumptions about certain groups or cultures over time.

Sometimes racism can be expressed through **unconscious bias**. This is an attitude towards a person or a group of people that we may not be aware of. It can be expressed through positive impressions—where we associate positive attributes or characteristics based on someone's skin colour, surname or where they come from. In other cases, unconscious bias arises from negative impressions about particular groups.<sup>75</sup>

Organisations must identify and respond to racism. Racism is harmful for children and impacts their safety and wellbeing. It can be a form of child abuse. If children and their families experience racism while interacting with your organisation, they also may not feel confident raising other concerns or complaints. Staff will not speak up if they do not think their concerns will be taken seriously.

Some of the ways you can work towards preventing racism in your organisation are explained below.

70 Australian Human Right Commission, [Learn about racism](#), AHRC website, 2020.

71 Andrew Markus, [Mapping social cohesion: the Scanlon Foundation surveys 2018](#), the Scanlon Foundation Research Institute, 2018, p 67.

72 AHRC, [Learn about racism](#).

73 AHRC, [Learn about racism](#).

74 AHRC, [Learn about racism](#).

75 AHRC, [Learn about racism](#).

## Values and culture

Organisations should first look to their values, culture and practices.

Your organisation could aim to develop an anti-racist culture. Many people and organisations would describe themselves as not being racist, but organisations need to go further and challenge racism when it is identified. Being anti-racist means we actively take every opportunity to fight racism. It may be through directly challenging someone who makes a racist comment or joke, even if this makes us uncomfortable. It is about proactively taking a stand to combat racism.<sup>76</sup> Your organisation could make a positive commitment to tackle racism, promote equality and reflect values of inclusion.<sup>77</sup>

Identifying and acknowledging systemic racism and unconscious bias may need more consideration but are important steps when embedding an anti-racist culture. You will need to look closely at your existing systems and practices to identify gaps and areas to improve. Until your organisation reflects on, understands and commits to changing, real cultural change will not happen.

Does your organisation's staffing profile reflect the diversity of the community you work with? If not, you can consider targeting advertising for job vacancies or volunteer opportunities to attract people from diverse backgrounds and cultures.

## Identifying and confronting racism

Your organisation's values should clearly reflect zero tolerance of racism. This can be expressed in the statement of commitment to child safety included in your Child Safety and Wellbeing Policy and other documents. Action must also be taken to embed this expectation of zero tolerance of racism throughout the organisation.

Taking complaints about racism seriously, and responding to them promptly and thoroughly, shows that racism will not be tolerated in your organisation. Your organisation's complaint handling policy should clearly set out the process for making

complaints about racism and who is responsible for dealing with them. Some organisations appoint cultural safety officers who receive and act on these types of complaints.

Your Code of Conduct must clearly set out expectations for staff and volunteer conduct that racist behaviour will not be tolerated. It should also include a positive expectation that staff and volunteers will act to promote an inclusive and respectful culture within the organisation.

Expectations regarding racism should also be made clear where an organisation has members such as a sporting club or faith-based organisation. Some organisations are member-based or have significant community involvement. You will need to develop strategies to confront any racist behaviour in the members of your organisation's community.<sup>78</sup> Racist 'sledding' or abuse from spectators of children's sport or other activities must not be tolerated.

If racism occurs in your organisation's community there should be clear consequences. Disciplinary action should be taken with staff and volunteers and other appropriate action for members or your community.

Remember that racist behaviour can occur between children. Your child safety and wellbeing policies and practices should set out clear expectations for their behaviour and the consequences if racist behaviour does occur. This needs to consider the context of the behaviour and how the situation could be used as an opportunity for learning.

Governance arrangements in your organisation should ensure that leaders are aware of any issues of alleged racism and are able to oversee the organisation's response to these issues.

<sup>76</sup> J Amaechi, [Not racist v anti racist, what's the difference?](#), BBC website, 2020.

<sup>77</sup> Australian Human Rights Commission, [Concept paper for a National Anti-Racism Framework](#), AHRC website, 2021.

<sup>78</sup> See for example, L Behrendt and L Coombes, [Do better report](#) [pdf 1.3MB], Collingwood Football Club, 2021.

## TOOLS AND TIPS

### Racism in the organisation is not tolerated and any instances of racism are addressed

- Review your policies and practices to identify any gaps and areas for improvement.
- Check your physical and online environments to see how welcoming they are for children and families of different cultures and religious backgrounds.
- Learn more about racism through the Australian Human Rights Commission's [Racism. It stops with me](#) online resources.
- Learn more about being a good [ally to Aboriginal Australians](#).
- Address gaps in your organisation's approach to racism by spectators and other members of your community with the Australian Human Rights and Equal Opportunity Commission's [Guide to addressing spectator racism in sports](#).
- Learn more about your own bias by taking the [Implicit Association Test](#).
- Watch Stan Grant's landmark speech [The Australian Dream](#) and Cally Jetta's [Australia we need to talk](#) TedX talk.

## Participation and inclusion by Aboriginal children and their families

Making a child's family feel welcome and included in an organisation contributes to their safety.<sup>79</sup> The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) identified involvement of family in organisations as a key element in creating a child safe organisation.<sup>80</sup> Preventing racism needs to extend to how families are treated in your organisation so they are encouraged to participate. When thinking about how to support inclusion and facilitate participation in your organisation, it is important to remember that for Aboriginal children, culture and family go hand in hand.

**'Family is the cornerstone of Aboriginal and Torres Strait Islander culture, spirituality and identity. Family is often more broadly defined within Aboriginal and Torres Strait Islander culture than within white culture. Those involved in children's lives, and helping to raise them, commonly include grandparents, aunts, uncles, cousins, nieces and nephews, and members of the community who are considered to be family.'** – SNAICC<sup>81</sup>

Acknowledging and celebrating Aboriginal culture is one way you can communicate culture as a strength. This may help build trust with Aboriginal children and their families that you support their cultural rights and cultural expression.

<sup>79</sup> State of Victoria, Department of Health and Human Services, [Balit Murrup: Aboriginal social emotional wellbeing framework 2017–2027](#), 2017.

<sup>80</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), 2017, pp 143 and 164–169.

<sup>81</sup> SNAICC, [Connection to family](#), Connecting to Culture website, 2022.

## TOOLS AND TIPS

### Reviewing participation and inclusion by Aboriginal children and their families

- Review how welcoming your organisation is towards Aboriginal children and their families. What makes it welcoming? For example, consider how the presence of Aboriginal culture is included and embedded in the physical environment, attitudes and values.
- Review how proactive your organisation is in including Aboriginal children and their families. How do you include them? What roles do they have, including leadership roles?
- What gaps or roadblocks have you identified? How might these be addressed? What resources might you need (financial, staffing, time, training, etc.)?

To make Aboriginal children and their families feel respected and welcome, you could:

- design events and meetings involving families to be inclusive for everyone and **acknowledge Traditional Owners** as part of proceedings
- discuss Aboriginal role models and share stories about the contribution Aboriginal people have made and celebrate culture in a positive, empowering way
- display positive Aboriginal symbols in your physical space, for example, you could:
  - display plaques or posters acknowledging the Traditional Owners and include acknowledgments in your organisation's email signatures
  - display the **Aboriginal flag**
  - purchase and display Aboriginal artworks
  - create a community or gathering space that honours Aboriginal people and culture or consider renaming existing spaces in your organisation's facilities
- reflect diversity in the way you communicate information by using inclusive images and language
- have conversations with children and their families about aspects of their cultural identity
- respect the right of Aboriginal children and/or their families to choose if they do not want to share their cultural identity.

To build on relationships with family and community in your organisation you could:

- find positive ways to encourage family participation
- involve family and other significant people in your services and activities
- develop a relationship with an Aboriginal organisation that can provide peer support to help your organisation improve cultural safety and support your engagement with family and community – it is good practice to recognise this contribution by paying for this support and assistance
- ask Aboriginal children and their families engaged with your organisation what works for them, because they should define what feels culturally safe.

Remember it is not the responsibility of Aboriginal families to educate and inform your organisation. It is your responsibility to make your organisation inclusive, and this requires education, reflection and positive action.

**'If you don't get to know kids, build trust and understand their family and culture, kids are unlikely to talk with you about the tough stuff.'** – SNAICC<sup>82</sup>

## Policies, procedures, systems and processes

Creating culturally safe organisations requires all the organisation's policies, procedures, systems and processes to consider and meet the needs of Aboriginal children and their families.

Broad statements of support or acknowledgment of Aboriginal culture are important, but these alone will not generate safety for children. How you approach creating cultural safety needs to be embedded throughout the organisation.

A good place to start is to look at what your organisation already does to provide cultural safety and identify any gaps.

Start a review of your organisation's policies and practices to make sure they support cultural safety and inclusion and meet the needs of Aboriginal children and families. Some questions to ask include:

- Do your policies address accessibility, anti-discrimination, cultural safety, diversity and inclusion? Do they outline measures specific to the needs of Aboriginal children?
- Does your Code of Conduct require staff and volunteers to support Aboriginal children to enjoy their cultural rights? Does it clearly prohibit racism? Does it outline the steps that will be taken if racism occurs?
- Do you commit to cultural safety in public statements and position descriptions?
- Does the training, guidance and information you provide staff and volunteers build understanding of Aboriginal culture and history and support cultural safety? Are there discussions with staff and volunteers about Aboriginal culture and history?

You may need to make time for discussion and reflection to identify the more systemic changes needed to bring about cultural safety. Some further questions to consider include:

- Are there key people within your organisation, your peak body or association that you can start a discussion with?
- How can you seek feedback from Aboriginal people accessing your organisation's services or facilities? Is it appropriate to offer the ability to provide feedback anonymously to increase Aboriginal people feeling safe?
- How will you commit to delivering change in your organisation once you have identified what needs to happen, so that cultural safety is created and not just talked about?
- How much of a priority have the specific safety needs of Aboriginal children been in the past? What needs to change to make them more of a priority?

Organisations are at different stages of their cultural safety journey and the process is one of continuous improvement. Your organisation should plan to review and improve its approach to cultural safety every year.

For some organisations that have already undertaken significant work to generate cultural safety, the next steps may strengthen their approach by:

- developing a Reconciliation Action Plan (RAP) with help from staff and volunteers and [Reconciliation Australia](#). If you have one already make sure staff and volunteers understand what your organisation is doing through its RAP
- partnering with Aboriginal people to conduct a cultural safety review. For example, SNAICC has developed the [Genuine Partnerships online audit tool](#).

<sup>82</sup> SNAICC, [Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations](#), p 13.



## Case study

### Creating a welcoming and inclusive culture

Penny coordinates a community-based conservation group. The group is governed by a committee of management and is funded through membership fees, government grants and fee-for-service activities.

The group runs holiday program activities for primary school children where they explore the local environment.

Ten years ago, Penny became interested in learning more about the Aboriginal history of the local area. She began researching on the internet and through her local library. She watched films and documentaries about Aboriginal history and culture. She started sharing this knowledge with her colleagues and members of the committee of management.

Penny met a local Elder through a conservation workshop and engaged her to run information sessions for the members of the group. Over the years Penny has engaged the Elder as a consultant to help her to improve the group's policies and procedures to make them more welcoming for Aboriginal people.

Penny has established relationships with many local Aboriginal groups and has engaged Aboriginal experts to deliver the holiday program activities. These have included sessions on local plants, animals and language.

Penny formally engaged some of these experts to help develop a curriculum package integrating Aboriginal culture.

The group often partners with local Aboriginal groups to run community events.

The committee of management has supported Penny to attend cultural awareness training, conferences and workshops about Aboriginal history and culture. Each year the committee of management allocates funds to support Penny and her staff and volunteers to attend training and other workshops and events.

Penny and her team are continually learning more and more about Aboriginal history and culture and are committed to reviewing and improving the way they operate. Families and the children who attend the holiday programs report back through feedback surveys how much they appreciate this welcoming and inclusive culture.

## Further resources

The SNAICC and VACCA [Keeping our kids safe](#) resource covers what implementation of the Child Safe Standards (National Principles) will look like for Aboriginal children.

The [Aboriginal and Torres Strait Islander cultural safety framework](#) for the Department of Families, Fairness and Housing and mainstream Victorian health, human and community services to create culturally safe environments, services and workplaces. The framework is in two parts, with Part 2 containing a continuum reflective tool for individuals and organisations to use.

Reconciliation Australia's [Developing a Reconciliation Action Plan](#) explains the RAP process and what you can expect.

Common Ground explains how to make an [Acknowledgement of Country](#).

[Racism. It stops with me](#) a national campaign developed by the Australian Human Rights Commission that helps you to learn more about racism and [how to respond to it](#).

The Centre for Multicultural Youth in collaboration with the Department of Education and Training (DET) [Schools Standing Up To Racism](#), that offers strategies and [tools to help schools](#) tackle racism and discrimination. In addition to an [action plan for schools](#), there are also quick guides to using [student-led projects](#) and [supporting parents, families and caregivers](#) who may be experiencing racial discrimination.

[Racist bullying](#), a page on the Bully Stoppers section of the DET website. It aims to prevent children from being belittled, shamed or intimidated due to their physical appearance, ethnic background or religious practices. It has advice on how to identify and prevent racist bullying, including advice on developing [bullying prevention policies for schools](#).

The [Challenging Racism Project](#), a national research program on racism and anti-racism in Australia. The project is based at Western Sydney University, and some of its research themes include attitudes towards cultural diversity, race and racism, as well as anti-racism strategies.

The [Anti-racism education](#) page (NSW) provides information for anyone looking to better understand issues related to racism and discrimination, whether it is cyberbullying or online safety.

[All Together Now](#) delivers innovative and evidence-based projects that promote racial equity and provide Australians with information about the impact of racism and ways in which racism can be challenged.

[Deadly Story](#), a partnership between VACCA, SNAICC, The Koorie Heritage Trust, the Federation of Victorian Traditional Owners Corporation and Brightlabs, in conjunction with the former Department of Health and Human Services. Deadly Story aims to support Aboriginal children to grow in their knowledge of: who you are, who you belong to, where you belong, where you come from, what you do, what you believe and what symbolises your Aboriginal culture.

## Standard 2

Child safety and wellbeing is embedded in organisational leadership, governance and culture

**In complying with Child Safe Standard 2 an organisation must, at a minimum, ensure:**

- 2.1** The organisation makes a public commitment to child safety.
- 2.2** A child safe culture is championed and modelled at all levels of the organisation from the top down and bottom up.
- 2.3** Governance arrangements facilitate implementation of the Child Safety and Wellbeing Policy at all levels.
- 2.4** A Code of Conduct provides guidelines for staff and volunteers on expected behavioural standards and responsibilities.
- 2.5** Risk management strategies focus on preventing, identifying and mitigating risks to children and young people.
- 2.6** Staff and volunteers understand their obligations on information sharing and record keeping.



## Compliance indicators

### What the Commission will look for when assessing this Standard

Organisations will generally comply if they produce these documents and undertake these actions in a way that supports the organisation to achieve this Standard.<sup>83</sup> The nature or characteristics of your organisation may mean you need to do something different to what is proposed in this guide. If so, you may have to explain how your approach complies with the outcomes and the minimum requirements of the Standards.

#### DOCUMENTS

- A public commitment to child safety is available and displayed for public access. (2.1)
- The Child Safety and Wellbeing Policy sets out the organisation's expectations and practices in relation to each of the Standards. (2.3)
- A Code of Conduct sets out expectations regarding behaviour of staff and volunteers with children and in promoting and maintaining child safety and wellbeing. (2.4)

#### ACTIONS

- Leaders, staff, volunteers, members and children in the organisation champion and model a child safe culture. They express support for keeping children safe, take action when they have concerns about children's safety and prioritise the safety of children as part of everyday practice. (2.2)
- Leaders set clear expectations around child safety and ensure the Child Safety and Wellbeing Policy is implemented by staff and volunteers. (2.3)
- Leaders promote a culture of reporting. (2.2, 2.3)
- Governance arrangements mean senior leaders regularly review the organisation's performance in delivering child safety and wellbeing. (2.3 and links to 10.1)
- Governance arrangements mean senior leaders supervise whether risk assessment and management in the organisation is properly focused on identifying, preventing and reducing risks of child abuse and harm. (2.5 and links to 9.1, 9.3)
- Staff and volunteers understand their information sharing and record keeping obligations. (2.6)
- The Code of Conduct is communicated to all staff and volunteers and leaders hold them to account to comply with it. (2.4)

<sup>83</sup> Some sectors and organisations have co-regulators, in addition to the Commission, that have issued specific guidance. Where a co-regulator's guidance on the Standards applies to your organisation, and is different to this guide, your organisation should follow that co-regulator's guidance.

## Introduction

**'It is remarkable that in so many cases the perpetrator of abuse was a member of an organisation that professed to care for children. Just as remarkable was the failure of the leaders of that institution to respond with compassion to the survivor.'**

**Many institutions we examined did not have a culture where the best interests of children were the priority. Some leaders did not take responsibility for their institution's failure to protect children. Some leaders felt their primary responsibility was to protect the institution's reputation, and the accused person. Many did not recognise the impact this had on children. Poor practices, inadequate governance structures, failures to record and report complaints, or understating the seriousness of complaints, have been frequent.'**  
– the Royal Commission<sup>84</sup>

A child safe organisation takes planned steps to protect children. Creating and maintaining a child safe organisation is an ongoing process requiring review and improvement.

Creating and maintaining a child safe culture in your organisation sends a clear message that child abuse and harm will not be tolerated. This culture must be embedded in all parts of your organisation and driven by strong leadership and governance.

Your organisation's community looks to leaders to embody the values of the organisation. Therefore, leaders' behaviour is key to a child safe culture. The words and actions of leaders must show that child abuse and harm will not be tolerated. Leaders must

champion child safe practices and lead by example, modelling the behaviour expected of staff and volunteers. Leaders should express support for child safe practices, let staff and volunteers know that child safe policies and procedures must be followed and take action when concerns are raised, treating complaints seriously.

Standard 2 sets the foundation for an organisation's child safe system, covering:

- **child safe commitment** expressing the values of your organisation as being committed to child safety
- **child safe policies** including a Child Safety and Wellbeing Policy and Code of Conduct, that set out behavioural standards for your organisation and responsibilities for staff and volunteers including information sharing and record keeping
- **child safe culture** where a commitment to child safety is demonstrated by the behaviour of leaders, staff and volunteers at all levels of the organisation
- **governance arrangements** that support your organisation to implement child safe policies and to adopt strategies that manage the risks of child abuse and harm in the organisation.

## Making a public commitment to child safety

Your organisation must make a public commitment to child safety. This tells the whole community that your organisation prioritises the safety of children and will not tolerate child abuse and harm. It affirms your organisation's commitment to listen to and empower all children within the organisation.

The Standards do not mandate the exact words you need to use in your commitment or how you need to make it public. You can design the public commitment to child safety so it best reflects your organisation and those involved with it.

The commitment could be in the form of a stand-alone statement or part of your Child Safety and Wellbeing Policy.

<sup>84</sup> Commonwealth of Australia, Royal Commission into Institutional Responses to Child Sexual Abuse, [Final report: Preface and executive summary](#), 2017, p 6.

## Standard 2

Expressing your organisation's commitment publicly helps children in the organisation to have the confidence to speak up if they have any concerns. Staff and volunteers will know the values of your organisation and will get the message they will be supported when they take action to prioritise child safety.

An organisation committed to child safety may be less attractive for a person seeking opportunities to abuse children.

You should prominently display your public commitment so that people are aware of it. You can make it public by:

- displaying it on your organisation's website
- including it in your organisation's values or mission statement
- putting it in public documents including job advertisements
- displaying it prominently at facilities that community members, families and children use as well as in staff and volunteer break rooms
- including it in enrolment, registration, induction and membership documents
- mentioning it in relevant public communications (speeches, presentations, newsletters and advertisements).

## Child Safety and Wellbeing Policy

A Child Safety and Wellbeing Policy outlines how your organisation prioritises the safety and wellbeing of children and what steps it will take to do this. It sets out the organisation's expectations about child safe practices for staff, volunteers and the organisation's community.

The Child Safety and Wellbeing Policy should:

- demonstrate your organisation's commitment to the safety and wellbeing of children
- identify to leaders, staff and volunteers the actions required to keep children safe and well, and to promote and protect their rights

- support leaders, staff and volunteers to be alert to child abuse and harm
- clarify roles and responsibilities in relation to recognising and responding to child abuse and harm, including reporting
- support leaders, staff and volunteers to identify and manage the risks of child abuse and harm in the organisation
- usually apply to all people who conduct work for the organisation in a paid or unpaid capacity. This may include, for example, board members, executive leadership, staff, volunteers, interns, trainees, contractors and consultants
- describe the ways the organisation will empower children to know their rights and to support their participation in decisions that impact them
- be central to your organisation's child safe culture and guide decision-making on child safety issues that arise
- be specific to the size, nature and risks of your organisation and the specific activities, facilities and services it provides to children
- refer to relevant legislative requirements, reporting obligations and to the organisation's other policies and procedures for keeping children safe and well
- be easy for people to access and understand.<sup>85</sup>

The Standards do not mandate the title, so your organisation may decide to give the Child Safety and Wellbeing Policy a different name.

Your organisation may want to put all policy and procedure content implementing the Standards in the Child Safety and Wellbeing Policy. If this is too long and difficult for everyone to access and understand, you may want to have the Code of Conduct, complaint handling policy and other policies and procedures as separate documents. It is important that your policy documentation covers the wellbeing of children, as well as safety from abuse and harm. Any separate documents should be mentioned in the Child Safety and Wellbeing Policy so that everyone can easily find all the policies and procedures relevant to child safety and wellbeing.

<sup>85</sup> Adapted from the Australian Human Rights Commission, [Child Safety and Wellbeing Policy template](#), Child Safe Organisations website.

## Standard 2

To make sure the Child Safety and Wellbeing Policy is effective, it should be easy to find and access. It also needs to be easily understood by everyone involved in the organisation.

Reviewing all the Standards and each chapter of this guide will help your organisation prepare a Child Safety and Wellbeing Policy. You can read more about [Creating a Child Safety and Wellbeing Policy](#) on the Commission for Children and Young People's (the Commission's) website.

It is important your organisation helps staff and volunteers know how to implement and follow the Child Safety and Wellbeing Policy. [Standard 8](#) provides advice on how you can do this.

### Developing and reviewing your organisation's policy

Involving staff and volunteers, children, families and community in developing, reviewing and updating your Child Safety and Wellbeing Policy will help you make an effective policy. Involving the community also reinforces that child safety is everyone's responsibility and encourages organisation-wide ownership of the policy.

Children should have an opportunity to inform the development and review of your Child Safety and Wellbeing Policy. [Standard 3](#) and [Standard 5](#) will help your organisation involve children and communicate about the Child Safety and Wellbeing Policy.

Producing child-friendly versions of important documents can help children understand child safety information. Child-friendly versions can be developed with children to help build their knowledge about child safety systems in the organisation. For guidance on how to do this see 'Participation tool 3' in [Empowerment and participation: a guide for organisations working with children and young people](#).

[Standard 4](#) will support your organisation to involve families and the community in the development of your Child Safety and Wellbeing Policy.

For further guidance in relation to your Child Safety and Wellbeing Policy see [Creating a Child Safety and Wellbeing Policy](#).

### A child safe culture is championed and modelled at all levels of the organisation from the top down and bottom up

A child safe culture means an organisation has shared attitudes, values, policies and practices that prioritise the safety and wellbeing of children.

Having a child safe culture requires you to build child safety into the everyday thinking and actions of leaders, staff, volunteers, members and children in the organisation. All levels of the organisation need to champion and model a child safe culture. They should express support for keeping children safe, take action when they have concerns about children's safety and prioritise the safety of children as part of everyday practice.

Child abuse and harm must be acknowledged. Expectations of behaviour must be clearly explained and accepted, and preventative strategies must be put in place.

People in the organisation should be held to account for unacceptable behaviour. Any harmful behaviour towards children should be challenged.

A child safe culture is a necessary part of preventing child abuse and harm in your organisation. Policies and public commitments will not protect children if the way people behave in the organisation does not prioritise child safety. By building a strong culture of child safety, an organisation can reduce the ability for potential abusers to harm children.

## Standard 2

The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) heard of many examples where people in positions of authority within organisations did not act to prevent child sexual abuse from occurring.<sup>86</sup> In some cases the alleged perpetrator was moved to a different role where they continued to have contact with children, even though people with authority in the organisation had received credible concerns about the person.

**‘Child abuse thrives on secrecy and a key strategy for organisations in preventing risk to children is to cultivate a culture of awareness, transparency and communication.’**  
– Betrayal of Trust inquiry<sup>87</sup>

It is important that leaders clearly communicate your organisation’s expectations of child safety and demonstrate commitment to child safety and wellbeing. Leaders must also model the child safe behaviours expected of others, including prioritising child safety in their decision-making and in their allocation of resources.

There is a difference between a leader saying they are committed and showing that commitment by taking action. For example, if a leader says staff and volunteers should be trained about child safety but does not provide the necessary resources or time, people in the organisation might think that the training is not a priority. Similarly, if leaders do not respond when someone speaks up about child safety concerns, people in the organisation’s community may not speak up again or may discourage others from doing so.

A culture of openness in your organisation will support child safety where everyone is encouraged to talk about difficult subjects and decisions, to identify mistakes and to learn from them.

Consistently providing positive feedback when leaders, staff and volunteers champion and model a child safe culture can help. Your organisation could include the championing and modelling of the organisation’s child safe culture in annual performance plans for leaders, acknowledge staff and volunteers who complete training on child safety or provide awards for staff and volunteers who take action to prioritise child safety.

Preventing child abuse and harm should be seen as a responsibility of all adults at all organisational levels. This requires effective induction ([Standard 6](#)) and training ([Standard 8](#)).

Some organisations will already have a strong child safe culture. Others will need to take deliberate action, thinking carefully about how to connect people at every level in the organisation with what it means to prioritise child safety.

Your organisation should understand that maintaining a child safe culture requires regular action. That is why organisations need to regularly review their implementation of the Standards and be open to ways to improve culture ([Standard 10](#)).

<sup>86</sup> Royal Commission, [Final report: Volume 5, Private sessions](#), 2017, p 78.

<sup>87</sup> Family and Community Development Committee, Victorian Parliament, [Betrayal of Trust: inquiry into the handling of child abuse by religious and other non-government organisations](#), 2013, 2: p 262.

### What does a child safe culture look like in practice?

✓	✗
Leaders prioritise the safety and wellbeing of children.	Leaders prioritise the reputation of the organisation or adults.
Staff and volunteers are required to implement the Child Safety and Wellbeing Policy and this is checked by leaders.	The Child Safety and Wellbeing Policy exists but most people do not know about it or what they should be doing.
Children have a voice in the organisation and adults listen to them.	Children are seen and not heard. Adults are believed over children.
People in the organisation raise child safety concerns, even if they are not sure if the issue is a problem.	People are afraid to raise child safety concerns. They do not think they will be believed or taken seriously, or they worry they will get in trouble or be treated negatively for speaking up.
If child harm or alleged abuse is identified, the organisation is quickly in contact with the authorities to report, is open with authorities about the situation and seeks advice to help them work out what to do if needed.	The organisation avoids contacting authorities, tries to minimise the nature of the identified child harm or alleged abuse, withholds information from authorities and tries to keep the situation quiet. Staff and volunteers are discouraged from speaking to authorities.
Staff and volunteers know it is important to speak up about child safety and do this even if it involves raising concerns about the behaviour of their colleagues or others. They trust that the organisation will investigate concerns in a fair way. Staff and volunteers are supported when they disclose child safety concerns.	Staff and volunteers prioritise protecting their colleagues. They do not raise concerns because they do not trust the organisation will fairly investigate them. Staff and volunteers worry they will be victimised if they speak up about the behaviour of a colleague.
There are appropriate consequences for anyone who breaches the Child Safety and Wellbeing Policy or Code of Conduct.	Leaders make decisions about breaches based on their views of the staff member or volunteer and whether they think a child is trustworthy.
The organisation's culture makes it difficult for child abuse and harm to occur because everyone is focused on child safety.	The organisation's culture creates problems and results in gaps in child safety protections, meaning child abuse and harm could happen more easily.

## Governance arrangements facilitate implementation of the Child Safety and Wellbeing Policy at all levels

**‘Valuing children and their rights is the foundation of all child safe institutions. Improving child safe approaches in institutions will reduce the risk of sexual abuse. The best interests of children must be the primary consideration.’**

– the Royal Commission<sup>88</sup>

Governance is an organisation’s leadership, oversight and accountability processes. Governance includes an organisation’s rules about who has the authority to make decisions, how decisions should be made and how people are held to account.

Strong and clear governance arrangements about child safety will help maintain the organisation’s focus on children’s safety and wellbeing. While governance arrangements vary across organisations, they must support both top down and bottom up implementation of your Child Safety and Wellbeing Policy. This means that leaders set a clear direction for the organisation on child safety and wellbeing, helped by input from the organisation’s community. The organisation’s governance arrangements must aid transparency and hold leaders to account for the achievement of that direction.

Your strategies for developing and maintaining child safety and wellbeing in the organisation’s culture and practices should be outlined in your Child Safety and Wellbeing Policy. Your governance arrangements must support these strategies and maintain the commitment in practice.

Governance arrangements that support implementation of an organisation’s Child Safety and Wellbeing Policy include:

- senior leaders regularly ensuring that staff and volunteers are following child safety policies
- requiring staff and volunteers to provide leaders with implementation plans for child safety and wellbeing policies that identify roles and responsibilities and resource needs
- regular audits (completed either internally or by external auditors) of compliance with child safety policies. Smaller organisations could conduct their own self-assessment using the Commission’s [Child Safe Standards self-assessment tool](#). See [Standard 10](#) for more information on the review of child safe practices
- larger organisations and those with high levels of responsibility for children should provide regular reports to the organisation’s board, governing committee and/or the organisation’s most senior leaders (depending on the structure) that may include:
  - status reports on plans to implement the Standards and the organisation’s Child Safety and Wellbeing Policy
  - compliance with child safe recruitment policies and ongoing monitoring of staff and volunteer performance including requirements to hold a valid Working with Children Check
  - child harm, allegations of child abuse, complaints or child safety concerns raised in the organisation
  - the outcomes of any subsequent investigations
  - breaches of the organisation’s child safety and wellbeing related policies and Code of Conduct together with the consequences
  - the outcomes of any reviews of the Standards and the organisation’s child safety related policies and practices
  - the status of staff and volunteer education and training on child safety
  - child abuse and harm risks identified, management plans, whether mitigation actions have been implemented and whether they have been effective

<sup>88</sup> Royal Commission, [Final report: Preface and executive summary](#), p 7.

## Standard 2

- having clear, documented and accessible processes for managing concerns about the behaviour of leaders in the organisation including:
  - who reports of concerning behaviour by leaders should be raised with
  - what process will be followed when concerns about senior leaders are raised.

Leaders in organisations need to be aware of legal requirements about child safety that depend on good governance arrangements. These include the criminal offences of failure to protect and failure to disclose, which apply to individuals. There is also a duty of care under the *Wrongs Act 1958* (Vic) that applies to organisations.

### Failure by a person in authority to protect a child from a sexual offence

The offence in the *Crimes Act 1958* (Vic) for failure to protect a child under the age of 16 from a risk of sexual abuse began in 2015.

It applies to people who hold a position within relevant organisations (that exercise care, supervision or authority over children) and who are in positions of power or responsibility. It requires them to reduce or remove a substantial risk that a child (under the age of 16) will become the victim of a sexual offence committed by an adult associated with that organisation.

If any person in a position of such authority becomes aware of a substantial risk that a child will become the victim of a sexual offence committed by an adult associated with the organisation (for example, an employee, contractor or volunteer), and they have the power or responsibility to reduce or remove the risk, then they must take all reasonable steps to do so. A person in authority who negligently fails to take appropriate action to address the risk may be charged with the criminal offence of ‘failure to protect’ and may face a term of imprisonment.<sup>89</sup> More information is available in the Department of Justice and Community Safety [Failure to protect factsheet](#).

### Failure to disclose sexual offence committed against a child under the age of 16 years

The offence in the *Crimes Act 1958* (Vic) for failure to disclose a sexual offence against a child under the age of 16 began in 2014. More information on failure to disclose is available in [Standard 8](#).

### Organisational duty of care under the Wrongs Act 1958

Under the *Wrongs Act 1958* (Vic) relevant organisations that exercise care, supervision or authority over children have a duty of care to prevent the physical or sexual abuse of a child (person under 18 years of age) by an individual associated with the relevant organisation.<sup>90</sup>

More information on duty of care and who it applies to is available on the Department of Justice and Community Safety [Duty of care factsheet](#).

Refer to [Standard 6](#) for child safe recruitment practices, [Standard 7](#) for complaint handling and reporting obligations, [Standard 8](#) for staff and volunteer education and training and [Standard 9](#) for more information about child safe risk management.

### Code of Conduct provides guidelines for staff and volunteers on expected behavioural standards and responsibilities

A Code of Conduct should list acceptable and unacceptable behaviours with children. It should explain professional boundaries, ethical behaviour, expected standards of behaviour and acceptable and unacceptable relationships.

When behavioural expectations are clear, your organisation’s staff, volunteers, children and their families are more likely to behave appropriately and to identify and report inappropriate behaviour.

<sup>89</sup> See section 490 of the [Crimes Act 1958](#) (Vic).

<sup>90</sup> See section 91 of the [Wrongs Act 1958](#) (Vic) and Victorian Government, Department of Justice and Community Safety (DJCS), [The new organisational duty of care to prevent child abuse](#), DJCS website, 2017.

## Standard 2

The Code of Conduct must reflect your organisation's specific activities and identified risks. It should be tailored for your organisation. A sport club's Code of Conduct will be different to that of a hospital. When creating your organisation's Code of Conduct think about the types of activities and interactions your staff will have with children. For example, do your staff engage in personal care or need to physically touch children? Your Code of Conduct should reflect this, giving specific guidance on this detail.

A Code of Conduct should consider the characteristics of the different children in your organisation including age, stage of development and diverse needs. It should be written in plain language and include examples of behaviour relevant to the organisation. It needs to be communicated to everyone, including children and families. An organisation becomes more transparent, and its members more accountable for their behaviour, when everyone understands the Code of Conduct and its importance.

A Code of Conduct allows your organisation to take action if people behave unacceptably. Breaches of your organisation's Code of Conduct may need to be reported to authorities. Refer to [Standard 7](#) for more information.

If someone in your organisation fails to comply with the expected standards of behaviour, their behaviour should be investigated and discussed with them. Confirmed non-compliance should lead to disciplinary action as set out in the Code of Conduct, the Child Safety and Wellbeing Policy or other human resources policies. This action may result in the person being asked to leave the organisation, have their engagement with children restricted, or given further training and guidance. For some organisations, non-compliance with aspects of the Code of Conduct could also be a reportable allegation under the [Reportable Conduct Scheme](#).

Without a Code of Conduct, it can be hard to raise behavioural issues with staff and volunteers. Fast and appropriate action must be taken when the Code of Conduct is breached, as inaction may place

children at risk of harm, and undermine people's trust that your organisation will deal with concerns.

Your organisation may also wish to develop an agreement like a Code of Conduct for children that outlines expected behaviour between them. This could include bullying and other anti-social behaviours as well as encouraging friendships, teamwork and peer support. This child-focused agreement should be created and developed in consultation with the children who attend your organisation. Consequences for breaching this agreement should be clear and easy to understand and consider the wellbeing of all the children involved.

**'[R]ules about adult-child and child-child relationships should be unambiguous, widely disseminated, and supported by staff supervision and training.'**

– the Royal Commission<sup>91</sup>

Your Code of Conduct for staff and volunteers should:

- cover the types of risks to children that may occur because of your organisation's activities, interactions with children and physical and online environments
- clearly outline your organisation's expectations about what are appropriate and inappropriate behaviours by adults with children
- aim to protect children and reduce any opportunities for abuse or harm to occur
- help staff and volunteers by providing them with guidance on how to safely engage with children and how to avoid or better manage difficult situations.

For further guidance in relation to your Code of Conduct see [Steps to develop or update your Code of Conduct](#).

<sup>91</sup> Royal Commission, [Interim report: Volume 1](#), 2014, p 143.



## Case study

### Developing capacity in managing the risks of child abuse and harm

An organisation providing support services to children with many locations over a large area was brought to the attention of their Child Safe Standards regulator. The organisation had focused significant effort on developing and communicating its new Child Safety and Wellbeing Policy and reporting procedures. However, they were struggling to generate a consistent culture of child safety among staff across all their locations, and complaints from children were high. The regulator also recognised that the organisation had not undertaken activities to identify and manage the risks of child abuse and harm in their service. The corporate risk register focused only on legal and financial risks.

Using resources from the regulator about the different drivers of child abuse and harm risk, the Chief Executive Officer held a workshop with her senior management team on identifying and managing risks of child abuse and harm within the organisation. During the workshop, the Chief Operating Officer expressed frustration about a lack of staff engagement in risk management. Some managers expressed concern that their staff weren't being trusted and that all staff were being held under suspicion. Other managers

expressed alarm that staff did not have clear guidance from the organisation on what was expected when children approached them for help with taking medication, dressing, going to the toilet and showering. It became clear that staff were nervous about doing the wrong thing and sometimes did not feel confident they knew what to do. The organisation started preparing a risk management plan to address all the concerns and gaps in child safe systems raised in the workshop.

Later, the organisation's Chief Executive Officer shared the new risk identification and management plan with the regulator. It identified key risks in each location and listed the actions being taken to manage the risks. The corporate risk register had been updated to include the risk of child abuse and harm. She also said that because of the workshop, the organisation now recognised staff had not been given enough guidance and training on how to approach high-risk activities with children, like helping them get dressed. New policies and training developed in response had improved staff morale and staff retention rates. The organisation had also seen a reduction in complaints from children.

## Risk management strategies focus on preventing, identifying and mitigating risks to children

Risk identification and mitigation<sup>92</sup> in organisations is fundamental to keeping children safe from harm. Risk management strategies help your organisation prevent child abuse and harm.

Managing risks of child abuse and harm should be embedded in your organisation's leadership, governance and culture.

Governance arrangements in the organisation should support senior leaders to supervise whether risk assessment and management is properly focused on identifying, preventing and reducing risks of child abuse and harm. They should also support the organisation's community to meaningfully contribute to the development of risk identification, mitigation and reduction strategies.

Often it is the responsibility of senior leaders in an organisation to regularly review and keep risk management plans updated. Staff and volunteers may need more detailed operational risk management plans that are written to help them take action to manage the risks of child abuse and harm.

For detailed information on how to identify and manage risks to children in your organisation's physical and online environment see [Standard 9](#).

## Staff and volunteers understand their information sharing and record keeping obligations

### Information sharing

Sharing relevant information can be critical to managing child safety. Your organisation's culture, systems and processes should support effective information sharing about the risks to children. Staff and volunteers need to be clear on their obligations.

The Royal Commission stressed the importance of effective and timely information sharing to protect children from harm:

**'During our inquiry we heard examples of relevant information either not being shared, or not being shared in a timely and effective manner. This can have and has had serious consequences, including enabling perpetrators to continue their involvement in an institution or to move between institutions and jurisdictions and pose ongoing risks to children.'**

– the Royal Commission<sup>93</sup>

Silos occur when parts of an organisation avoid sharing information with others. Silos can result in risks to children not being picked up and being allowed to continue. It can also be important for your organisation to share information with other organisations. The [Child Information Sharing Scheme](#), [Family Violence Information Sharing Scheme](#) and the [Reportable Conduct Scheme](#) allow some authorised organisations to share information with each other to support child wellbeing or safety.

<sup>92</sup> Risk mitigation is the process that reduces risk, and forms part of the risk management strategy. Risk management aims to reduce or remove risk. See [Standard 9](#) for more information about child safe risk management.

<sup>93</sup> Royal Commission, [Final report: Volume 8, Recordkeeping and information sharing](#), 2017, p 12.

## Standard 2

Your organisation must be mindful and respectful of the confidentiality and privacy of the people involved when deciding what information is appropriate to share, with whom and in what circumstances. However, sometimes concerns about privacy and confidentiality mean information is not shared when it should be to prioritise child safety. [Standard 7](#) has further information on confidentiality and privacy.

Some of the different situations when your organisation should consider sharing information include:

**Internally:** The relevant people in the organisation must be informed about child safety risks, concerns and complaints and act on these. These can include leaders, child safety officers, managers, boards or committees of management. The information can be used to improve and refine organisational policies and strategies that promote child safety.

**Other organisations:** It may be necessary to share information with other organisations to promote the safety and wellbeing of a child. It may also be necessary if there has been a child safety complaint raised against a staff member or volunteer who also works with another organisation.<sup>94</sup> It may also be necessary to share information with Victoria Police, Child Protection, the Commission for Children and Young People and other regulators.

**The alleged victim:** Information about the progress and resolution of a child safety complaint should be shared with the child and their parents or carers.

**The alleged perpetrator:** Information about the nature of the allegation and the investigation should be shared with the alleged perpetrator. It will be important to follow any directions given by authorities, for example, Victoria Police, about what can be disclosed and when.

**The organisation's community:** Members of your organisation's community should be informed about the way the organisation has responded to certain child safety incidents. It can be important to share information to keep children in the organisation safe from a known risk. Some confidential or private

information may not be able to be shared, and your organisation may want to seek advice about what can and cannot be shared.

Refer to [Standard 7](#) for detailed information on sharing information about complaints and investigations.

Refer to [Standard 10](#) for more information about sharing information after conducting reviews.

## Record keeping

A good record keeping system is important for transparency and accountability, and to the overall integrity of your organisation. It is important to create, keep and store accurate records following a complaint of child abuse or harm.

The Royal Commission identified many instances where organisations kept insufficient or incomplete records. It was difficult to find information that an alleged perpetrator worked or volunteered at the organisation. This made it hard for people seeking to access relevant information to support their compensation claims or criminal charges in relation to a child abuse claim.<sup>95</sup>

Your organisation should be familiar with any necessary record keeping obligations. Obligations can come from legislation, professional standards, or contractual/funding agreements.

Record keeping supports effective governance arrangements for your organisation that prioritise child safety. Records can be reviewed later as part of overseeing the organisation's performance and assessing compliance with relevant organisational policies and procedures through internal audits or reviews as required by [Standard 10](#). Record keeping also helps your organisation to hold staff and volunteers to account for their actions.

Your organisation should make staff and volunteers aware of your approach to record keeping so everyone is clear on their obligations. This should be included in your complaint handling policy and could also be referenced in the Child Safety and Wellbeing Policy.

<sup>94</sup> Commonwealth of Australia, Department of the Prime Minister and Cabinet, [Complaint handling guide: upholding the rights of children and young people](#), National Office for Child Safety website, 2019, p 41.

<sup>95</sup> Royal Commission, [Final report: Volume 8, Record keeping and information sharing](#).

## Standard 2

It is useful to check if staff and volunteers in your organisation know:

- why you collect, hold, use, share or disclose confidential information
- when and what types of information will and will not be shared and with whom
- how to notify children and their families about how their information may be used and shared
- that consent is not required to share information to promote the safety and wellbeing of a child for organisations that fall under Victoria's [information sharing schemes](#)
- how to manage requests for information and keep accurate records, including of information shared
- that reporting obligations and information sharing requirements differ
- the safety and wellbeing of a child/children is prioritised.

Consider including your organisation's record keeping and information sharing policies, processes and procedures in staff and volunteer learning programs so they know what to do.

**Standard 7** has detailed information about record keeping practices that prioritise child safety.

## Further resources and relevant legislation

The National Office for Child Safety has published a [Complaint handling guide: upholding the rights of children and young people](#) that provides extensive guidance, information and useful tools.

The NSW Office of the Children's Guardian's [Codes of conduct: a guide to developing child safe codes of conduct](#) provides extensive advice on developing a child safe Code of Conduct.

The Australian Human Rights Commission's e-learning module on National Principle 1 provides useful advice and can be accessed via the [Child Safe Organisations Learning hub](#).

The Public Records Office of Victoria provides guidance on [creating, managing and retaining records](#) consistent with the principles for record keeping outlined by the Royal Commission.

The Commission for Children and Young People collaborated with the Office of the Children's Guardian in NSW and the University of South Australia to develop [Empowerment and participation: a guide for organisations working with children and young people](#).

The Victorian Government provides information on [information sharing schemes](#).

The [Office of the Victorian Information Commissioner](#) provides information about how the public sector collects, uses and discloses information.

The [Office of the Australian Information Commissioner](#) provides national guidance and advice on privacy, freedom of information and government information policy.

### Relevant legislation and protocols

- [Child Wellbeing and Safety Act 2005 \(Vic\)](#)
- [Children, Youth and Families Act 2005 \(Vic\)](#)
- [Crimes Act 1958 \(Vic\)](#)
- [Family Violence Protection Act 2008 \(Vic\)](#)
- [Privacy Act 1988 Act \(Cth\)](#) (including the [Australian Privacy Principles](#))
- [Privacy and Data Protection Act 2014 \(Vic\)](#) (including the [Victorian Information Privacy Principles](#))
- [Public Records Act 1973 \(Vic\)](#)
- [Wrongs Act 1958 \(Vic\)](#) (specifically, Part XIII – Organisational liability for child abuse)
- [Family Violence Information Sharing Scheme Ministerial Guidelines](#)
- [Child Information Sharing Scheme Ministerial Guidelines](#)

## Standard 3

Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously

**In complying with Child Safe Standard 3 an organisation must, at a minimum, ensure:**

- 3.1** Children and young people are informed about all of their rights, including to safety, information and participation.
- 3.2** The importance of friendships is recognised and support from peers is encouraged, to help children and young people feel safe and be less isolated.
- 3.3** 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.
- 3.4** 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.
- 3.5** Organisations have strategies in place to develop a culture that facilitates participation and is responsive to the input of children and young people.
- 3.6** Organisations provide opportunities for children and young people to participate and are responsive to their contributions, thereby strengthening confidence and engagement.



## Compliance indicators

### What the Commission will look for when assessing this Standard

Organisations will generally comply if they produce these documents and undertake these actions in a way that supports the organisation to achieve this Standard.<sup>96</sup> The nature or characteristics of your organisation may mean you need to do something different to what is proposed in this guide. If so, you may have to explain how your approach complies with the outcomes and the minimum requirements of the Standards.

#### DOCUMENTS

- Age-appropriate and easy to understand documents, in print or online, are easily accessible and support children to:
  - understand their rights, including to safety, information and participation
  - know how adults in the organisation should behave
  - understand the organisation's complaints process and how to raise safety concerns for themselves, their friends or peers
  - know about support services aimed at children. (3.1)
- The organisation's policies and procedures:
  - promote children's empowerment and participation
  - embed support for the rights of children. (3.1, 3.4, 3.5, 3.6)

<sup>96</sup> Some sectors and organisations have co-regulators, in addition to the Commission, that have issued specific guidance. Where a co-regulator's guidance on the Standards applies to your organisation, and is different to this guide, your organisation should follow that co-regulator's guidance.

## ACTIONS

- Staff and volunteers in the organisation engage with children to help them to:
  - understand their rights, including to safety, information and participation
  - know how adults in the organisation should behave
  - understand the organisation’s complaints process and how to raise safety concerns for themselves, their friends or peers
  - know about support services aimed at children. (3.1, 3.4)
- Practices in the organisation that disempower children are identified and action is taken to change them. (3.5, 3.6)
- Staff and volunteers are provided with information to help them understand, recognise and act on signs of child abuse or harm. (3.4)
- Where relevant, the organisation provides access to sexual abuse prevention programs and other relevant information to children in an age-appropriate and accessible manner. (3.3)
- The organisation creates opportunities for children to express their views and participate in decisions that impact them. What is heard and learnt from children influences how the organisation works. (3.5, 3.6)
- Staff and volunteers are supported to develop knowledge and skills to help children participate, express their views and raise their concerns. (3.4)
- The organisation supports children to develop social connections and friendships with their peers, build skills in children to support their peers and challenge bullying or isolating behaviour between children. (3.2)

## Introduction

**‘Sometimes people think that our opinions aren’t good opinions because we haven’t lived long enough, because we’re not adults we don’t know what we are talking about – it’s annoying because I’m saying these things for a reason, [...] right now this is what I truly believe.’**  
 – young person

Children have unique insights into their lives, needs and the world around them. It is their right to be heard on matters affecting them and they have much to contribute to the organisations they engage with.

Children are more likely to raise complaints in an organisation that empowers and listens to them. Policies and practices that are shaped by children’s views can better prevent harm to children.

Standard 3 is about the empowerment and participation of children, how an organisation engages and informs them about their rights and personal safety, and how an organisation listens to them.

This is intended to improve your organisation’s policies and processes and ensure they best meet the needs of the children they interact with. It is also intended to create a culture in your organisation where children feel confident to report problems – particularly if they are harmed or feel unsafe.

## Empowerment

**Empowerment** means building up children and strengthening their confidence in themselves and in an organisation. It involves equipping children with the skills and knowledge to make informed decisions and enabling them to increase control of their lives.<sup>97</sup>

In child safe organisations, children can be empowered through relationships with staff and peers and through positive and affirming experiences. They also need to be given information and skills to overcome problems and challenges, and to help them have a say about things affecting them.

Children are more likely to speak up when they feel respected and confident they will be heard. Empowering practices can improve safety in your organisation by helping children:

- become more resilient
- identify risks and know what to do if they are unsafe
- develop the confidence to seek support if they need it.

For children to be empowered, they need organisations to foster certain values and commitments, including:

- showing they value children and their contributions
- demonstrating a commitment to their rights
- taking their experiences seriously and responding to their views and insights
- demonstrating a commitment to keeping them safe.

Organisations need to work on four areas to foster empowerment:

- developing an empowering culture committed to children's rights
- fostering empowering relationships among children, their peers and adults
- building awareness, skills and knowledge to recognise unsafe situations and raise concerns among children, staff and volunteers
- supporting meaningful and positive participation.

The Commission for Children and Young People's (the Commission's) [Empowerment and participation: a guide for organisations working with children and young people](#) aims to help you empower children and support their participation in your organisation. This chapter summarises some of the information from this guide.

## Children's rights

Just like adults, all children have rights. Rights are basic entitlements that belong to each person, regardless of any differences.

The main international human rights treaty on children's rights is the [United Nations Convention on the Rights of the Child](#) (the CROC). Australia ratified the convention in December 1990. This means Australia has a duty to ensure all children in Australia enjoy the rights set out in the convention.

The rights outlined in the CROC are a key influence on the development of universal child safe practices.

The CROC specifically recognises that children have a right to be protected from physical and mental harm and neglect and enjoy the full range of human rights – civil, cultural, economic, political and social. Article 12 of the CROC highlights the importance of respecting the views of the child. Children have the right to voice their views and have their opinions considered when adults make decisions that affect them.

[UNICEF](#) provides more information about these rights and a child-friendly version of the [CROC](#).

Children's rights are also recognised in Victorian laws and policies:

- [Youthlaw](#) has easy to read fact sheets that provide information for children about their legal rights.

<sup>97</sup> Commission for Children and Young People (CCYP), [Empowerment and participation: a guide for organisations working with children and young people](#), CCYP website, 2021.

## Standard 3

- The [Victorian Equal Opportunity and Human Rights Commission](#) has information about rights, such as being treated unfairly or being discriminated against because of age.
- The [Charter of Human Rights and Responsibilities Act 2006 \(Vic\)](#) is Victorian law that sets out the basic rights, freedoms and responsibilities of all people in Victoria. The Charter requires public authorities, such as Victorian state and local government departments and agencies, and people delivering services on behalf of government, to act consistently with the human rights in the Charter.

### Empowering children about their rights

Empowering children about their rights means everyone in an organisation, including leaders, staff and volunteers:

- upholds and respects children's rights at all times
- takes a proactive role in educating them about their rights
- supports them to exercise their rights.

You must inform children in your organisation about their rights, including to safety, information and participation. There are many ways your organisation can do this including:

- displaying information on rights in child-friendly posters
- sharing workbooks or web content about rights
- having discussions or holding workshops about rights
- talking about rights as part of induction in your organisation
- integrating information about children's rights into your existing everyday activities and practices.

To effectively inform children about their rights, it also helps if your organisation:

- educates staff and volunteers about children's rights, so they can help children learn about them
- presents information and resources about children's rights in accessible, inclusive and age-appropriate ways. It is especially important to consider the needs of children who are experiencing vulnerability or disadvantage, and how to make sure they understand the role of rights and how they can raise any concerns about their treatment.

How your organisation works to inform children of their rights will depend on how much contact, and what sort of contact, you have with them. For organisations with a high level of responsibility for the everyday needs and experiences of children, information about rights should be shared in multiple ways and regularly discussed. For organisations who may only engage sometimes with children, it may be more appropriate to share information about their rights when your organisation first has contact with them. Or you may provide child-friendly information on rights in areas where children spend a lot of time, and support this with occasional discussions.

## Friendships and peers

Children benefit from strong friendships. They may see their friends as their main source of support, information and advice, and go to them for help. Children should be allowed to meet and enjoy time together and your organisation should support their social connections and friendships and challenge bullying or isolating behaviour.

Children are more likely to tell their friends about abuse before they tell adults.<sup>98</sup> Therefore it is important that all children are empowered to act on concerns for the safety and wellbeing of themselves and others and understand it is okay to do so. Your organisation should encourage children to develop positive peer relationships and build skills to support each other, while also seeking out adults for help.

Telling children they can raise concerns with your organisation about the safety or wellbeing of their friends and peers is a good way to encourage them to support each other.

Some ways to support the development of friendships and peer connections include:

- setting up a buddy system for new children where they are given an existing child as a buddy who can help teach them about the organisation
- sharing anti-bullying information with children – [Bullying. No way!](#) has helpful resources
- developing strategies that foster teamwork and peer support
- having dedicated time when children are at the organisation for play, socialising, working together and sharing.

## TOOLS AND TIPS

### Strategies for supporting positive peer relationships

Create a sense of team by:

- adopting a group name
- identifying and celebrating the strengths within the group and in individuals
- giving all children a chance to participate, including in competitions
- identifying shared goals and expectations
- spending time building trust and rapport
- working together to develop shared policies or resources such as a children's Code of Conduct, group agreement or respect/anti-bullying policy.

Start buddy programs to enable:

- children to pair up to give each other support and feel connected to others
- new participants and those who feel isolated to have access to special support.

Promote partner or small group work to:

- create opportunities for children to find peer support
- help those more isolated or withdrawn to grow their confidence.

Monitor group dynamics and be sure to:

- call out bullying or exclusion
- discourage unacceptable behaviour
- encourage positive team dynamics.

Celebrate positive peer interactions by asking children to:

- share something they admire about their peers
- thank their peers for something they have done together.

<sup>98</sup> T Moore et al., [Taking us seriously: young people talk about safety and institutional responses to their safety concerns](#) [pdf 6MB], report for the Royal Commission into Institutional Responses to Child Sexual Abuse, 2015.

## Sexual abuse prevention

**‘It’s important that young people have an opportunity to talk about this stuff... but I think that even though adults are scared to talk about this stuff because it is uncomfortable, it has to be done if things are going to change.’ – young person**

The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) found that there is a lack of awareness in our community about child sexual abuse.<sup>99</sup> It found that prevention education and programs are needed to build a shared understanding of what constitutes child sexual abuse, including the diverse nature and behaviour of perpetrators, such as grooming behaviour, and the varied settings where abuse can occur.<sup>100</sup>

Sexual abuse prevention programs aimed at children are a core part of these preventative education strategies.

### Sexual abuse prevention programs

**Sexual abuse prevention programs** are age-appropriate education programs delivered to children to build their knowledge and skills to understand inappropriate behaviour by adults or other children, help protect themselves from potentially abusive situations, and become aware of how to seek help if abuse or attempted abuse occurs.

The Royal Commission recommended that:

- sexual abuse prevention programs should be provided to children across all age groups, tailored to reflect the different developmental stages
- organisations should deliver a comprehensive program, rather than an ad hoc approach, such as one-off education sessions<sup>101</sup>
- education to prevent child sexual abuse should also complement programs to prevent other forms of violence and abuse, as different types of abuse can share common consequences and risk and protective factors<sup>102</sup>
- children may have experienced more than one type of abuse. Education could aim to communicate ways to prevent abuse and increase awareness and skills in children and their parents
- people delivering formal sexual abuse prevention programs or education should be appropriately skilled and trained.<sup>103</sup>

The Royal Commission advised the following areas could be included in the sexual abuse prevention program:

- recognising grooming and other forms of sexual abuse
- knowing that perpetrators may be people who are known and trusted
- identifying safe and unsafe situations
- self-protection skills and strategies
- skills and strategies for seeking help (for example, who to tell, what help is available, how to access it, and how to support peers if they are in trouble)
- understanding respectful and responsible sexual behaviour towards others.<sup>104</sup>

<sup>99</sup> Commonwealth of Australia, Royal Commission into Institutional Responses to Child Sexual Abuse, [Final report: Volume 6, Making institutions child safe](#), 2017, p 45.

<sup>100</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), p 46.

<sup>101</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), pp 70–71.

<sup>102</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), p 73.

<sup>103</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), pp 70–71.

<sup>104</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), p 74.

### Which organisations should be delivering sexual abuse prevention programs?

The Royal Commission identified that prevention education should be provided to children across all age groups and a range of settings, primarily education and care based. It stated that these settings could include:

- ‘childcare, which encompasses Australian Government-approved long day care, family day care and out-of-school-hours care
- preschool, for children aged 3–4 years, before they start school
- primary school, for children aged about 5–11 years. Primary school begins with a foundation year, variously called preparatory, reception, or preschool in different jurisdictions
- secondary school, for children aged about 12–18 years
- sport and recreation programs, which are offered in most Australian communities to children from a young age. These are generally accessed on a voluntary basis.<sup>105</sup>

Some children may not access programs that are run through these education and care settings. These can include children who may not regularly attend or be able to attend school, including some who are in out-of-home care; who are experiencing homelessness; who have chronic illness or disability; who cannot speak English; and who live in remote communities, including some Aboriginal communities.<sup>106</sup>

The Royal Commission’s focus was on education and care settings, but it also identified sports and recreation programs as a good way of reaching the many children who attend these activities.<sup>107</sup>

Standard 3.3 requires organisations to offer children access to sexual abuse prevention programs and related relevant information where relevant to the setting or context.

Organisations should consider whether they operate in a setting or context that would be appropriate to deliver sexual abuse prevention programs. You may also consider whether you are engaging with children who may miss out on mainstream sexual abuse prevention programs and who could be more vulnerable to child abuse and harm.

Sexual abuse prevention programs support community-wide learning about how to prevent child sexual abuse. If your organisation does not feel it is appropriate to provide these programs, you may still want to provide some information that helps children understand sexual abuse and how to get help.

### Talking about sexual abuse prevention with children

Many organisations report feeling uncomfortable and unsure about how to discuss personal safety and sexual abuse prevention with children, particularly young children. While it may be hard to find the right way to bring up these issues, there is strong evidence that children who are informed about personal safety and appropriate behaviour are better placed to raise any concerns.<sup>108</sup>

<sup>105</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), p 71.

<sup>106</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), p 74.

<sup>107</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), p 74.

<sup>108</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), pp 84–85.

## TOOLS AND TIPS

### Strategies for raising awareness about personal safety and sexual abuse prevention

- Discuss with children:
  - how they can expect to be treated when interacting with the adults and other children in your organisation
  - what appropriate and inappropriate behaviours look like
  - what should and should not happen in higher-risk situations where adults are alone with children, or adults have physical contact with children
  - who they can talk to if they feel uncomfortable and how they can expect the organisation to respond.
- Read a developmentally appropriate book or resource about personal safety as a group and give children the opportunity to ask questions.
- Share developmentally appropriate versions of key policies, such as a Code of Conduct, or develop a Child Safety and Wellbeing Policy in collaboration with children.
- Document the behaviours and boundaries expected of adults in your organisation, and ways to report concerns and share these with children and their families.
- Provide sexual abuse prevention information to parents and carers.

### What do appropriate, empowering relationships look like in an organisation?

Talk to children about appropriate behaviour by adults in the organisation. Adults in your organisation should:

- work to keep children safe, and share how they do this with children
- share information with children about keeping safe online
- show children that they care about them
- show children that they respect them and their rights
- act in predictable ways and like adults 'should act'
- have authority but are approachable and listen to children
- talk appropriately about sensitive issues
- understand and act with respect for physical boundaries, privacy and safety
- prioritise the needs and concerns of children
- do what they say they will do.

When engaging with children in relation to personal safety and sexual abuse prevention, it is important to:

- keep parents and carers informed and seek consent, where appropriate
- deliver information in an age-appropriate way and according to children's developmental stages
- consider the diverse needs of the children you engage with and ensure that the information you provide is accessible by all.

## Standard 3

Informing children about personal safety and sexual abuse prevention should include online environments.<sup>109</sup> The eSafety Commissioner found that just over four in ten teenagers have had at least one negative online experience, with three in ten having experienced unwanted contact from a stranger. Two in ten reported being sent unwanted inappropriate content, such as pornography or violent content.<sup>110</sup>

Your organisation may wish to use external training programs or resources to educate children about personal safety. Many private and not-for-profit organisations in Victoria provide sexual abuse awareness and prevention programs and resources for children. If your organisation is smaller or has only occasional contact with children, you may choose to address personal safety in simpler ways. For example, by using information on sexual abuse prevention through some of these organisations and websites:

- The [Raising Children Network](#) has created a tip-sheet to help start conversations with teenagers about sexual abuse.
- The [Australian Human Rights Commission](#) has created a guide to help children understand child sexual abuse, and how and where to get help.
- [Bravehearts](#) offers personal safety education from early years through to high school.
- [Catching On](#) is a curriculum on sexuality education for primary school students.
- The [Respectful Relationships program](#) supports schools and early childhood settings to promote and model respect, positive attitudes and behaviours.
- [Act for Kids, NAPCAN](#) and the [Daniel Morcombe Foundation](#) provide child sexual abuse prevention education resources.
- The [eSafety Commissioner](#) has a range of resources aimed at keeping children safe online.

## Role of staff and volunteers

People at all levels in your organisation have a role to play in child safety, empowerment and respecting children's rights. Staff and volunteers need to be aware of the signs of child abuse and harm and know how to respond to them. They also need to know how to empower and encourage the participation of children. They may need support or training to do this. See [Standard 8](#) for more information.

**'If I don't have a say I feel like I'm not important and they don't really want me there.'** – secondary school student

Detailed suggestions about facilitating participation and empowering children can be found in the Commission's [Empowerment and participation: a guide for organisations working with children and young people](#).

## What can staff and volunteers do to encourage empowerment?

- Learn about children's rights, how to have interactions with children that empower them and how to facilitate participation by children.
- Demonstrate they value and empower children as part of their day-to-day activities, by actively taking the time to listen and respond.
- Create opportunities for adults and children to interact in the organisation where adults behave in an empowering way, for example, by asking children's opinions.
- Develop empowerment goals that you work towards with the children in the organisation.
- Reflect on your practice to identify ways children could be involved in designing, implementing and evaluating the way you work.
- Learn about applying a child-rights approach to your work.

<sup>109</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), pp 19–20.

<sup>110</sup> eSafety Commissioner, [The digital lives of Aussie teens](#), February 2021, pp 11–12.

## Standard 3

- Reflect on learning and progress and seek help and guidance when needed.
- Learn how to respond if a child makes a disclosure of harm or abuse.

How to teach staff and volunteers about how to recognise signs of harm can be found in [Standard 8](#) and [Child abuse and harm](#).

Information about how to recognise and respect diversity so all children have the opportunity to be empowered and participate can be found in [Standard 5](#).

### What can leaders do to support empowerment of children?

- Make public statements showing the organisation's commitment to children's participation in the organisation, respecting children's rights and upholding their safety.
- Model a commitment to child empowerment and follow through on what they say they will do.
- Establish policies and procedures for the organisation that support children to have a say in decision-making.
- Make sure that the organisation's plans for child empowerment and participation are achievable and that there are enough resources available, including time, staff, training, mentoring, budget, tools, equipment and ongoing support.
- Support staff and volunteers to receive the training and information they need to support child rights, child safety, empowerment, participation and the identification of child abuse and harm.
- Encourage a learning culture on child rights, empowerment and participation within the organisation so staff and volunteers can share their successes and learn from each other to keep developing skills.

## A culture of participation

**'To be able to have your say you need to feel comfortable, you need to know that you're going to be taken seriously and that you're not gonna be judged. Having people you trust helps you. It should be relaxed and help people feel comfy. If it's too formal you might be intimidated but if it's not formal enough you might think that they're not taking it seriously.'** – young person

Children have a right to participate in the decisions that affect them. **Participation** is about giving children opportunities to have their say and inform decision-making. This requires organisations to listen, hear and make appropriate changes based on what is shared.

When children are given opportunities and support to voice their views and concerns, and to talk about what makes them feel safe or unsafe, they feel empowered. They become more confident in themselves and the organisation.

Participation includes collaboration, when adults listen to children, take their views seriously and allow them to have a say about how an organisation works. Your organisation should be clear about how you will listen and respond to what children say. This needs leadership to be clear about what children can expect, and to make a commitment about what the organisation will do.

Good participation makes sure those who need to know what children think, feel and want receive this information. Those responsible for children's safety are encouraged to respond. Children will see through token efforts, so their participation must be meaningful and purposeful.

Participation should be part of your organisation's culture and everyday practice as well as planned activities.

## What does being responsive to the input of children involve?

Supporting participation is more than listening. It is also the actions that follow and making sure what you hear and learn from children influences how your organisation works. For participation to be meaningful, participants should know you intend to make changes that keep children safe.

Being responsive to the input of children involves:

- decision-making that considers what you have heard from children
- policies and procedures reinforcing your organisation's responsibilities to listen and empower children – and to keep them safe
- letting children know how you have responded to their input.

## Opportunities for participation

**'It makes me not enjoy where I am if they don't want me to speak what I feel.'** – young person

**'If I don't have a say, it makes me feel sad and powerless.'** – young person

All organisations must provide opportunities for children to take part in decisions that impact them. This includes participation through day-to-day activities and interactions and planned activities.

Your policies and procedures should outline ways to enable regular and meaningful participation for children in your organisation.

Children are not always used to being asked about their experiences or what they want. Your organisation needs to support them to feel comfortable speaking up and provide opportunities to do so. Participation activities should be tailored to children's needs and abilities so they are age-appropriate, inclusive and accessible.

Different organisations have different levels of responsibility for children and different sorts of interactions. This means there is no 'one-size-fits-all' approach. Your organisation needs to consider what participation is appropriate and relevant to your responsibilities and services.

For example, some organisations may only see individual children occasionally, and only for short periods of time. This means there may be fewer opportunities to engage. Organisations like this can support the participation of children in various ways, such as talking to them about safety, asking them to help develop child safe policies and strategies and creating participation opportunities in the organisation's decisions through activities like annual business planning. It is important to make sure the day-to-day interactions of staff and volunteers are empowering for children and that action is taken if they make a suggestion or raise any concerns.

Organisations with a higher level of responsibility for children and/or significant levels of interaction will need to incorporate empowerment and participation more thoroughly. It is important that staff and volunteers are supported to have the skills and experience needed and to have the necessary resources and time for effective participation and empowerment of children.

**'Check in on them [children]. Ask "Are you all good? Is your organisation going good?"'** – young person

The Commission's [Empowerment and participation: a guide for organisations working with children and young people](#) includes practical guidance, tools and examples of how participation might look at different stages of a child's development. It also provides extensive guidance on how to prepare and conduct participation activities.

### Standard 3

To help children participate in an activity, organisations should:

- build trust and rapport
- provide information to ensure they understand and can participate and feel safe to do so, and can choose whether to be involved
- help them identify their views
- help them express themselves
- capture what they have said

- support them to make decisions
- explain how you will be using or sharing their views.

Children should feel their individual needs and abilities have been considered, and any accessibility issues have been addressed before the session. They should feel included and able to participate fully. In general, children should feel more confident after a participation activity.

## TOOLS AND TIPS

### Examples of participation activities

Everyday activities	Planned activities
Discussing personal safety with children, and how to raise any concerns.	Conducting workshops to hear from children about what makes them feel safe or unsafe in your organisation, and how things can be improved.
Encouraging feedback after activities in relation to feeling safe.	Developing a Child Safety and Wellbeing Policy in consultation with children.
Ensuring children have time and opportunities to express their views.	Developing age-appropriate versions of codes of conduct and safety policies, which are available as posters, videos and social media.
Giving children authority in tasks and activities.	Having a children's representative committee.
Checking in regularly with children regarding their experiences in the organisation.	Including children at leadership meetings.
Having a suggestion box.	Conducting periodic feedback surveys, discussions or online polls.
	Giving children opportunities to design and lead activities.
	Selecting children as peer supporters.

## TOOLS AND TIPS

### What does positive, empowering participation look like?

**Respectful** – offering choices about how children might share ideas, make a complaint or be involved.

**Accountable** – ethical, giving children feedback on how and why the organisation has or has not acted on their contributions.

**Relevant** – focused on issues that have real relevance for children's lives, including what they identify as relevant.

**Inclusive** – providing equal opportunity for all children and avoiding barriers to participation or culturally unsafe activities.

**Child-friendly** – presenting information in ways the target age group can understand.

**Safe and sensitive to risk** – considering the social and emotional impacts of participation, displaying contact details for support services and explaining them to children.

**Voluntary** – the consent of children and, where appropriate, parents/carers, is obtained prior to participation activities.

## TOOLS AND TIPS

### Where can organisations incorporate children's voices and ideas?

- Code of Conduct
- Child safety and wellbeing policies
- Service delivery practices and decisions
- Planning and development
- Complaints and reporting processes

## Further resources

The Australian Human Rights Commission's e-learning module, National Principle 2 is accessible via the [Child Safe Organisations](#) Learning Hub.

### Children's rights

UNICEF has produced several resources, some translated, on the [Convention on the Rights of the Child](#). UNICEF has also produced a child-friendly version of the [Convention on the Rights of the Child](#).

### Participation and empowerment in child safe organisations

The Commission for Children and Young People has published [Empowerment and participation: a guide for organisations working with children and young people](#).

### Supporting children's participation in organisational decision-making

The NSW Office of the Advocate for Children and Young People's [Taking PARTicipation seriously](#) gives practical advice about how to involve children.

The WA Commissioner for Children and Young People's [Involving children and young people: participation guidelines](#) are designed to assist organisations to listen to and involve children and young people in decision-making.

Save the Children and Dynamix's [Participation: spice it up!](#) has practical tools for engaging children in planning and consultations about children's rights.

The WA Department of Communities' [Youth participation kit](#) has a series of publications to assist in maximising young people's input and contributions to community life.

### Engaging younger children

Ballarat, Brimbank, Maribyrnong, Melton and Wyndham City councils; the Western Metro Department of Education and Early Childhood Development; and Kurunjang Primary School have developed [Engaging children in decision making: a guide for consulting children](#).

### Engaging Aboriginal children

The Victorian Aboriginal Child Care Agency (VACCA)'s [Child's voice – our children have the right to be heard](#) resources are five tools, specifically for Aboriginal children, which provide talking tips and guidance for using the tools with Aboriginal children.

### Engaging children from culturally and linguistically diverse backgrounds

The Centre for Multicultural Youth's [Inclusive organisations](#) is a guide to good practice strategies for engaging young people from migrant and refugee backgrounds in services and programs.

### Engaging children with disability

Youth Affairs Network Queensland's [Involving young people with a disability: effective practices for engagement, participation and consultation](#) is a resource kit to support organisations to increase participation, consultation and inclusion of young people with a disability.

### Engaging children who are LGBTIQ

QLife provides a series of QGuides for health professionals working with LGBTIQ people including [Young people: tips for engaging LGBTIQ youth](#).

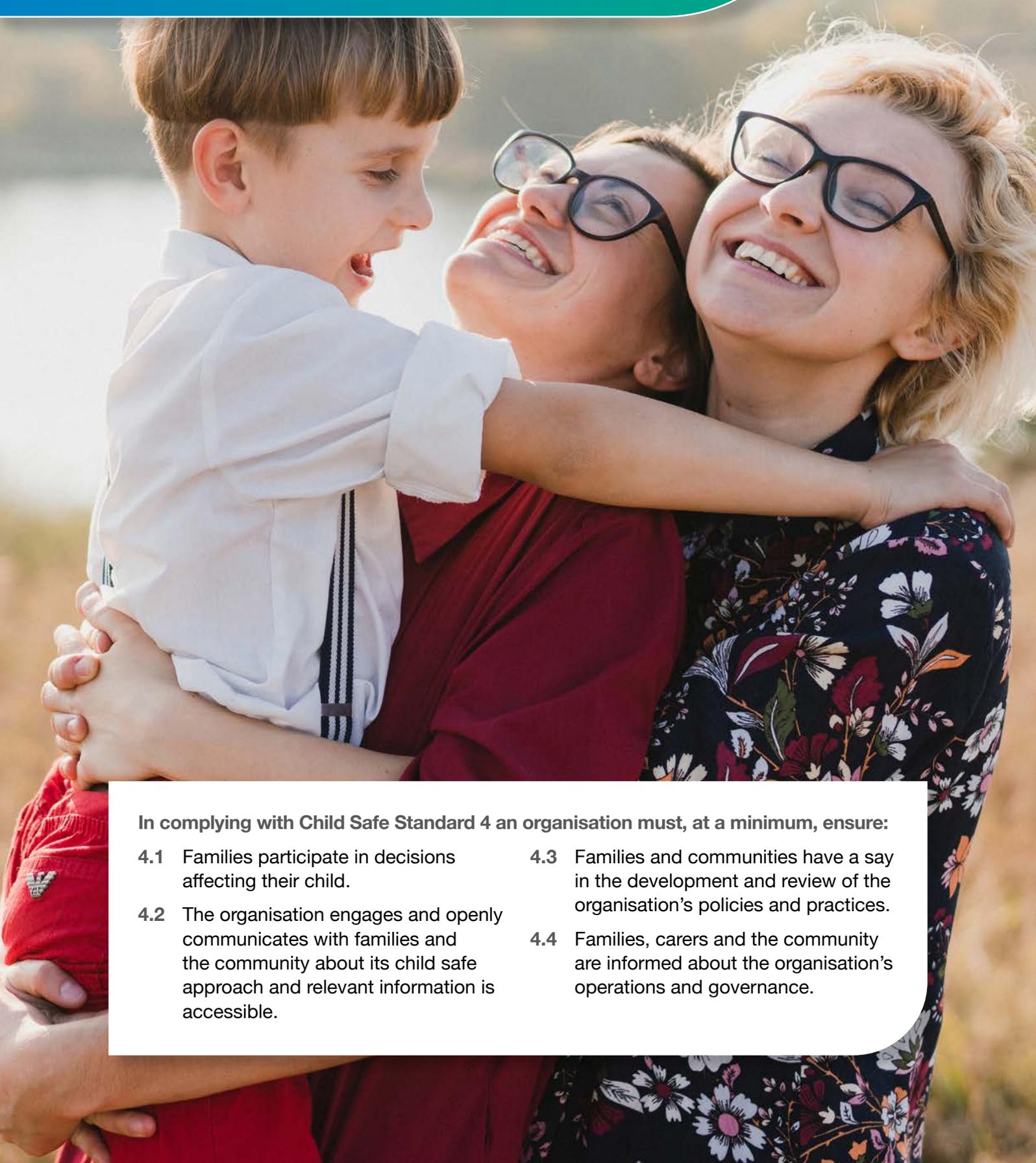
### Child sexual abuse prevention

Raising Children Network's [Child sexual abuse: talking to teenagers](#) is a guide to talking with teenagers about child sexual abuse.

The eSafety Commissioner's [Unsafe or unwanted contact, signs to look out for](#) helps young people deal with unwanted contact online.

## Standard 4

Families and communities are informed and involved in promoting child safety and wellbeing



**In complying with Child Safe Standard 4 an organisation must, at a minimum, ensure:**

- 4.1** Families participate in decisions affecting their child.
- 4.2** The organisation engages and openly communicates with families and the community about its child safe approach and relevant information is accessible.
- 4.3** Families and communities have a say in the development and review of the organisation's policies and practices.
- 4.4** Families, carers and the community are informed about the organisation's operations and governance.

## Compliance indicators

### What the Commission will look for when assessing this Standard

Organisations will generally comply if they produce these documents and undertake these actions in a way that supports the organisation to achieve this Standard.<sup>111</sup> The nature or characteristics of your organisation may mean you need to do something different to what is proposed in this guide. If so, you may have to explain how your approach complies with the outcomes and the minimum requirements of the Standards.

#### DOCUMENTS

- The organisation's policies reflect the importance of family and community involvement and describe ways this involvement can occur. (4.3)
- Complaint handling policies include procedures for keeping families informed and provide guidance on how to do this while complying with obligations regarding confidentiality and privacy. (4.2 and links to 7.2)

#### ACTIONS

- The organisation supports families and communities to take an active role in promoting and maintaining child safety and wellbeing by communicating about their role in child safety and wellbeing within the organisation. (4.4 and overall outcome)
- The organisation is open and transparent with families and communities by:
  - providing accessible information about the organisation's child safety and wellbeing policies and practices (4.2 and 4.4)
  - providing information about the organisation's governance and operations, how complaints are handled and how the organisation manages disciplinary actions and child safety risks. (4.4)
- Families have an opportunity to participate in decisions made by the organisation that impact the safety and wellbeing of their child. Communication with families supports the full diversity of families to participate. (4.1)
- Opportunities are created for families and community members to provide feedback on the organisation's policies, procedures and practices including the organisation's approach to child safety and wellbeing. (4.3)
- The organisation takes the feedback and involvement of families and communities seriously and takes their views into account. (4.3 and links to 7.3)

<sup>111</sup> Some sectors and organisations have co-regulators, in addition to the Commission, that have issued specific guidance. Where a co-regulator's guidance on the Standards applies to your organisation, and is different to this guide, your organisation should follow that co-regulator's guidance.

## Introduction

Protecting children from abuse and harm requires effort from the whole community. Everyone, including governments, organisations, staff, volunteers, families and communities, has a role to play.<sup>112</sup>

Organisations need to help parents, carers, families and communities play their part in protecting children by involving them in the organisation and providing them with information to understand their approach to child safety.

Parents, carers and families should feel welcome in your organisation. Building and maintaining an inclusive culture respectful of different kinds of families supports children to feel safe and to be safe.

There may be times when it is not appropriate to engage with some family members, for example, if there are restrictions on their contact with a child or, in certain situations, if the child is involved with Child Protection. In these cases, you should focus on involving the wider family and community or, if appropriate, ask the child who they would like to be involved.

### The role of parents, carers and families in children's safety

Parents, carers and families are the primary influence on children's learning and development. You can work with families to strengthen messages around child safety, including how adults and other children should be behaving in the organisation and how to speak up if they feel unsafe.

Parents, carers and families have a unique understanding of their child. This includes valuable information about their strengths, abilities, interests and challenges so the organisation can take this into account when engaging with the child.<sup>113</sup>

Children may also tell parents, carers and family members if someone in the organisation has harmed them or makes them feel unsafe.

If parents, carers and families know what behaviour is expected in the organisation, they can also keep an eye out for unsafe behaviours and raise concerns.

The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) found many perpetrators of sexual offences against children groomed the families, parents or carers of victims as well as others in institutional settings to gain access to victims and engage in abuse.<sup>114</sup> This means it can be helpful to raise awareness among families about the risks and indicators of child abuse and harm, including grooming.

### Empowering families and communities

Empowering families and communities to play a part in your organisation's child safe journey is beneficial for children. It means that:

- parents, carers and the community will learn what helps to make organisations child safe and how they can help keep children safe
- organisations can better support individual children with the benefit of insights from families, who know their children best
- parents, carers and the community will feel empowered and know what to do if they are concerned about the safety or wellbeing of a child
- your organisation's child safe approach will continue to improve.

Empowering families and communities means organisations need to be open, transparent and not hide key information. This helps families and communities understand how the organisation operates, who has different roles and responsibilities and how people are expected to behave with children.

Families and communities can hold the organisation, and individuals within the organisation's community, to account for keeping children safe. They can also help organisations learn and improve their approach to keeping children safe.

<sup>112</sup> Commonwealth of Australia, Royal Commission into Institutional Responses to Child Sexual Abuse, [Final report: Volume 6, Making institutions child safe](#), 2017, p 44.

<sup>113</sup> Department of Education and Training, [Victorian early years learning and development framework](#), 2016, p 9.

<sup>114</sup> Royal Commission, [Final report: Volume 2, Nature and cause](#), 2017, pp 43–44.

## Families and communities are diverse

Families are diverse and each family is unique.

**'Families'** means people who make up a child's family unit. Families may be made up of a wide variety of relationships, including those who are related by blood, marriage, adoption, kinship structures or other extended family structures. Families may include people who share in the daily tasks of living or share a very close, personal relationship.

There are extended families, single-parent families, families that adopt or foster children, and blended families, where parents raise children of different parentage together. Some children live in rainbow families and have LGBTIQ<sup>115</sup> parents or carers.

Some family members may have disability – there are 4.4 million people with disability in Australia.<sup>116</sup> There are many families who have culturally and/or linguistically diverse backgrounds, including migrants, refugees, asylum seekers and others. Some of these families may have experienced trauma, violence and harm, lost the support of their extended family and faced racial discrimination.

For Aboriginal children, family and culture are inseparable.

**Family is the foundation of Aboriginal culture, spirituality and identity. Family is often more broadly defined within Aboriginal culture than within non-Indigenous culture. Those involved in children's lives, and helping to raise them, commonly include grandparents, aunts, uncles, cousins, nieces and nephews, and members of the community who are considered to be family.<sup>117</sup>**

If your organisation understands and acknowledges that the culture, structure and role of families vary significantly, you encourage children, families and communities to feel welcome. This encourages participation which is crucial to keeping children safe.

**'Communities'** means a group of people who share common interests, experiences, social background, nationality, culture, beliefs or identity.<sup>118</sup> Organisations, families and children may have communities that they closely associate with or frequently engage with. Just like families, communities are diverse. The common interests of people within a community can provide members with strength and empowerment.

Identifying the different perspectives and issues amongst families and communities and working to make sure your organisation engages with a range of people can help your organisation. You should also be sensitive to the context of your actions and what might be happening for families and communities outside your organisation. Making the effort to listen, understand and consider the perspectives and views of families and communities helps your organisation respond to their concerns.

## Supporting participation

It is important that organisations actively consider how they will engage with families and communities to encourage participation.

You should aim to be inclusive so that all members of families and communities who want to participate can do so.

Some organisations may be open to engaging with families and communities, but it goes badly the first time. Just because one attempt has not succeeded does not mean your organisation should give up. Learning from each effort at engagement means your organisation will keep improving. Offering repeated or different ways to engage shows your organisation is serious about participation and is committed.

<sup>115</sup> LGBTIQ, which stands for lesbian, gay, bisexual, transgender, and gender diverse, intersex, queer and questioning as an inclusive umbrella abbreviation encompassing a range of diverse sexualities, genders and sex characteristics.

<sup>116</sup> People with Disability Australia, [Language guide: a guide to language about disability](#), People with Disability website, 2021.

<sup>117</sup> SNAICC, [Connection to family](#), SNAICC Connection to Culture website.

<sup>118</sup> Adapted from Cambridge Dictionary definition.

## Standard 4

You can show families and communities that you value their views by taking action when they raise issues. This also shows them that it is worth their effort to engage with you. People will disengage from an organisation if they feel engagement is tokenistic and does not result in change.

You should think about barriers to participation by families and communities and plan how to

overcome them. This table provides some examples, but it is a good idea to consider the context of your organisation and identify other ways you can promote participation.

**Standard 5** provides more information about creating and maintaining an inclusive and welcoming environment that supports diversity.

Possible barriers	Examples of ways to overcome them
<p>People are busy</p>	<p>Create opportunities to engage that can be done when it suits the person. For example, an email survey can be completed when people have a spare moment.</p> <p>Be clear about your organisation’s communication channels, and how and when families should access them.</p> <p>Offer engagement by phone, text, social media, email and video call which can use less time than face-to-face meetings.</p> <p>Nominate a child safety person, share their details and introduce them to families and communities so it is easy for people to know who to turn to with concerns, feedback or ideas.</p> <p>Choose times to engage when people are more likely to be available. Engagement during business hours can sometimes be difficult as family members may be working.</p> <p>Use social media to engage and to share information about the organisation and child safety. Use social media channels that people in your organisation generally use. You could survey families to understand this.</p> <p>Provide copies of your Child Safety and Wellbeing Policy, Code of Conduct and complaints process when families join your organisation and share them again regularly. Tell people when any key changes are made to these important documents.</p> <p>Have a dedicated ‘child safety and wellbeing’ section in your newsletter or on your website.</p> <p>Be respectful of people’s time by combining engagement on child safety with other issues.</p> <p>Make engagement quick and easy. If you ask people to read long documents or emails before asking them questions, or make surveys too long, they may give up.</p> <p>Try to encourage different people and not rely on the same people each time. Understand that people may not participate every time and can get tired of participating.</p>

Possible barriers	Examples of ways to overcome them
<p>Children attend your club/organisation without families</p>	<p>Have an induction session when new children join the organisation to share critical information and start the involvement of families.</p> <p>Involve families as volunteers in the organisation.</p> <p>Plan and use the opportunity to engage with families when they drop off or pick up their children.</p> <p>Create a social event for families that also includes a child safety and wellbeing focus.</p> <p>Create events that celebrate the achievements of children and invite families.</p> <p>Involve communities that share a common interest with your organisation so you can get some different views and perspectives.</p>
<p>Events and communications are not accessible to all families</p>	<p>Hold events and meetings in accessible spaces. Accessible spaces provide wheelchair ramps, accessible toilet facilities and have adjustments for those with vision impairment. Check when your organisation books a venue or check on Google maps which has a feature that details whether a place is accessible. Explain the accessibility features of an event space when you advertise an event or meeting.</p> <p>When gathering RSVPs for events and meetings, ask people to advise of any accessibility needs and make sure you provide them. Access needs can vary and include sensory, audio, visual and mobility assistance. Ask every time, as people’s access needs change.</p> <p>The <a href="#">Australian Human Rights Commission</a> has information on improving accessibility, providing accessible spaces and planning accessible events. People with different communication needs may not be able to participate in some forms of engagement. Be flexible and offer alternatives.</p> <p>Understand what access to technology families have. Not everyone has easy access to internet connections or equipment.</p> <p>The way your organisation provides information can exclude some people, especially those with disability. Your organisation should not make assumptions about how people can receive or communicate information. Providing information and engagement in a variety of formats can help.</p>
<p>Information provided is difficult to understand</p>	<p>Try to provide information in <a href="#">Easy English</a> or <a href="#">plain language</a> where possible.</p> <p>Gather information about the communities and families who will be accessing your services and identify their preferred languages.</p> <p>Find out about and offer the use of a translating service to families and communities. Having a translator attend for a meeting or phone call may not be as expensive as you think. The Commonwealth Government’s <a href="#">Translating and Interpreter Service</a> offers translation services.</p> <p>Find and share translated child safety materials or translate your own.</p> <p>Use language that is welcoming to people with disability. This <a href="#">language guide</a> from People with Disability Australia can help.</p>

## Standard 4

Possible barriers	Examples of ways to overcome them
The organisation may not feel welcoming	<p>Consider if you have staff, volunteers or families with strong community links who can support engagement.</p> <p>Engage with leaders of culturally and linguistically diverse communities and ask for their advice or assistance.</p> <p>Partner with a community organisation connected with particular language groups or cultural communities to deliver engagement on child safety and wellbeing.</p> <p>Make sure your organisation is culturally safe and feels welcoming of different cultures and languages. See <a href="#">Standard 1</a> and <a href="#">Standard 5</a> for more information on making your organisation culturally safe.</p>
Limited awareness of child abuse and harm risks	<p>Share information and resources that build families' and communities' awareness about the risks of child abuse and harm and how to keep children safe.</p> <p>Host child safety events to share information and invite speakers with specialist knowledge about child safety.</p>
Lack of trust or suspicion of institutions	<p>Trust can be earned by your organisation. Take steps to understand any lack of trust and take action to overcome it.</p> <p>Be open, honest and transparent. Provide easy access to key information about the organisation.</p> <p>Deliver on promises. If your organisation commits to do something, make sure it happens. Communicate if it cannot and explain why.</p> <p>Acknowledge mistakes or problems, apologise if something goes wrong and take action to make improvements.</p> <p>Create a welcoming and safe environment that respects and values diversity.</p> <p>Clearly provide reasons why you want to engage and what your organisation hopes to achieve to benefit children.</p>
It is difficult for families and communities to access opportunities to participate	<p>Make events free or minimal cost.</p> <p>Offer to hire a bus, set up a carpool and subsidise travel costs to attend events.</p> <p>Send information in the post if people cannot access the internet.</p> <p>Provide care arrangements or activities for children to help families participate in events. This may particularly help single parents attend.</p>

Possible barriers	Examples of ways to overcome them
<p>Organisation has limited resources or experience in engaging with families and communities</p>	<p>Start small and expand over time as you learn and improve.</p> <p>Identify organisations you think engage well with families and communities and gather ideas for what might work for your organisation.</p> <p>Ask for volunteers from the organisation’s community to help with engagement. They may have experience that paid staff lack or could provide additional support.</p> <p>Share the load of engagement. It may be too much for one staff member or volunteer to do all the engagement. If tasks like attending meetings with families and communities are shared, it makes the workload more manageable.</p> <p>Use existing resources if you can, for example:</p> <ul style="list-style-type: none"> <li>• use existing newsletters or websites</li> <li>• consider creating an email address for collecting family and community feedback, monitor it regularly and make sure your organisation responds to any questions or comments</li> <li>• if families contact the organisation for any reason, take the opportunity to check what they know about your child safe policies and whether they have any feedback.</li> </ul>

## Families participate in decisions affecting their child

Families have unique knowledge and understanding about their child and many want to participate in decisions that affect them.

The United Nations Convention on the Rights of the Child<sup>119</sup> emphasises the role of families:

‘Article 5: Governments should respect the rights and responsibilities of families to guide their children so that as they grow up, they learn to use their rights properly.’

Having families participate in decisions means they are asked for their opinion before a decision is made, and this opinion is considered as part of the decision-making process. Your organisation should provide families with the opportunity to participate in decisions made by the organisation that impact the safety and wellbeing of their child.

Effective and respectful communication between organisations and families will build a shared understanding of each other’s expectations and attitudes. Families may have helpful ideas that are different to the organisation because they see things from a different perspective. It can be helpful for organisations to view families as active partners who participate in decisions affecting their child.

Your organisation may need to offer a variety of ways for families to participate. Limiting participation to only a select few, for example, by having a parent’s representative committee as the only form of family participation, excludes some families.

Your organisation may not always agree with family members, but if you show you have listened and genuinely considered their views, they will see value in participating. Once families are engaged, keep them informed about issues that matter to them and their child to show you are serious about their participation.

119 UNICEF Australia, [Children’s rights, simplified](#), United Nations Convention on the Rights of the Child, UNICEF website.

## Standard 4

Your organisation should involve families in decisions such as:

- the development of the organisation's policies and processes that impact child safety and wellbeing
- important decisions impacting the safety and wellbeing of an individual child.

There are many ways to involve families in decisions in your organisation:

- organise check-ins with individual families to talk about their child and create the opportunity to hear from them before important decisions are made affecting their child. Take the opportunity to ask for feedback about your organisation and if the child feels safe at the organisation
- share information about upcoming decisions and child wellbeing and safety in the organisation's newsletter and ask for families' views
- invite families to participate in the organisation's annual planning process where decisions are made about your systems for child safety and wellbeing
- co-design relevant child safety and wellbeing projects, processes, programs or events with families
- involve families in your organisation's governance structures, such as a committee of management or advisory boards.

### **Engaging and communicating with families and the community about child safety and making relevant information accessible**

It is important for your organisation to be open and transparent about your approach to child safety. This means families and communities know what to do if they are worried about their child's safety. It also means families can make informed decisions about whether they are happy for their child to be involved in your organisation.

One way to achieve this is by making your organisation's Child Safety and Wellbeing Policy publicly available and accessible or to provide a summary of key information. This means families and children can find and read the policy when they need or want to. Your Child Safety and Wellbeing Policy should be easy to understand and accessible for a broad range of ages, abilities and backgrounds.

It is good practice to provide key information from the policy to families and children when they first engage with your organisation. Families and the community should be provided with information about what is considered appropriate and inappropriate behaviour by staff and volunteers engaging with children. It is also important they have information about who to go to, and how to report concerns for children's safety.

You could develop family friendly information about your organisation's complaint handling process and the child safety person's contact details. This information could be available on your website, on posters or provided in information packs on enrolment. Refer to [Standard 7](#) for more information.

Other policies and procedures relevant to your child safe approach should be available on request if they are not publicly available, such as your:

- Child Safety and Wellbeing Policy and Code of Conduct
- risk management plan/s
- complaint handling policy and investigation processes
- information sharing, records management and reporting procedures.



## Case study

### Listening to families

Many newly arrived refugee families are living in a small rural town in Victoria. The local library wants to encourage these families to come to Storytime sessions where stories are read aloud for children.

After consulting with local settlement services and some active community members, the library produces flyers about the sessions in the community language. The flyers include a statement about the library's commitment to child safety and information on the organisation's complaint process. A member of the local refugee community is employed as a library assistant who attends Storytime sessions and is available to answer questions and provide information before and after the sessions.

The number of refugee families attending Storytime sessions starts strong, but some families soon stop coming. The library wants feedback to improve their service. In partnership with the local settlement service the library arranges to attend some community information sessions where they can talk about the library's services and ask community members about their experience of the library.

Some key things come out of this consultation:

- Some families attended Storytime but said they felt so different to everyone else and couldn't identify with any of the stories and so didn't go back.
- One family said they had been talking after a Storytime session and a staff member at the library told them to be quiet and to stop talking in their language. This made them feel

unwelcome and unsafe and they left and didn't return. They didn't know they could make a complaint or who to talk to about their experience. They told other refugee families about their experience.

- After the first Storytime, most people threw away the flyer, and so didn't have information about how to complain. Some families could not read English but could speak it.

After reviewing the feedback, the library takes steps to create a more welcoming and accessible service for the refugee community:

- While children are attending a Storytime session, their families are invited to have tea and biscuits with staff where child safety and the library's complaints process are discussed amongst other topics.
- Art from the refugee community and poems (in their language and translated) are displayed in prominent places in the library.
- Posters are displayed in the library expressing zero tolerance for racism.
- Staff are trained on cultural safety and how to identify and respond to racism.
- Traditional stories from the refugee community are sometimes read at Storytime.

The library attends a later community meeting to tell them about the changes they have made and ask for further feedback. After hearing about the changes, some of the refugee community families return with their children to Storytime and some parents become regulars at the tea and biscuit discussions with staff.

## Standard 4

Families and communities can be an essential part of some organisations. For example, family members might coach the sporting team, run youth group activities, supervise children on camps and make up the committee that manages the organisation. Communicating with families and communities about your organisation's child safe approach might already be standard practice. Other organisations will need to consider how to start informing and engaging with families and communities. You need to find what works best for your organisation's community because there is no 'one-size-fits-all' approach.

Engagement on child safety requires your organisation to have two-way sharing of information. Check in with families and the community to find out:

- how satisfied they are with the level of information provided by your organisation about its child safe approach
- if the way the organisation provides information is working, or if other communication methods should be used
- if they are aware of how to raise concerns about child safety, make a complaint or provide feedback in your organisation
- if they know what to expect from you if they raise any concerns or make a complaint
- if they are satisfied with your response when families make requests or express child safety concerns.

Engaging with families and the community about your organisation's child safe approach will also help you meet other obligations in the Standards. It will provide a way to help ensure complaint handling processes are understood and give you an opportunity to share findings of reviews of the implementation of the Standards. Refer to [Standard 7](#) and [Standard 10](#) for more information.

## Families and communities have a say in the development and review of the organisation's policies and practices

Seeking input from families and communities on your organisation's policies and practices will make them more likely to be effective and more meaningful for families and communities and for children.

Remember to encourage family and community input into more than just the organisation's Child Safety and Wellbeing Policy. It is important to know what families and communities think about other relevant policies and practices.

It is important to make sure your organisation welcomes feedback from families and communities and that they know who they can speak to when they want to share their views. Supporting staff and volunteers to develop the skills and confidence to ask families and the community for feedback will contribute to an open, receptive culture within the organisation.

Examples of how you can give families and communities a say when developing and reviewing child safe policies and practices include:

- making draft policies available on your website, or emailing them out, to ask for feedback from families and the community
- sending out a survey or questionnaire to ask families for their views on the organisation's policies and practices
- hosting a feedback night with a barbeque where families and community members are taken through some of the organisation's policies and have practices explained so they can give feedback
- asking families to join child safe working groups or subcommittees where policies and practices are designed or reviewed
- inviting family and community members to take part in boards and committees of management
- creating a suggestion or feedback box. This could be an email address, a physical box in the organisation's foyer or a space on social media.

## Standard 4

Including families and communities in the development and review process does not have to involve a stand-alone or formal consultation process. Engaging with families and communities when they collect their children from activities, or when they are otherwise engaging with the organisation, could work for some organisations. You could provide staff with a short list of questions to ask families as they engage with them.

Remember when families and community members share their views with your organisation, you do not need to immediately respond. Listening and taking time to really think about what the organisation should do in response is part of having meaningful consultation processes. It is okay for your organisation to communicate about its response to feedback later, as long as you do not leave it too long.

Organisations should plan the ways they will engage with families and make sure they have enough time and resources to manage the process. Some questions to ask when planning include:

- What methods will we use to engage with families and community?
- How can we make sure this engagement is inclusive of all kinds of families, including families with diverse communication needs?
- Do we need to share any information or documents with participants to help them have a say? How will we do this?
- How will we make the process engaging and enjoyable so that people will want to participate?
- How will we make sure that the consultation is culturally safe for Aboriginal and other families?
- Will we need to ask a facilitator to help or do we have someone in the organisation who can do this?
- Do we need to hold workshops or consultations or could we achieve the same results through surveys, questionnaires or other forms of engagement?

Organisations can also ask for family and community views after a child safety incident has happened. This is a time when there will be recent experience about how effective policies and practices have been. It is important to understand if your organisation's response to a complaint or incident meets family and community expectations. Sometimes safety incidents can be stressful and traumatic for families, so plan how to seek feedback sensitively and with respect.

Refer to [Standard 11](#) for more information about policies and procedures and [Standard 10](#) for more information about the child safe review process.

## Families, carers and the community are informed about the organisation's operations and governance

**'While communities need to hold institutions to account for the wellbeing of all children in their care, institutions need to be open to positive community influences that promote child safety. The Royal Commission has seen how risks to children are increased when institutions are shielded from public scrutiny and the community's protective role is diminished.'**  
– the Royal Commission<sup>120</sup>

Families need to understand what your organisation does and how it is structured. They need to know how to contact the right people if they have a child safety or wellbeing concern. Providing information about the organisation's leaders shows families and communities who is responsible for making decisions. Your organisation could also provide information on who is responsible for overseeing it, including who regulates the organisation and which complaints bodies people can turn to.

<sup>120</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), p 44.

## Standard 4

It can be helpful to provide families and carers with information about your organisation in induction packs when children enrol or first access the service. Keeping them updated on changes in leadership positions or governance arrangements as well as important changes in the operations also helps them understand your organisation.

Creating an open-door culture is important. This means families and carers should feel comfortable approaching staff and volunteers to ask questions or seek information about the way your organisation operates.

These are some examples of the types of information that explain organisational operations and governance:

- an overview of what activities children will be involved in at the organisation
- a leadership structure or chart with the names and contact details of the leadership team including the CEO, owner or company directors
- organisational charts that list the organisation's programs and services and detail the role of senior leaders
- names of members of the board or committee of management
- information on the philosophy or values of the organisation
- annual reports of the organisation's operations
- details of patrons or other prominent figures associated with the organisation
- the contact details of regulators and oversight bodies that oversee the organisation.

## Further resources

Emerging Minds: National Workforce Centre for Child Mental Health has developed a [Working with Aboriginal and Torres Strait Islander families and children toolkit](#). It aims to support non-Aboriginal practitioners in mainstream organisations to engage with First Nations families.

The Australian Institute of Family Studies has developed [Working with Indigenous children, families and communities: lessons from practice](#) for child and family services practitioners and policy-makers.

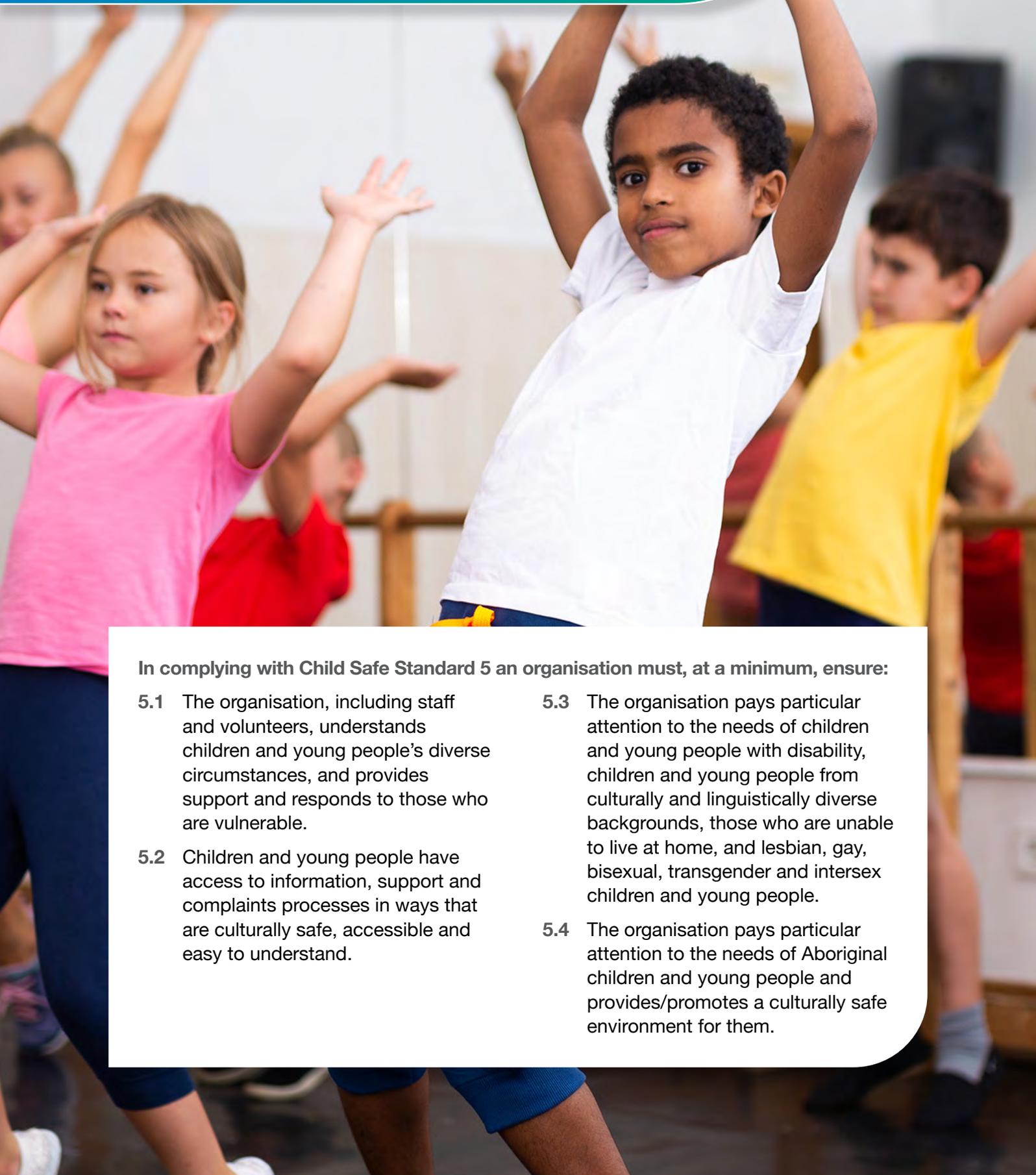
The Raising Children Network has published a series of [short videos](#) focused on the experiences of newly arrived migrant families.

The Australian Human Rights Commission's [e-learning module](#) on National Principle 3 (Families and communities involved in safety settings).

The Commission for Children and Young People has information about the Child Safe Standards in [different community languages](#) available on the Commission's website.

## Standard 5

Equity is upheld and diverse needs respected in policy and practice



**In complying with Child Safe Standard 5 an organisation must, at a minimum, ensure:**

- 5.1** The organisation, including staff and volunteers, understands children and young people's diverse circumstances, and provides support and responds to those who are vulnerable.
- 5.2** Children and young people have access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand.
- 5.3** 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.
- 5.4** The organisation pays particular attention to the needs of Aboriginal children and young people and provides/promotes a culturally safe environment for them.

## Compliance indicators

### What the Commission will look for when assessing this Standard

Organisations will generally comply if they produce these documents and undertake these actions in a way that supports the organisation to achieve this Standard.<sup>121</sup> The nature or characteristics of your organisation may mean you need to do something different to what is proposed in this guide. If so, you may have to explain how your approach complies with the outcomes and the minimum requirements of the Standards.

#### DOCUMENTS

- Materials for children, including information about complaints processes and supports, are accessible, age-appropriate and available in a range of languages and formats as needed. Written documents alone are not relied on, particularly for children who are blind or vision impaired, or children who cannot read. (5.2)
- The Child Safety and Wellbeing Policy describes:
  - the organisation’s commitment to equity and inclusion (5.1)
  - how the organisation will recognise and respect the diverse needs of all children (5.1)
  - how the organisation provides avenues for children or their families to identify their individual needs (5.1)
- how the organisation will provide children with access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand (5.2)
- how the organisation will support equity and make reasonable changes to support participation by all children and respond to all children’s needs (5.1, 5.3, 5.4)
- how the organisation upholds equity for all children and prevents child abuse and harm resulting from discrimination based on disability, race, ethnicity, religion, sex, intersex status, gender identity or sexual orientation. (5.1, 5.3, 5.4)

<sup>121</sup> Some sectors and organisations have co-regulators, in addition to the Commission, that have issued specific guidance. Where a co-regulator’s guidance on the Standards applies to your organisation, and is different to this guide, your organisation should follow that co-regulator’s guidance.

## ACTIONS

- The organisation takes steps to understand the diverse circumstances and needs of children who engage, or may engage, with it. (5.1, 5.3)
- Staff and volunteers:
  - are provided with information and guidance about children’s diverse circumstances, how to identify factors that can increase a child’s vulnerability to harm, and how to promote equity and safety for all children
  - take action to support and respond to children who are experiencing vulnerability, including making inquiries and responding where there are signs of increased vulnerability
  - take action to uphold equity for all children, promote children’s safety and prevent child abuse and harm. (5.1, 5.3, 5.4)
- Leaders set clear expectations around achieving equity and respect for diversity. (5.1 and links to 2.2)
- The organisation ensures all children are reasonably supported to participate. (5.1)

## Introduction

Children have unique abilities, skills and life experiences. Differences in backgrounds, characteristics, personality and beliefs shape how a child experiences the world and what needs they have. Their individual identity and sense of self can be fundamental to their wellbeing.

Organisations and communities are strengthened when diversity is valued and respected because children can access opportunities to fulfil their potential. Discrimination has negative impacts on children. It can cause serious emotional or psychological harm or constitute serious neglect of a child. This can result in distress, depression and anxiety.<sup>122</sup> Experiencing discrimination can increase a child’s vulnerability to abuse and harm and can also mean they are less likely to ask for help or speak up if they have a concern.

Equity is a state of fairness in which all children can participate freely and equally in areas of life, regardless of their background, characteristics or beliefs. In child safe organisations, this means that a child’s safety is not dependent on their circumstances, including their social or economic position, their cultural background or their abilities.

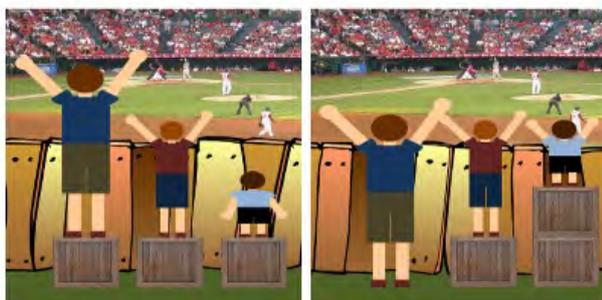
A child safe organisation considers the diverse circumstances of children. It recognises that some children are more likely to be at risk of harm and abuse and adjusts procedures to respond to different needs accordingly.

Upholding equity and respecting diverse needs are relevant considerations in implementing all Standards.

<sup>122</sup> Beyond Blue, [The impact of discrimination](#); [Discrimination stops with you](#); and [Multicultural people](#), Beyond Blue website, 2022.

**Diversity** describes a range of personal characteristics, circumstances, life experiences and backgrounds. The combination of these differences makes up a child's unique identity and shapes the way they experience the world and the types of needs they have.

**Equity** means making adjustments so that children have equal opportunity to the skills, knowledge and resources they need to be safe regardless of their characteristics, circumstances, life experiences and backgrounds. Figure 5.1 illustrates the difference between equity and equality.



**Figure 5.1** Equality (left) versus equity (right) reflecting that different adaptations may be needed for each child to enable them to participate – Craig Froehle 2012

## Why equity needs to be upheld and diversity should be respected in your organisation

Upholding equity and respecting diversity supports organisations to safeguard children regardless of the child's personal circumstances.

The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) found that some children are more vulnerable to abuse than others and that they can also find it harder to let someone know they are feeling unsafe or are being harmed. It found that children from diverse backgrounds or with particular support needs have been poorly protected by generic child safe policies that have been effective for others.<sup>123</sup>

Research prepared for the Royal Commission<sup>124</sup> also shows that perpetrators target children who appear to be vulnerable, possibly due to family circumstances or social isolation. They also groom children who may have fewer connections to trusted adults and less confidence or ability to speak out, including children whose additional safety needs are not being addressed by the adults around them. This can be an issue for children in a range of circumstances, including children questioning their sexuality or gender, and those with prior trauma including from refugee experiences or currently going through an adverse life event.<sup>125</sup>

### What children told us

**They want the adults around them to do more in tackling racism, bullying and discrimination. They want adults to be available and to listen to what makes them feel unsafe or discriminated against – and then to do something about it.**<sup>126</sup>

<sup>123</sup> Commonwealth of Australia, Royal Commission into Institutional Responses to Child Sexual Abuse, [Final report: Volume 6, Making institutions child safe](#), 2017, p 170.

<sup>124</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), p 171.

<sup>125</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), p 171.

<sup>126</sup> Drawn from Commission for Children and Young People's consultation with children.

## Legal protections against discrimination

A number of Victorian and Commonwealth laws make it unlawful to discriminate against or vilify children in certain contexts on the basis of particular attributes. These include the:

- [Equal Opportunity Act 2010 \(Vic\)](#)
- [Racial and Religious Tolerance Act 2001 \(Vic\)](#)
- [Change or Suppression \(Conversion\) Practices Prohibition Act 2021 \(Vic\)](#)

- [Charter of Human Rights and Responsibilities Act 2006 \(Vic\)](#)
- [Disability Discrimination Act 1992 \(Cth\)](#)
- [Sex Discrimination Act 1984 \(Cth\)](#)

The [Victorian Equal Opportunity & Human Rights Commission](#) website has further information on rights and discrimination in Victoria.

The Royal Commission concluded that child safe organisations should pay attention to:

- cultural safety for Aboriginal children
- the needs of children with disability and responses to disability
- the needs of children from diverse religious and cultural communities
- the needs of very young children
- the impact of prior trauma
- gender differences
- the experiences of lesbian, gay, bisexual, transgender and intersex children
- challenges for children living in remote locations.<sup>127</sup>

The combination of different aspects of a child's identity can expose them to overlapping challenges. For example, a child from a refugee background and with disability may experience multiple levels of discrimination and barriers to communication. It is important to consider all the needs and experiences of children.

## Upholding equity and respecting diverse needs in your organisation

A child safe organisation recognises and respects diversity and understands that some children are more vulnerable to abuse than others. It has policies and practices that make sure children have access to the relationships, skills, knowledge and resources they need to be as safe as their peers.

To achieve this, you should:

- get to know and understand the diversity of children in your organisation and community
- learn about the circumstances that some children encounter that increase the risk of experiencing abuse
- identify possible gaps in your approach to child safety and consider ways to make sure every child can have a positive experience and how your organisation will respond to the specific and additional needs of children
- inform and train your staff and volunteers so they can recognise diverse needs, and tailor responses so all children are equally safe
- build systems, policies and procedures to embed these practices in day-to-day operations.

<sup>127</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), p 170.

## Understanding and respecting diversity

Learning about the diversity of children in your organisation and community involves gathering and interpreting relevant personal information. Depending on your organisation, this may include information collected as part of your regular practice (for example, through enrolment data), or information collected specifically to understand diversity (for example, through an anonymous survey). In collecting information, it is important to:

- understand it is up to the individual when and how they define themselves
- demonstrate an open and inclusive approach to differences
- not presume, put labels on, or push expectations on children
- explain to children how their information will be used and how their privacy will be protected.

When considering the diversity of children, you should also reflect on the broader community. If your organisation does not feel welcoming, inclusive and respectful, then children and families of diverse experiences and backgrounds may not see your organisation as providing a safe environment and therefore not join.

Organisations must make sure they comply with any relevant privacy laws when collecting data and only seek to collect personal information if it is necessary. If children do not want to share their personal information you should respect their choices. It could mean your organisation learns more about the demographic make-up of your community through data collected by the [Australian Bureau of Statistics](#) (including the Australian Census). Another useful source of information is the [Australian Early Development Census](#) (AEDC).

Respect for diversity can be demonstrated in the attitudes, behaviours and culture of your organisation. It can mean:

- valuing and respecting people's individual identity and beliefs
- building trusting and respectful relationships
- communicating openly and honestly to find the best way to be inclusive and respectful towards individual needs
- examining our personal ideals, customs and beliefs and acknowledging that one person's beliefs may be different to another
- appreciating that others can hold different beliefs of equal significance.

A child safe organisation can show respect for diversity through:

- clear messaging about complying with anti-discrimination laws, preventing the harm that discrimination can cause and providing a safe and inclusive environment in all policies, including its Code of Conduct for staff and volunteers
- clear messaging and actions from leaders to create a safe and inclusive environment ([Standard 2](#))
- finding out how different children would like to be involved and creating different opportunities to consult them, including involving them in the design of your organisation's activities ([Standard 3](#))
- asking about different ways to provide information to children
- increasing awareness and understanding of diverse perspectives through engaging with your community and strengthening relationships with diverse groups
- celebrating or acknowledging significant occasions, for example, in newsletters or through events
- ensuring the physical and online environments contain positive images of a range of children
- seeking to engage a mix of staff and volunteers that reflect the diversity in the community
- supporting staff and volunteers to learn about diversity, for example, through professional development and training.

Extra attention may be needed to make sure everyone can participate, and not just those who find it easier to express themselves. The Commission for Children and Young People's (the Commission's) resource [Empowerment and participation: a guide for organisations working with children and young people](#) provides guidance and practical tools to help you start talking with children and creating safe and inclusive spaces.

The Royal Commission noted that a child safe organisation 'will be aware and actively inform itself of necessary skills and strategies to ensure all children are included in child safe policies and practices, appropriate to the institution's size, context and type of work'.<sup>128</sup>

Organisations should have content in the Child Safety and Wellbeing Policy and Code of Conduct that helps your organisation to:

- include all children
- provide staff and volunteers information on diversity and inclusion
- help staff and volunteers know how to provide equity for all children using the services or facilities
- promote inclusion and diversity throughout your organisation
- make sure your organisation provides information that all children can understand and access about how to raise concerns.

In addition, organisations with a high level of contact and responsibility for children should engage with and understand individual children and tailor their approach to meet the diverse needs. For example, your organisation may start by asking about the characteristics of the children and families engaging with the service during enrolment, updating at regular intervals and using this to meet the individual needs of each child.

### Taking account of diverse circumstances and responding to increased risk

**Institutions must be alert to the extra challenges some children face and to the potential gaps within their overall approach. No system is fail-safe but known risks can be predicted and managed. A child safe institution will ensure it is informed and capable of responding effectively to diverse needs so that it includes all children in its child safety initiatives.**<sup>129</sup>

A child safe organisation understands some children face circumstances that may make them more vulnerable to abuse and takes steps to address known risks.

Research tells us some children are more vulnerable to abuse if they:

- have previous experiences of trauma
- have previously been the victim of bullying, harassment, abuse or maltreatment
- have encountered racism, sexism, homophobia or other forms of discrimination
- have disability or mental health issues
- are socially isolated
- come from families facing poverty and lacking support, or that have experienced trauma
- have experienced stress, worry and challenges that have negatively impacted their physical and emotional health, hopefulness and wellbeing.

These children may also find it more challenging to speak up and to believe that adults will take them seriously.

<sup>128</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), p 170.

<sup>129</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), p 171.

## Trauma-informed approach

Childhood trauma – such as abuse or neglect, the loss of a parent or exposure to violence – can take a toll on a child's outlook and affect their sense of safety and security. Children who have experienced trauma are more likely to display challenging behaviours – like poor impulse control, hyperactivity or disruptive behaviours.

Organisations may not know whether the children they engage with have experienced trauma. A trauma-informed approach supports all children to engage safely and minimises the chance that the organisation will cause them distress or harm. More information on taking a trauma-informed approach can be found in [Child abuse and harm](#).

A child safe organisation can take account of increased risks of abuse by:

- hearing from diverse stakeholders in developing and reviewing its risk management plan and other policies and procedures
- identifying barriers faced by different children and addressing them through using different or extra approaches
- building ties with diverse groups in the local community to learn about and strengthen approaches to child safety
- providing access to information, support and complaints processes in culturally safe, accessible and easy to understand ways ([Standard 7](#))
- supporting staff and volunteers to learn about increased risk of abuse that some children face, for example, through professional development and training ([Standard 8](#)).

## Providing access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand

### Providing access to information

A child safe organisation ensures children are informed about their rights, including to safety, information and participation (Standard 3.1). It provides information (including about supports available and complaints processes) that is accessible, culturally safe and easy to understand. This involves understanding how children's communication needs differ based on their individual capabilities and stage of development. Very young children have different communication needs to older children.

**What children told us**  
Children tell us they want communication to be simple and using their language – not that of the adults.

**'Just include what we need to know.'**  
– young person



## Case study

### Encouraging participation

The 'Being Together' youth online prayer group takes place every Tuesday evening. At the end of each session ten minutes is set aside for the participants to share a reflection, ask questions or raise concerns. The group facilitator is planning to use the ten minutes to run through the group's updated Code of Conduct with the participants so they know what adult behaviour is acceptable and unacceptable. One of the long-time participants, Raahi, is on the autism spectrum. He always leaves the online sessions early and misses the discussion.

The facilitator notices that Raahi is leaving the sessions early and calls his parent to discuss. They arrange for the facilitator to meet with Raahi to explore ways to make the prayer group more accessible for him. They agree that Raahi will participate with his video off, and that he can use the chat function to ask questions and participate. Raahi attends the session on the Code of Conduct and continues to stay until the end of the sessions for the rest of the year. He tells the facilitator he now feels more connected with the group and more comfortable to raise any concerns.

## Standard 5

It is important not to make assumptions about a child's communication needs and preferences. You should ask them what the best way is to provide information. To respond best to the needs of all children, you may need to adjust the way you provide information, for example, for a child with physical, sensory or intellectual disabilities or one who best communicates in a language other than English.

Ways to access key information in other languages should also be provided for those with limited English. This may include document translation or offering the use of the [Translating and Interpreting Service](#). The National Office for Child Safety also has resources about speaking up and making a complaint translated into a [range of community languages](#).

Make it easy for children to find and engage with the information. It is important not just to rely on written documents because some children may not be able to read or may be visually impaired. Instead, you might use multiple ways to communicate including:

- child-friendly, age-appropriate documents
- conversation
- infographics, audio and videos
- information published online or on social media
- websites tailored for children
- hand-outs and posters
- newsletters
- email and SMS.

Using inclusive language and diverse representation in images can help demonstrate your commitment to upholding equity and respecting diverse needs.

For help understanding the link between empowerment and participation and child abuse and harm prevention and guidance, look at the Commission's resource on [Empowerment and participation: a guide for organisations working with children and young people](#). This can help you understand what the children you engage with want to know and how to deliver it. There are tools to help you develop a Child Safety and Wellbeing Policy or statement of commitment to child safety, aimed at different age groups.

## Providing access to support

How you respond and provide support will be informed by what you know about the children involved in your organisation. Your risk assessment of the organisation (see [Standard 9](#)) will also inform the key areas in which to provide support.

Children may require different support to overcome barriers. Do not make assumptions, talk with them and see what will help. Support them in a way that empowers them to make their own decisions. Support may also need to extend to family, carers and communities.

## Creating accessible complaints processes

It is important that a child's access to the organisation's complaints process is not restricted because of their background, characteristics or life experience.

Understanding the children accessing your organisation and the barriers they may face in raising a complaint will help you develop an accessible process. Think about:

- fear of not being believed
- being unable to understand or read procedures or policies
- the power imbalance between children and adults
- feelings of mistrust
- fear of getting people into trouble
- cultural differences or sensitivities
- a lack of help or support
- fear of retribution or vengeance
- fear of being excluded, shamed or ridiculed
- a lack of access to information about their rights
- a lack of access to someone other than an abuser (for example, a personal carer)
- past experiences of racism.

**Children disclose concerns to people they trust.**



## Case study

### Responding to increased risk

The Sunny Valley Netball Club's Committee of Management has just finished drafting the new Child Safe Complaints Policy. It engaged in consultation with its members, including children. From the discussion with the under-10s it was clear that the younger children did not know what to do if they were worried about something that happened at the club. The head coach schedules an information session for the under-10s and their parents where she will explain to the children what they can do if they have a concern. She also writes a one-page information sheet that explains the complaint process in child-friendly language that will be given to all the children and published on the club's website.

The head coach knows that Sam in the Under 10s, who is intersex, has been bullied in the past. She makes time to speak with Sam and her parents to explain what to do if she feels unsafe. The head coach invites one of the assistant coaches to be present at the discussion because she knows that Sam has a trusting relationship with them and that Sam may be more comfortable to approach them if she has a concern.

## Standard 5

Improving accessibility to your complaints process might involve:

- partnering with a range of children in developing or reviewing the process to respond better to diverse needs
- seeking advice and support from local community groups in developing or reviewing processes
- providing support for people from the child's cultural background to engage with the process
- considering the gender of staff who may be involved in handling a complaint
- providing interpreters and support for alternative communication methods if needed.

Review who makes complaints and whether this reflects the diversity of children engaged in your organisation. If only some children are accessing the process, this may suggest that your complaints process is not accessible to everyone. Refer to [Standard 10](#) for more information on review processes.

### Paying particular attention to diverse needs and experiences

Organisations are responsible for paying attention to the needs of children with disability, from culturally and linguistically diverse backgrounds, those unable to live at home, lesbian, gay, bisexual, transgender and intersex children and young people, and Aboriginal children.

Given the new Standard's focus on understanding children's diverse circumstances, organisations will also need to give attention to other characteristics, vulnerabilities and needs, including those of non-binary and gender diverse children, children of different religions and children who have experienced past trauma. Learning more about these children can help you protect them from abuse and harm.

### Children with disability

A child safe organisation empowers children with disability. It does not stereotype or make assumptions about a child's abilities, but rather recognises that each child is different and experiences disability and the world differently. It has strategies that promote understanding and acceptance of diversity together with policies for identifying risks and responding to concerns that children with disability may face.

#### Empowering children with disability

There is a link between experiences of discrimination, disadvantage and violence against people with disability.<sup>130</sup> Disability is a complex, dynamic interaction between the functioning of people's bodies and their physical and social environments. The Convention on the Rights of People with Disability recognises that:

'... disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others.'<sup>131</sup>

The Convention also recognises the importance of changing social systems that exclude, disempower and discriminate against people with disability, highlighting that the social world is key to reducing violence against, and abuse, neglect and exploitation of, people with disability.<sup>132</sup>

<sup>130</sup> The [Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability](#) was established to examine what governments, institutions and the community should do to report, investigate, respond to, prevent and better protect people with disability from experiencing violence, abuse, neglect and exploitation.

<sup>131</sup> United Nations, [Preamble](#), Convention on the Rights of Persons with Disabilities, 2008.

<sup>132</sup> Commonwealth of Australia, Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, [Interim report](#), 2020, p 348.

## Standard 5

Child safe organisations empower children with disability by:

- helping them build their self-esteem and confidence
- explaining their rights, including to safety, information and participation in accessible ways
- communicating directly about how safe they feel and including them in the design of the decisions impacting them
- teaching children about their bodies and their safety
- making reasonable adjustments to enable children with disability to participate equally and safely.

Reasonable adjustments to enable participation of children with disability might include adjustments to the organisation's activities, communication methods and tools, physical environment and attendant care facilities. Adjustments might also mean providing access to low sensory spaces or additional breaks.

**This video discusses adjustments made by a high school to meet the needs of a young person with disability to support their participation.**

### Addressing increased risk for children with disability

The reasons children with disability can experience increased vulnerability to abuse and harm include:

- facing barriers to communicate or report abuse
- being seen as less credible and therefore not believed when they report abuse or make complaints
- being placed in higher-risk situations due to the increased need for personal care, including intimate care

- having a different understanding of what is appropriate, safe and not safe due to the type and frequency of personal care they receive
- being isolated from their families, local communities and wider society if they are living in 'closed' institutions.<sup>133</sup>

You should consider whether these increased risks may occur in your setting and take steps to understand and mitigate them. For example, your organisation might consider the additional risks created for children with communication difficulties, by:

- supporting staff and volunteers to take note of behavioural changes or other warning signs that a child has been harmed or is at risk of harm
- ensuring your organisation has capacity to listen to and understand children, no matter how they communicate their views and concerns, for example, by providing support and training and development to staff to respond to verbal and non-verbal communication
- trying to facilitate communication in ways that minimise barriers arising from a child's experience of disability.

A child safe organisation can further promote the safety of children with disability by:

- ensuring its Code of Conduct for staff and volunteers clearly outlines boundaries for interaction with children with disability, including personal care assistance
- ensuring there are no access issues in the environment (both physical and online)
- enabling and facilitating independence with dressing, toileting and personal care where possible
- being inclusive and collaborative with families of children with disability.

<sup>133</sup> Commonwealth of Australia, Royal Commission into Institutional Responses to Child Sexual Abuse, [Final report: Volume 2, Nature and cause](#), 2017, pp 187–189.

## Children from culturally and linguistically diverse backgrounds

Growing up with a culturally and/or linguistically diverse background is not a single shared experience. The Victorian community includes people of many backgrounds, countries, religions, ethnicities and languages, including migrants, refugees and asylum seekers. These communities have experienced different journeys. Some have experienced trauma, violence and harm. Others have lost the support of their extended families.

### Did you know...

**Over 28% of Victorians were born overseas in over 200 countries, that 26% of the Victorian population speak a language other than English at home, and that over 141 religions or faiths are represented in our community?**<sup>134</sup>

Culture is never an excuse for child abuse or neglect. It is important to understand that approaches to parenting vary considerably across culturally diverse groups. However, the safety of children should always be the main consideration.

Children from culturally and linguistically diverse backgrounds can experience increased risk of abuse and harm. Contributing factors include:

- language and communication barriers
- social exclusion and bullying
- low awareness of sexual abuse in some communities
- taboos around discussing sex in some communities
- cultural stereotypes undermining belief of victims

- perceptions of reporting abuse bringing shame
- lack of trust in authority figures due to previous trauma, particularly in refugee communities.<sup>135</sup>

A child safe organisation takes steps to understand any language and cultural issues, consider any potential trauma in children's backgrounds and take different family structures and norms into account.<sup>136</sup>

Cultural safety has been described as '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'. It empowers people and enables them to contribute and feel safe to be themselves.<sup>137</sup>

Cultural safety in organisations supports children from culturally and linguistically diverse backgrounds to feel comfortable to express their own individual identity and be proud of who they are.

More information on responding to racism can be found in [Standard 1](#).

### Did you know...

**In a survey of students in years 5 to 9 in NSW and Victorian schools:**

- **Over 40% of students from Aboriginal and Torres Strait Islander backgrounds and from ethnic minority backgrounds reported experiences of racial discrimination from their peers.**
- **Over a third of students from Aboriginal and Torres Strait Islander backgrounds and from ethnic minority backgrounds reported experiences of racial discrimination from wider society.**<sup>138</sup>

<sup>134</sup> Victorian Government, [Discover Victoria's diverse population](#), Multicultural Affairs and Social Cohesion website, 2021.

<sup>135</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#) and [Final report: Volume 2, Nature and cause](#).

<sup>136</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), p 264.

<sup>137</sup> Secretariat of National Aboriginal and Islander Child Care (SNAICC), with the help of Victorian Aboriginal Child Care Agency (VACCA), in partnership with the National Office for Child Safety created: Commonwealth of Australia, Department of the Prime Minister and Cabinet, [Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations](#), 2021, p 7.

<sup>138</sup> Australian National University, Centre for Social Research & Methods, [SOAR – speak out against racism](#), 2017.

## Standard 5

You can support the safety of children from culturally and/or linguistically diverse backgrounds by:

- ensuring your organisation clearly demonstrates a commitment to the prevention of harm arising from discrimination, for example, by:
  - including anti-racism statements in policies
  - creating a Statement of Commitment to Diversity
  - demonstrating commitment to cultural diversity through social media messaging
- being respectful, inclusive and welcoming of families from a range of backgrounds, for example, by:
  - giving newly arrived families an opportunity to present their story
  - hosting a welcome dinner
  - incorporating cultural safety into the organisation's Child Safety and Wellbeing Policy and its Code of Conduct
  - recognising that families may have different religious events and holidays that impact their ability to participate in some activities
- increasing your organisation's awareness and understanding of diverse perspectives through community conversations, and participation in cultural learning, for example, by:
  - facilitating networking opportunities
  - exploring opportunities to involve newly arrived families from migrant or refugee backgrounds in your services
  - organising cultural displays, exhibits and activities to coincide with Harmony Day and/or Cultural Diversity Week
- supporting culturally and/or linguistically diverse families through education and support within your organisation, for example, by providing training and professional development for staff and volunteers
- recognising important times for different cultures, for example, by:
  - including important cultural and religious events in newsletters
  - promoting diversity by celebrating significant events
    - strengthening ties with culturally and/or linguistically diverse groups within the local community
    - allowing staff, volunteers and children to take leave for cultural/religious festivals
- creating physical environments with positive images of a range of cultures, in terms of decoration, symbols and artwork to nurture a sense of identity, for example, by:
  - displaying images of artefacts and people and children from different parts of the world
- seeking to engage a mix of staff and volunteers that reflect the diversity in the community, for example, by:
  - engaging staff and volunteers that represent the local community at every level
  - including diversity targets for your organisation's governance structures and strategies
- actively engaging with children and families about how they would like to be involved, for example, by:
  - providing an environment where they feel safe and valued
  - creating opportunities for families to voice concerns and to help define solutions
  - holding informal meetings or surveys to proactively seek and incorporate feedback on existing systems and policies
- asking for the best way to provide information to children and families to encourage conversations around child safety, for example, by:
  - developing culturally appropriate information that includes images portraying cultural diversity
  - depending on the cultural and/or linguistic backgrounds of your organisation's community, creating multilingual resources or providing multilingual resources prepared by others.

**Find out more...**

**Play by the Rules** provides scenarios for sporting clubs to consider, including inclusion practices for people from different religious and cultural beliefs.

**Children who are unable to live at home**

Children may not be able to live at home for many reasons. Their living arrangements can be varied, including formally or informally living with relatives or friends (kinship care), foster care or residential care. These arrangements are often called alternative care or out-of-home care.

**Did you know...**

**On average, there were approximately 13,000 children living in out-of-home care (foster, kinship and residential care) and permanent care placements each day in Victoria in 2020–21.**<sup>139</sup>

Children are often taken into out-of-home care because they have experienced violence, abuse and/or neglect in their homes. Providing ongoing safety is critical for children to heal from these experiences.

The Royal Commission found that children living in out-of-home care are at increased risk of exposure to institutional child abuse and harm.<sup>140</sup> Reasons for this include:

- Previous exposure to abuse and neglect makes children more vulnerable to further abuse.<sup>141</sup>
- Children in out-of-home care are separated from family, community and culture. For Aboriginal children this is particularly significant as connection to culture is an important safeguard.<sup>142</sup>
- Placement disruption means many children in out-of-home care frequently change schools and early childhood providers. Case workers and other professionals often change. This can result in limited external oversight over children in care.<sup>143</sup> It can also limit their access to school-based sex abuse prevention and healthy relationships education programs.<sup>144</sup>
- Kinship and foster care are home environments where it is difficult to supervise and monitor, and there are many opportunities for carers to be alone with children.<sup>145</sup>
- Residential care is an environment where children with often complex needs and who have experienced trauma are placed together<sup>146</sup> and risks of child-to-child abuse are increased.<sup>147</sup> Children who live in residential care are also at risk of being sexually exploited and abused by adults who target children in these settings.<sup>148</sup>

**Find out more...**

**About the lived experiences of children living in out-of-home care in the Commission’s 2019 inquiry, *In our own words* and about the risks and harms experienced by children who are absent or missing from residential care in the Commission’s 2021 inquiry, *Out of sight*.**

<sup>139</sup> Department of Families, Fairness and Housing, [Child protection and family services: additional service delivery data 2020–21](#), 2021, pp 1–2.

<sup>140</sup> Royal Commission, [Final report: Volume 12, Contemporary out-of-home care](#), 2017, p 104.

<sup>141</sup> Royal Commission, [Final report: Volume 12, Contemporary out-of-home care](#), p 128.

<sup>142</sup> Royal Commission, [Final report: Volume 12, Contemporary out-of-home care](#), pp 128–9.

<sup>143</sup> Royal Commission, [Final report: Volume 12, Contemporary out-of-home care](#), p 15.

<sup>144</sup> Royal Commission, [Final report: Volume 12, Contemporary out-of-home care](#), p 130.

<sup>145</sup> Royal Commission, [Final report: Volume 12, Contemporary out-of-home care](#), p 91.

<sup>146</sup> Royal Commission, [Final report: Volume 12, Contemporary out-of-home care](#), p 12.

<sup>147</sup> Royal Commission, [Final report: Volume 12, Contemporary out-of-home care](#), p 119.

<sup>148</sup> Royal Commission, [Final report: Volume 12, Contemporary out-of-home care](#), p 94.

## Standard 5

The Royal Commission found that there are many barriers for children in out-of-home care to disclose or raise concerns. These include:

- not understanding what constitutes abuse
- not having someone they can trust with their disclosure of abuse
- not feeling safe to disclose
- being made to feel special or cared for by the perpetrator
- fear of being removed from a placement
- fear of not being heard or believed
- fear of not being treated with respect and dignity.<sup>149</sup>

You may not be aware of a child's living arrangements, but it is important to make your organisation safe and welcoming for all children regardless of their circumstances. Children who are not able to live at home attend activities like sporting clubs, youth groups and religious services just like other children. All organisations therefore need to understand the challenges and increased vulnerability these children may experience. Some ways your organisation can pay particular attention to the needs of children who are not able to live at home can include:

- asking children and their carers whether any additional supports from your organisation could help
- giving extra assistance to carers to access information and engage with your organisation. Some children live with grandparents or other kinship carers not familiar with processes like online enrolments
- choosing locations to hold events that are close to public transport as some children may not have easy access to a car or someone to drive them
- recognising that many children who are not able to live at home do not have the support of extended family or may not have a trusted adult in their lives

- providing scholarships, or bursaries for children to attend special events or activities
- recognising that challenging behaviour may be a result of traumatic experiences. Refer to [Child abuse and harm](#) and [Standard 8](#) for training and resources on trauma-informed care.

### Lesbian, gay, bisexual, transgender, intersex, queer, non-binary and gender diverse children and young people

LGBTIQ stands for lesbian, gay, bisexual, transgender and gender diverse, intersex, queer and questioning. It is an inclusive umbrella term to include a range of diverse sexualities, genders and sex characteristics. It is important to remember that children and young people may fit more than one of these terms.<sup>150</sup>

Many LGBTIQ children and young people experience discrimination, harassment and violence and are typically more likely to have poorer mental health outcomes than the general population.<sup>151</sup> For LGBTIQ children and young people to feel safe and to be safe in your organisation, you should actively demonstrate that you welcome and value them and make it clear that you will take steps to protect them from abuse and harm.

#### Did you know...

**A 2018 survey of 704 LGBTIQ Australian secondary school students found that:**

- **94% of participants had heard homophobic language at their school**
- **45% of participants indicated they had witnessed school-based physical harassment of classmates perceived to be LGBTIQ.**<sup>152</sup>

<sup>149</sup> Royal Commission, [Final report: Volume 12, Contemporary out-of-home care](#), p 178.

<sup>150</sup> Adapted from Victorian Government, [LGBTIQ+ inclusive language guide](#), LGBTIQ+ equality website, 2021.

<sup>151</sup> AO Hill et al., [Writing themselves in 4: the health and wellbeing of LGBTQA+ young people in Australia](#), 2021, National report, monograph series number 124, Melbourne: Australian Research Centre in Sex, Health and Society, La Trobe University, p 10.

<sup>152</sup> Victorian Government, Department of Education and Training, [State of Victoria's Children Report](#), 2018, p 71.

### Language matters

Sexual orientation, sex and gender identity are all separate.

Sexual orientation is used to describe a person's romantic and/or sexual attraction.

Sex refers to a person's biological characteristics. A person's sex is usually described as either male or female. The designation of a person as either male or female based on their biological characteristics takes into account their chromosomes, genitals, hormones and neurobiology. Some people have both male and female characteristics, or neither male nor female characteristics.

Gender identity refers to the way in which a person understands, identifies or expresses their masculine or feminine characteristics within a particular sociocultural context.<sup>153</sup>

Children and young people can experience and express their sex, sexuality and gender in different ways. Some commonly used terms are listed below:<sup>154</sup>

- A **lesbian** woman is attracted to other women.
- A **gay** person is attracted to people of the same sex and/or gender. It often refers to men who are attracted to other men, but some women and gender diverse people describe themselves as gay.
- A **bisexual** person is attracted to people of their own and other genders.

- **Asexual** is a sexual orientation that reflects little to no sexual attraction, either within or outside relationships.
- A **pansexual** person is an individual whose sexual and/or romantic attraction to others is not restricted by gender. Pansexuality can include being sexually and/or romantically attracted to any person, regardless of their gender identity.
- A **heterosexual** person is someone who is attracted to people of the opposite gender to themselves.
- An **intersex** person is someone born with atypical natural variations to physical or biological sex characteristics such as variations in chromosomes, hormones or anatomy. Not all intersex people use the term intersex.
- A **cisgender** person is someone whose gender aligns with the sex they were assigned at birth.
- A **trans/transgender** person is someone whose gender does not exclusively align with the one they were assigned at birth.
- **Non-binary** is a term used to describe a person who does not identify exclusively as either a man or a woman.
- **Gender diverse** is an umbrella term that includes all the different ways gender can be identified and expressed. It can include people questioning their gender, those who identify as trans/transgender, genderqueer, non-binary, gender nonconforming and many more.
- **Queer** can be used as an umbrella term for diverse genders and sexualities, particularly if other terms do not fit them.

Language to describe different LGBTIQ people changes over time and can differ across cultures and generations. There will also be differences in how people individually use or define particular terms and how people choose to identify themselves.<sup>155</sup> **Minus 18** is a youth-focused organisation that provides information on how young people self-identify.

<sup>153</sup> Victorian Government, [LGBTIQ+ inclusive language guide](#), 2021.

<sup>154</sup> Victorian Government, [LGBTIQ+ inclusive language guide](#), and Australian Human Rights Commission, [Guidelines for the inclusion of transgender and gender diverse people in sport](#), 2019.

<sup>155</sup> Adapted from Victorian Government, [LGBTIQ+ inclusive language guide](#).

## Standard 5

Some LGBTIQ young people may have negative experiences that increase their risk of depression, anxiety, self-harm and suicide. They may:

- feel different from other people around them
- suffer homophobic or transphobic bullying
- feel pressure to deny or change their sexuality or gender identity
- be worried about ‘coming out’ to friends, family, peers or workers, along with the possibility of being rejected or isolated
- feel unsupported or misunderstood by friends, family, peers or workers.<sup>156</sup>

Some children live in rainbow families and have LGBTIQ parents or carers. Building and maintaining a culture that is inclusive and respectful of all families supports children to feel, and to be, safe. Rainbow families can include single parents, foster parents, blended families, shared parenting and a diverse range of carers. It is best to ask the child how they describe their family arrangement and to use their preferred terms and pronouns.

An organisation can support LGBTIQ children and young people to feel safe by:

- including in the Child Safety and Wellbeing Policy a specific comment welcoming all children, young people and families irrespective of sexual orientation, gender identity, or sex/intersex status
- ensuring the Child Safety and Wellbeing Policy and Code of Conduct states that harm from discriminatory behaviour towards LGBTIQ people is unacceptable. This should cover both obvious acts of prejudice, such as verbal or physical abuse, and more subtle abuse that reinforces negative stereotypes and feelings of difference
- asking LGBTIQ, non-binary and gender diverse people what makes them feel safe and unsafe and drawing on their perspectives to build a child safe culture within your organisation

- equipping staff and volunteers with the knowledge and skills to be able to respond appropriately and sensitively if a child or young person chooses to share personal information with them, including information related to sexual orientation, intersex status or gender identity
- supporting and respecting decisions that people make about their gender identity, including using their preferred name and pronouns.

### Aboriginal children

Aboriginal children have the right to enjoy and feel connected to their culture and community, be safe from harm arising from racism, and have access to culturally safe services and organisations.

The Royal Commission highlighted that Aboriginal children are at a higher risk of harm and abuse in organisations. The reasons included:

- ongoing impacts of racially discriminatory laws, policies and practices from the past
- ongoing systemic racism creating barriers to disclosure, to being believed, and to receiving an appropriate response.<sup>157</sup>

**Cultural safety for Aboriginal children has been defined as ‘the child being provided with a safe, nurturing and positive environment where they are comfortable with being themselves, expressing their culture... their spiritual and belief systems, and they are supported by the carer... (who) respects their Aboriginality and therefore encourages their sense of self and identity’. – SNAICC<sup>158</sup>**

<sup>156</sup> headspace National Youth Mental Health Foundation, [Understanding sexuality and sexual identity – for family and friends](#) and Z Hyde et al., [The first Australian national trans mental health study: summary of results](#), 2015.

<sup>157</sup> Royal Commission, [Final report: Volume 2, Nature and cause](#), pp 89–90, 161, 165, 193.

<sup>158</sup> SNAICC, [Cultural safety](#), SNAICC website, 2021.

## Standard 5

Creating a culturally safe organisation for Aboriginal children requires a willingness to learn, understand and respond to the diversity of Aboriginal cultures. Detailed information on establishing a culturally safe environment for Aboriginal children is in [Standard 1](#).

### Further resources

The Australian Human Rights Commission has guidance material on children with [diverse backgrounds and needs](#) and also has an [e-learning module](#) on National Principle 4: Diversity.

The Australian Human Rights Commission invites organisations to create a [Disability Action Plan](#) to promote equal opportunities for people with disability.

The National Office for Child Safety has published the [Complaint handling guide: upholding the rights of children and young people](#).

The National Office for Child Safety has developed [translated resources](#) on the National Principles for Child Safe Organisations.

The Commission for Children and Young People has developed [Empowerment and participation: a guide for organisations working with children and young people](#).

The National Office for Child Safety in partnership with SNAICC have developed a guide on cultural safety in child safe organisations: [Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations](#).

The Victorian Equal Opportunity and Human Rights Commission has useful information on [How to meet your obligations](#) under the *Equal Opportunity Act 2010* (Vic) for organisations, and on [youth rights](#).

The Australian Government Nationally Consistent Collection of Data about Australian School Students with Disability have published examples from schools across Australia of [inclusive practices for students with disability and their families](#).

People with Disability Australia has published [A guide to language about disability](#).

Play by the Rules' [Inclusion and diversity in action](#) supports sporting organisations to adopt inclusive practices.

This Child Family Community Australia and Emerging Minds [webinar](#) discusses how practitioners can engage in respectful, collaborative and curious conversations with children and families from migrant and refugee backgrounds.

[Minus18](#) provides support and resources for young people who identify as LGBTIQ.

headspace has resources for the [family and friends](#) of LGBTIQ children and young people.

The Australian Institute of Family Studies presented a webinar on the [social and mental wellbeing of LGBTIQ+ young people](#).

The Victorian Government has a useful [LGBTIQ+ inclusive language guide](#).

### Trauma-informed resources

Emerging Minds has information about, and a range of resources on [trauma-informed care](#).

ORYGEN has developed a [trauma-informed care toolkit](#) that includes resources and training.

NSW Health [What is trauma-informed care?](#) provides resources including a toolkit for organisations to develop a trauma-informed practice and culture.

## 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:**

- 6.1** Recruitment, including advertising, referee checks and staff and volunteer pre-employment screening, emphasise child safety and wellbeing.
- 6.2** Relevant staff and volunteers have current working with children checks or equivalent background checks.
- 6.3** 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.
- 6.4** Ongoing supervision and people management is focused on child safety and wellbeing.

## Compliance indicators

### What the Commission will look for when assessing this Standard

Organisations will generally comply if they produce these documents and undertake these actions in a way that supports the organisation to achieve this Standard.<sup>159</sup> The nature or characteristics of your organisation may mean you need to do something different to what is proposed in this guide. If so, you may have to explain how your approach complies with the outcomes and the minimum requirements of the Standards.

#### DOCUMENTS

- Employment advertising includes the organisation's commitment to child safety and wellbeing. (6.1)
- Position descriptions set clear expectations about the role's requirements, duties and responsibilities regarding child safety and wellbeing. (6.1)
- Organisational recruitment, human resources and volunteering policies describe:
  - recruitment practices that support the organisation to appoint people who are suitable to work with children (6.1)
  - pre-employment screening practices including interviewing, referee checks, Working with Children Check and other registration or background checking (6.2)
  - requirements for an induction about the organisation's child safety practices (6.3)
  - how supervision and people management practices will support ongoing assessment of a person's suitability to work with children. (6.4)
- Induction documents for staff and volunteers include:
  - the Code of Conduct
  - the Child Safety and Wellbeing Policy
  - information about the organisation's child safety practices and complaints process as well as reporting, record keeping and information sharing obligations. (6.3 and links to 8.1)

<sup>159</sup> Some sectors and organisations have co-regulators, in addition to the Commission, that have issued specific guidance. Where a co-regulator's guidance on the Standards applies to your organisation, and is different to this guide, your organisation should follow that co-regulator's guidance.

## ACTIONS

- The child safety and wellbeing requirements of each role are assessed before recruitment of new staff and volunteers. These include:
  - qualifications, experience and attributes required
  - duties and responsibilities with children
  - measures required to manage any child abuse or harm risks, including screening, training and supervision requirements. (6.1)
- Information and guidance are provided to recruiting staff on how to prioritise child safety in the recruitment process, including how to identify and manage any child safety concerns raised through the application, interview and screening process. (6.1)
- Recruitment processes include:
  - a range of values-based interview questions to establish suitability to work with children
  - pre-employment screening practices including referee checks, Working with Children Check and other registration or background checking
  - verification that required qualifications, registrations and Working with Children Check are valid and up-to-date
  - keeping records of the recruitment process. (6.1)
- Supervision and people management includes regular reviews to check whether staff are following Codes of Conduct and other child safe policies. (6.4)
- Guidance is provided for people managers on steps to take when managing staff or volunteers whose behaviour raises child safety concerns. (6.4)
- Qualifications, Working with Children Check and other registration or ongoing screening checks are regularly reviewed for changes and that they are still valid. Action is taken to manage the risks to children when a person's qualifications, Working with Children Check or other registration or ongoing screening check are no longer valid. (6.2)
- Staff and volunteers receive an induction adjusted to each role's requirements, duties, risks and responsibilities in relation to child safety and wellbeing. The induction covers the organisation's child safety practices and complaints process as well as reporting, record keeping and information sharing obligations. (6.3)

## Introduction

A child safe organisation has policies and procedures to make sure staff and volunteers are suitable to work with children. This means you have strong child safe recruitment, induction and people management practices that support child safety and wellbeing.

Selecting suitable people to work with children is vital. Having a robust child safe screening process helps recruit staff who share your organisation's values. Good recruitment practices can deter unsuitable people from applying and enable you to screen out applicants who are unsuitable to work or volunteer with children.

Once staff or volunteers have started working with children, your organisation needs to support them to understand their responsibilities through the induction process and ongoing education and training. Staff and volunteers need to be supervised to ensure they are behaving in a way that is prioritising the safety of children and so they can receive feedback to improve. **Standard 8** provides more information about child safe training and support for staff and volunteers.

Your child safe recruitment practices should be outlined in (or linked to) the Child Safety and Wellbeing Policy. Families and children should be told how your organisation prioritises child safety in recruitment, induction and ongoing supervision of staff. The decisions your organisation makes about the employment of staff or volunteers should prioritise child safety.

Note that while this Standard largely refers to recruitment practices for staff and volunteers engaged directly by your organisation, you can also apply many of these practices to engaging contractors and third-party suppliers. For more information on managing procurement of third parties, see **Standard 9**.

## Recruitment of staff and volunteers emphasises child safety and wellbeing

**'For volunteers, [you need to] invest as you would an employee – need to test their suitability.'** – young person

### Position description

Organisations need to be clear about the role and responsibilities of each staff and volunteer position, particularly when these involve working closely with children. As a first step you need to determine if the role will involve direct or indirect contact with children. This will influence what sort of screening you need to complete, the types of questions you will ask during the selection process as well as the level and type of training and support to provide at induction and on an ongoing basis.

Direct contact with children is where the staff or volunteer position will have physical or face-to-face contact or contact through written, oral or electronic communication with children.<sup>160</sup>

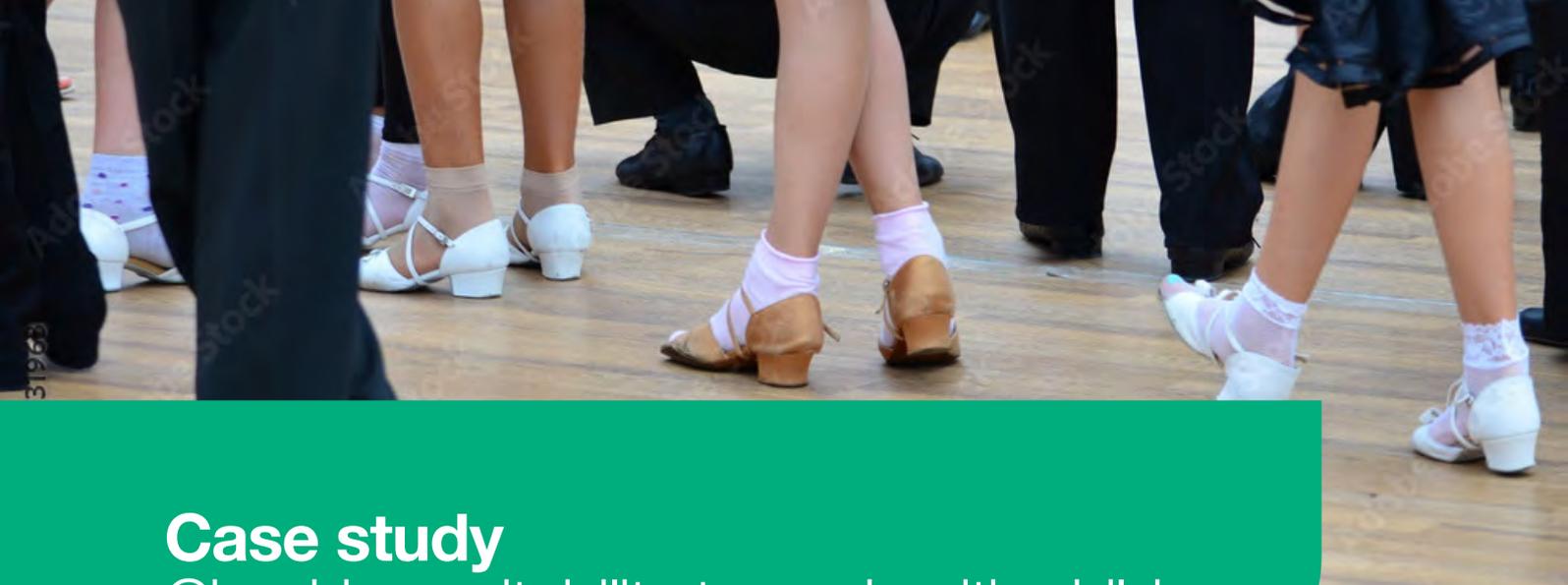
Direct contact includes:

- supervision, leadership and control over children
- delivering programs and services for children
- delivering education and training sessions to children
- delivering or supervising coaching or practical training sessions to children.

Indirect contact can include:

- a role where decisions are made that impact children
- a role that has access to a child's personal information
- influence over the organisation's policies and systems covering children.

<sup>160</sup> [Worker Screening Act 2020 \(Vic\)](#), s 3, p 5.



## Case study

# Checking suitability to work with children

Jumping Jupiter is a competitive DanceSport studio owned by Franka Schmidt. The studio is small but competes regularly in competitions. Franka wants to see the advanced all-ages team win at the next DanceSport Championships. Keen to help her team win, Franka hears that an internationally renowned instructor, Robert Taylor (Coach Taylor), will be returning to Melbourne after many years overseas.

Franka quickly books Coach Taylor for workshops to work with the team on skill, fitness levels and choreography. She is confident he will provide the team an edge.

Franka tells a colleague about the workshops with Coach Taylor and they mention reading an article about charges being brought against Coach Taylor in Canada. Shocked, Franka reads the article, which indicates Coach Taylor was accused of grooming several young athletes in Canada.

Franka does not know what to do. She'd been so excited about engaging Coach Taylor she didn't follow her standard recruitment processes. Torn, she decides to continue with the arrangement, because she feels it is too important and that there must be some mistake.

Franka is present during the workshops to assist Coach Taylor and lead the team. She notices he has a very physical training technique and is often physically manipulating the athlete's bodies to improve positioning and posture. She also notices he hangs around after the workshops as the athletes come out of the dressing room and leaves with a group of them. She puts it down to her team just being friendly with their new coach.

Three weeks into the workshops, Minnie, a 15-year-old member of the advanced all-ages team asks to talk to Franka. Minnie appears nervous and discloses that Coach Taylor has been messaging her, at first about some improvements and fitness tips but now the messages are personal. Franka is shocked. She assures Minnie that she takes the disclosure seriously. Franka supports Minnie in reporting to the police, telling her parents and making sure Minnie has the support she needs.

Franka stands down Coach Taylor while the police investigate the allegations. During the investigation Franka discovers that Coach Taylor has a criminal conviction for grooming in Canada and that he is unable to obtain a Working with Children Check. She also learns that Coach Taylor's previous employer fired him after inappropriate messages were found to have been sent to young girls in the dance studio.

Franka asks her peak body for help doing an independent review of this safety incident so she can improve her child safety practices. The review is critical of Franka's actions. It identifies that not following her organisation's recruitment policies and procedures, including pre-employment screening checks, resulted in the organisation employing an unsuitable person and increased the risk of child abuse and harm. The review recommended Franka always check that anyone engaged by the organisation to work with children is suitable. A Working with Children Check and reference checks with his previous employers would have stopped Franka employing Coach Taylor at Jumping Jupiter.

It is important to think carefully about the qualifications, experience and qualities the applicant must have. You will need to **determine whether the role** will require a current Working with Children Check. You will also need to think about the level of supervision and support the role will require. Employing someone who is not suitably qualified or experienced, or not providing them with enough support to perform the role, may place staff and volunteers under stress that could lead to inappropriate behaviour or lead them to hide their mistakes or concerns.

Each role should have a position description that states:

- the organisation's commitment to child safety
- the duties and tasks of the role
- the qualifications, experience and attributes required
- whether the position is subject to a satisfactory criminal record check or a Working with Children Check
- the clear expectation that staff and volunteers must have, and maintain, a commitment to child safety, equity and inclusion, and cultural safety
- the level of responsibility and supervision associated with the role
- the obligation to abide by the Child Safety and Wellbeing Policy and the Code of Conduct and all child safe policies and procedures.

**Even if the role does not have direct contact with children, it is still important to assess how suitable the person is to work in an organisation that provides services or engages with children. Child safety is everyone's responsibility.**

## Advertising

Job advertisements should clearly state the organisation's commitment to child safety and wellbeing and zero tolerance for child abuse and harm. It is also good practice to include a statement of your organisation's commitment to providing an inclusive and welcoming environment and promoting cultural safety for children. This should be included in all advertisements, position descriptions and other related documents. The advertisement should include the screening requirements required for the role, including the requirement for reference checks. By including this in job advertisements the organisation's expectations are made clear from the start and may discourage unsuitable applicants from applying.

## Assessing the application

You should carefully assess the application before progressing to the interview stage. Look out for any red flags that you will need to ask about in the interview. These could include unexplained gaps in work history, inconsistencies in the information provided, or things that do not sound quite right.

Try to get a sense of the values of an applicant to help assess their suitability (values-based interviewing). Important areas to ask about include:

- why they want to work or volunteer with children
- their understanding of children's physical and emotional needs
- past misconduct or offences
- their understanding of professional boundaries between adults and children
- attitudes to children's rights and how they can be upheld
- understanding of, or willingness to learn about, the importance of cultural safety for Aboriginal children
- understanding of, or willingness to learn about the diverse needs of children
- whether their values and past behaviour align with a commitment to child safety and zero tolerance of child abuse and harm.

**Think carefully about who will be on the interview panel and ensure they have the right skills, experience and information to perform their role. Some organisations include children on interview panels or as part of the recruitment process. This can provide a real opportunity for children to actively participate in your organisation and have a say about decisions that impact them.**

## Reference checks

Failing to properly check references can compromise child safety. Checking references allows you to confirm the applicant's information and explore any concerns you might have about their responses. You should request that one referee is the applicant's current supervisor. You should also ask whether the referee has directly supervised the applicant and has observed their interactions with children. A current assessment of their performance is invaluable.

If you are provided with a written reference, contact the referee to verify. It is best practice to ask for a verbal reference rather than relying on a written one.

You should ask the referee direct questions that assess the applicant's suitability to work with children. Questions could include:

- What level of contact has the applicant had with children in their role?
- Have you observed the applicant interacting with children and/or managing the behaviour of children?
- Are you comfortable knowing they might sometimes be working alone with children?
- Do you have concerns about them working with children?
- Did you have any disciplinary matters relating to the applicant or concerns about their adherence with the organisation's Code of Conduct?
- Would you employ them again?

How the referee answers these questions can lead to further discussion to flesh out anything that needs more explanation.

You should take steps to check the identity of the applicant and that the employment history and qualifications are accurate.

The recruitment process should be documented and include records of interviews, reference checks and inductions.

Make sure staff participating in the recruitment process are properly supported. For example, they may need guidance or training on how to conduct values-based interviewing and child safe reference checks.

**Your organisation should have processes in place to help select third-party contractors. You will need to conduct a risk assessment of the types of services that you are contracting for and the level of contact the contractor or their staff will have with children. The risk assessment may indicate that you will need the contractor to go through a child safe selection process as outlined above.**

**For more information about third-party contractors and risk assessment refer to [Standard 9](#).**

## Working with Children Check or equivalent background checks

A Working with Children Check is a screening process for assessing or reassessing people who work with or care for children in Victoria. It assesses the criminal history and relevant disciplinary or regulatory<sup>161</sup> findings of applications to assess suitability. The check aims to prevent people from working or volunteering with children if an assessment of their records signals they may pose an unjustifiable risk to children. A Working with Children Check is different from a Police Check because it monitors on an ongoing basis for any new relevant offences or negative disciplinary or regulatory findings. New charges, convictions or findings relevant to the Working with Children Check may cause a re-assessment of the person's eligibility to hold a valid check.

People engaged in child-related work, specifically those services, places, bodies or activities that involve direct contact with children, are required by law to hold a valid Working with Children Check. Direct contact includes face-to-face, written, oral and electronic communication. It should not include contact that is incidental to a person's work. For more information on who is legally required to hold a valid Working with Children Check refer to [Working with Children Check Victoria](#).

Organisations can also require their staff or volunteers to have a valid Working with Children Check, even if they are not legally required to. Your organisation should consider the sort of role and risks to children when deciding this. Requiring staff and volunteers to obtain a valid Working with Children Check sends a clear message about the importance of child safety and wellbeing to your organisation's community.

A Working with Children Check is useful for keeping children safe in your organisation. However, it does not assess a person's suitability to work with or care for children in a particular role. The Royal Commission into Institutional Responses to Child

Sexual Abuse (the Royal Commission) found there was a widespread over-reliance on the Working with Children Check as the only employment screening tool and that this could be dangerous. It found the majority of those who abused children did not have prior convictions and would not have been detected as a risk by these screening processes.<sup>162</sup>

If your organisation does require staff and volunteers to hold a valid Working with Children Check you will need to have processes in place to monitor any updates or changes on the person's record. You will need reminders for staff and volunteers to renew the check before it expires. You should also remind staff of their responsibility to maintain accurate employment and volunteer information on their check so you can be told if the check is revoked or becomes invalid.

It is the responsibility of your staff and volunteers to notify Working with Children Check Victoria that they have started a new role. They can do this by updating the information on their online profile. Unless this is completed your organisation will not be notified of any changes or updates to the person's check. Your organisation should be notified when it is added to a person's Working with Children Check. Once your organisation has been added you can also check the person's status on the [Working with Children Check website](#).

For some roles, your organisation may also require staff and volunteers to obtain a Police Check. For example, an organisation might want to know about fraud offences when recruiting someone who will have access to cash or expensive goods. A Working with Children Check only considers certain offences that represent a risk to the safety of children, such as serious sexual, violent and drug offences. A Police Check is different from a Working with Children Check as it is not an assessment by a government agency. It provides a list of any offences a person has committed at the time the Police Check is done. More information on Police Checks can be obtained from [Victoria Police](#).

<sup>161</sup> Regulatory or disciplinary findings are sanctions or restrictions imposed on people who work with children in certain areas. These include findings or actions taken by the Commission for Children and Young People, the Victorian Institute of Teaching and the Suitability Panel, in respect of the Reportable Conduct Scheme, teacher registration and suitability to be a foster carer. See [Worker Screening Regulations 2021 \(Vic\)](#) regs 8 and 9 for more detail.

<sup>162</sup> Commonwealth of Australia, Royal Commission into Institutional Responses to Child Sexual Abuse, [Working with Children Checks Report](#), 2015.

A spent conviction is a conviction for an offence that a person was found guilty of and that no longer appears on most criminal record checks. Changes to the law in 2021 recognised that people should not be treated unfavourably because of a previous criminal spent conviction to help them move on with their lives and be part of society.

You can find out more information on spent convictions from the [Victorian Equal Opportunity and Human Rights Commission](#). The Department of Justice and Community Safety has released a [Fact sheet](#) to assist employers.

Some roles have contact with children, but do not require a Working with Children Check or a Police Check by law. If your organisation decides not to require either of these checks, you will need to be clear how to manage risks to children without the information you would receive from these screening processes.

Some professions also have registration processes that include an assessment of their appropriateness to work with children or other vulnerable groups of people including:

- teacher registrations through the [Victorian Institute of Teaching](#)
- health practitioner registrations through the [Australian Health Practitioners Regulation Agency](#)
- disability workers through the [Victorian Disability Worker Commission](#) and the [National Disability Worker Screening Check](#).

You will need to consider if any of the above screening and registration requirements apply to the position and how they will be monitored in your organisation. For more information check with the relevant registration body.

**Requiring a Working with Children Check is only one part of building a child safe organisation. It needs to be used together with child safe recruitment processes, induction and ongoing supervision of staff.**

## Staff and volunteer induction and training in responsibilities to children

### Induction

Staff and volunteers must be appropriately inducted into their roles and the organisation, so they understand their responsibilities to children and how to create a safe environment for them. This must include an overview of your organisation's Child Safety and Wellbeing Policy and Code of Conduct. The induction must also include information about your organisation's complaint handling policy, reporting and child information sharing obligations. Staff and volunteers should receive clear information on what to do if they have a child safety or wellbeing concern. For more information about complaint handling and reporting see [Standard 7](#).

How an organisation approaches induction will depend on the role, the type of organisation and the risks to children. It may be as simple as asking new staff or volunteers to read the relevant policies and procedures and having a manager check they understand them. Alternatively, they may sign an agreement to follow the policies and procedures and the Code of Conduct. Other organisations may require staff to complete online training modules or face-to-face training that covers the child safety and wellbeing policies in detail. Induction could include a probation period and supervision.

### Record keeping

Staff and volunteers should receive guidance on the importance of keeping accurate records and your organisation's child safe record keeping policies and practices. Organisations should provide clear guidance about what, how and where information should be stored. Staff and volunteers should understand that children may wish to access their records in the future and any case notes or other documents should be written with this in mind. For more information about record keeping refer to [Standard 2](#) and [Standard 7](#).

### Information sharing and reporting obligations

Staff and volunteers should be provided with information to understand their reporting obligations both within the organisation and to external bodies like Child Protection and Victoria Police.

It is important that staff and volunteers also understand their legal obligations when requests to provide information or to seek information are received. These obligations may arise because of a Child Protection investigation, or through the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme. Your organisation should also have clear internal reporting and information sharing requirements.

See [Standard 2](#) and [Standard 7](#) for more information about record keeping, information sharing and reporting obligations.

### Supervision and people management

A risk assessment (see [Standard 9](#)) will help you decide what level of ongoing supervision and management is necessary to ensure staff and volunteers continue to perform their role in a way that promotes child safety and wellbeing. Some ways to support supervision and people management practices to promote a child safe culture in your organisation include:

- staff contracts clearly set out child safety performance standards and how they will be assessed
- regular supervision sessions between managers and individual staff that include consideration of child safety and wellbeing
- guidance for managers on what steps they should take when managing a staff member whose behaviour raises child safety concerns, and when to escalate concerns about staff behaviour
- regular communication about the Child Safety and Wellbeing Policy and Code of Conduct with staff and volunteers. This could be in supervision meetings, at staff meetings, in newsletters and staff updates

- refresher child safe training for staff and volunteers
- child safety and wellbeing as a regular agenda item for staff meetings at all levels of the organisation
- professional development plans for staff that include child safety and wellbeing goals.

Supervision of staff and volunteers can be conducted in many ways including:

- managers checking with children and families about the performance of staff and volunteers and asking for feedback
- regular face-to-face, phone or online meetings between managers and their staff or volunteers
- formal or informal observation of staff and volunteer activities
- performance plans that include meeting expected child safety requirements.

This should all be supported by training for managers and systems for gathering information on their conduct and any concerns raised.

Staff and volunteers should have opportunities to discuss issues and raise concerns with their managers and supervisors. Managers should also take early action to provide feedback and correct any unsafe or concerning conduct by staff and volunteers before they harm children.

Your organisation should also have a focus on identifying training needs to support staff and volunteers to have the knowledge and skills they need to keep children safe.

The Commission for Children and Young People has developed a [Practical guide to choosing, supervising and developing suitable staff and volunteers](#) for further information.

## Standard 7

Processes for complaints and concerns are child-focused



**In complying with Child Safe Standard 7 an organisation must, at a minimum, ensure:**

- 7.1** 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.
- 7.2** Effective complaint handling processes are understood by children and young people, families, staff and volunteers, and are culturally safe.
- 7.3** Complaints are taken seriously and responded to promptly and thoroughly.
- 7.4** 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.
- 7.5** Reporting, privacy and employment law obligations are met.

## Compliance indicators

### What the Commission will look for when assessing this Standard

Organisations will generally comply if they produce these documents and undertake these actions in a way that supports the organisation to achieve this Standard.<sup>163</sup> The nature or characteristics of your organisation may mean you need to do something different to what is proposed in this guide. If so, you may have to explain how your approach complies with the outcomes and the minimum requirements of the Standards.

#### DOCUMENTS

- The complaint handling policy is easy to understand, culturally safe, accessible and child-focused. The complaint handling policy:
  - includes information on how adults and children can make a complaint and how the organisation will respond to and investigate complaints in a prompt and thorough way (7.1, 7.2, 7.3)
  - creates a complaints process that is accessible to the full diversity of children, staff, volunteers, families and communities (7.1)
  - covers alleged abuse and harm of children by adults and by other children (7.1, 7.4)
  - covers breaches of the organisation's Code of Conduct (7.1)
  - sets out what support and assistance will be provided for those making a complaint (7.1)
  - outlines how risks to children will be managed when a complaint is raised and an investigation is underway (links to Standard 9)
  - covers record keeping obligations (7.2 and links to 2.6)
  - supports privacy and employment law obligations to be met. (7.5)
- Documents, in print or online, describe the complaints process for staff, volunteers, children, families and communities. (7.1, 7.2)
- Policies and procedures include information about when complaints should be reported to authorities, including Victoria Police, Child Protection and the Commission for Children and Young People. (7.5)
- Disciplinary policies support the organisation to take action when a complaint is raised. (7.1)

<sup>163</sup> Some sectors and organisations have co-regulators, in addition to the Commission, that have issued specific guidance. Where a co-regulator's guidance on the Standards applies to your organisation, and is different to this guide, your organisation should follow that co-regulator's guidance.

## ACTIONS

- The organisation makes information about how to make a complaint available and accessible to everyone involved with the organisation. (7.2, 7.4)
- The organisation provides staff and volunteers with support and information on what and how to report, including to authorities outside the organisation. (7.1, 7.3, 7.4)
- Complaints are taken seriously, meaning the organisation consistently:
  - identifies and manages any risks to children
  - responds to complaints promptly and thoroughly
  - prioritises the safety of children and also meets privacy and employment law obligations
  - supports everyone involved in the complaints process
  - reports complaints of alleged abuse or harm of children and concerns about child safety to the authorities and cooperates with law enforcement. (7.1, 7.3, 7.4, 7.5 and links to Standard 9)
- Records are kept of complaints made to the organisation, including concerns raised about the safety of children and disclosures about alleged abuse or harm of children, and actions taken to respond. (7.3 and 2.6)
- Children, families and communities are consulted when designing and reviewing complaint handling policies and procedures. (7.2 and links to 4.3)
- The organisation reviews complaint handling policies and procedures at regular intervals. (7.1 and links to 10.1)

## Introduction

A child safe organisation encourages and welcomes the reporting of concerns, responds to complaints promptly, thoroughly and fairly, and takes immediate action to protect children at risk.

The *Betrayal of Trust* inquiry and the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) found that many organisations with a high level of responsibility for children did not have a child abuse reporting policy in place. They also found that where policies were in place, there was a lack of clarity around how staff and volunteers were required to respond if they had concerns about the safety of a child.<sup>164</sup>

Having clear and well communicated policies and procedures for raising a complaint, concern or allegation significantly increases the likelihood that reports will be made. Your complaint management system should uphold the rights of children, including their right to participate and their right to be safe. Making a complaint can be hard, so procedures need to be child-friendly and accessible to everyone in your organisation. Child safety and managing risk to children must be your organisation's priority.

Organisations vary in size, complexity and the type of services provided to children so there is no one-size-fits-all approach to developing a complaint handling system. Some organisations may choose to develop a complaint policy covering all kinds of complaints, while others may prefer to have a separate policy for allegations of child abuse and harm.

You may also choose to develop a stand-alone policy or process that is aimed at children. This could be a simple flowchart or poster that provides clear information about what they can do if they have a complaint or concern. You may also choose to create separate information for parents and carers.

Your organisation must have clear policies and procedures so that:

- everyone in the organisation's community knows how to report abuse allegations and raise child safety concerns, and feels comfortable doing so
- everyone who reports allegations of abuse or child safety concerns feels supported and feels that a fair and thorough process is followed
- authorities (including Victoria Police) are notified of suspected abuse of a child.

To support organisations to build their capacity in handling complaints involving children and creating child safe cultures, the National Office for Child Safety commissioned the Office of the NSW Ombudsman to develop the [Complaint handling guide: upholding the rights of children and young people](#)<sup>165</sup> (the Complaint handling guide).

The Complaint handling guide has extensive practical advice for organisations about how to develop, implement and maintain a complaint handling system. Key parts of the Complaint handling guide are summarised in this chapter together with specific Victorian requirements. When taking action to implement Standard 7, organisations should refer to the Complaint handling guide as well as this guide.

When complying with Standard 7, the terms 'complaints' and 'concerns' should be interpreted broadly. A **concern** is any potential issue that could impact negatively on the safety and wellbeing of children. A **complaint** can include expressions of dissatisfaction about an organisation related to one or more of the following:

- the organisation's services or dealings with individuals
- allegations of abuse or misconduct by a staff member, a volunteer or another individual associated with the organisation
- disclosures of abuse or harm made by a child
- the conduct of a child at the organisation

<sup>164</sup> Family and Community Development Committee, Victorian Parliament, [Betrayal of Trust: inquiry into the handling of child abuse by religious and other non-government organisations](#), 2013, 2: p 336; and Commonwealth of Australia, Royal Commission into Institutional Responses to Child Sexual Abuse, [Final report: Volume 6, Making institutions child safe](#), 2017, p 206.

<sup>165</sup> Commonwealth of Australia, Department of the Prime Minister and Cabinet (DPMC), [Complaint handling guide: upholding the rights of children and young people](#), National Office for Child Safety website, 2019.

- the inadequate handling of a prior concern
- general concerns about the safety of a group of children or activity.<sup>166</sup>

## Creating a child-focused complaints culture

A child-focused complaint handling system depends on organisations also having a positive complaints culture.<sup>167</sup>

In organisations with a positive complaints culture:

- organisations demonstrate a practical commitment to children exercising their right to speak up
- organisations ensure that children not only are safe but also feel safe
- leaders actively communicate that complaints are welcome from anyone in the organisation's community, are taken seriously and are a valuable source of information which can help improve the organisation
- when a complaint is raised, the organisation deals with it promptly.

A positive complaints culture needs to be actively fostered with staff and volunteers at each level of the organisation.

To ensure the organisation has a child-focused complaints culture, it must have a focus on children and their safety reflected in the design and implementation of the complaint handling system as well as being embedded in policies, procedures, communication strategies and training.

## Creating a child-focused complaint handling policy

The complaint handling policy should outline the process for both adults and children to make a complaint or raise a child safety concern. The complaint process may be different for adults and children. The complaint handling policy should cover alleged abuse and harm of children by adults and by other children.

The policy should include the different types of complaints or concerning behaviour that can be reported and give clear information on what must be reported, including mandatory reporting obligations. Reporting to authorities such as Victoria Police and Child Protection should be explained. It should include information about the requirements of the Reportable Conduct Scheme for those organisations covered by that scheme. The complaint handling policy should also cover reporting of alleged or suspected breaches of the organisation's Code of Conduct.

Your organisation should identify how a report can be made, including, where relevant, the phone number to call or text or the email or postal address to use. Consider providing a range of methods to suit different abilities and communication preferences. Children should be able to make a complaint or raise concerns regardless of their age, ability or other personal characteristics. Some children might need more support than others to make a complaint or raise concerns about safety.

The complaint handling policy should set out who reports can be made to. You should carefully select these people because they need to be able to be trusted by children. Your organisation may choose to have a nominated child safety person(s) who receives specific training. Another option is for reports to be made to the head or senior member of the organisation. You should have more than one person able to receive reports in case a person wants to raise allegations or concerns about individuals who have the responsibility to receive reports. There should also be a process for raising allegations and concerns about the head of the organisation.

**'I made a complaint to [organisation] but nothing came from it, and I didn't see the point. It was an intimidating process. But then I met with [person], who I already knew, and I was more comfortable to share.'** – young person

<sup>166</sup> Adapted from DPMC, [Complaint handling guide: upholding the rights of children and young people](#), p 4.

<sup>167</sup> This section adapted from DPMC, [Complaint handling guide: upholding the rights of children and young people](#), pp 2–3.

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Children will often raise concerns with the person they trust most in the organisation. This can be the person they have the most contact with, even if there is a dedicated child safety person. This means all frontline staff and volunteers should see themselves as channels for complaints and know what to do if they receive one. The complaint handling policy must guide all staff and volunteers on how to sensitively receive a disclosure from a child and on how to provide ongoing support. This could be included in the body of the complaint handling policy or in information that is provided separately.

To be child-focused, your organisation's complaint handling policy should presume that all children are capable of being involved in the complaints process. The complaint handling policy should help staff and volunteers decide how to involve children in individual cases that affect them. It is also important to involve children when developing your complaint handling policy (in accordance with [Standard 3](#)). The Commission for Children and Young People's (the Commission's) [Empowerment and participation: a guide for organisations working with children and young people](#) provides you with support to help with this process. The [Complaint handling guide](#) also contains helpful guidance.

The complaint handling policy should include information on how the organisation will respond to a complaint or safety concern, what the roles and responsibilities are of leaders, staff and volunteers, what process will be followed to resolve the complaint, when an investigation will be conducted and how people will be supported when making a complaint or raising a safety concern.

Managing risks to children is critical when responding to a complaint or safety concern. The complaint handling policy should provide information on how to do this including taking action to deal with immediate concerns about the safety of children. For example, if an allegation of grooming is made against a staff member, your organisation needs to take action to reduce the chance that the staff member could groom other children while an investigation into the allegation is underway.

The complaint handling policy should also clearly explain record keeping and reporting requirements so there is proper recording and documenting of all complaints and related outcomes.

You can assess your organisation's current complaint handling policy and process by using the checklist for an effective complaint handling system in Appendix A of the [Complaint handling guide](#).<sup>168</sup>

### Creating accessible and culturally safe complaint handling policies and processes that are easily understood

Everyone in your organisation needs to know what to do, and who to go to when making a complaint.

Your organisation's complaint handling policy and processes should be accessible and culturally safe. Some organisations may choose to make their complaint handling policies and processes widely available, for example, by publishing on the organisation's website. Other organisations may only make key information available to the broader community.

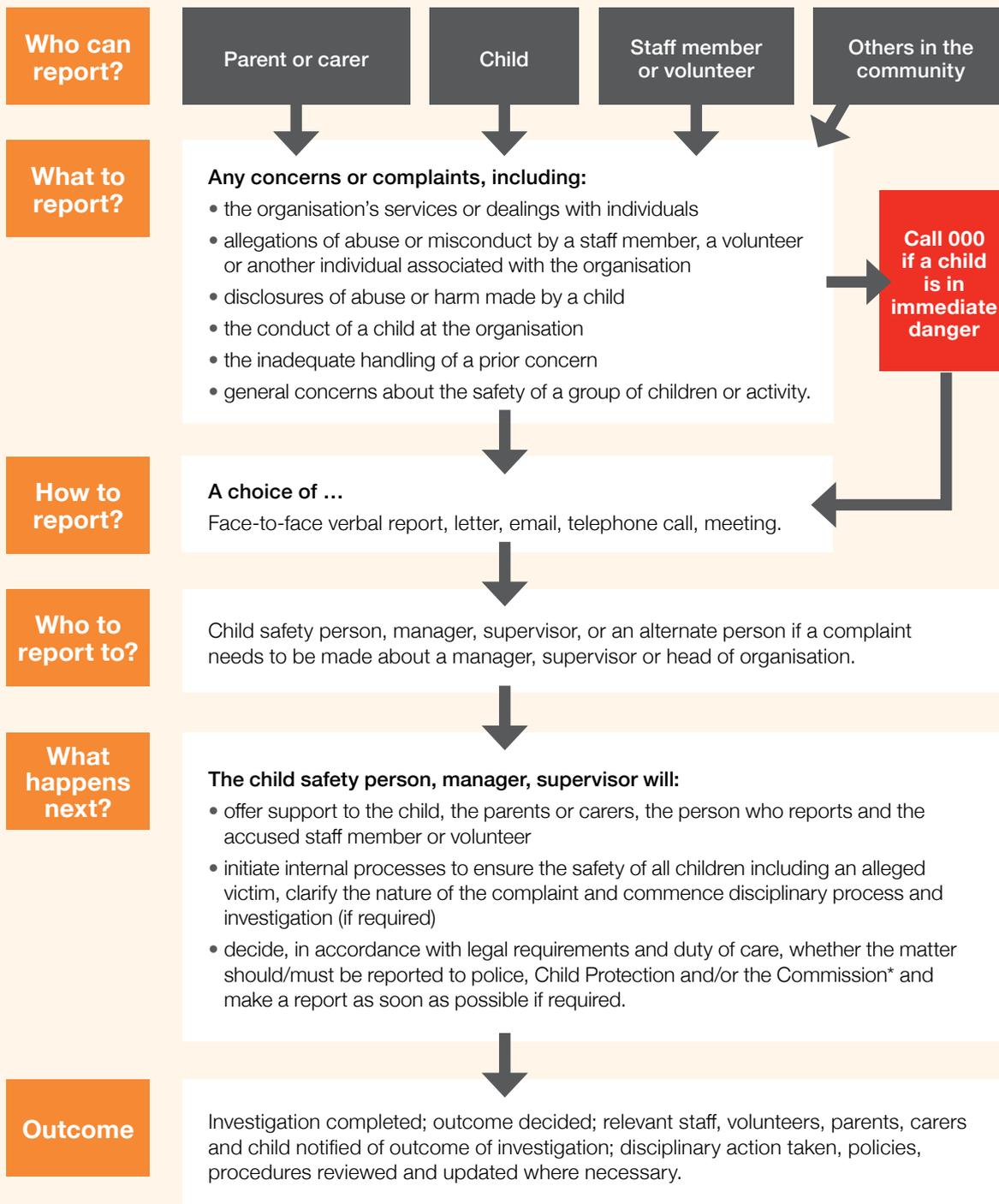
Staff and volunteers should have easy access to complaint handling policies and processes, such as having them included in induction packs for new starters and receiving regular reminders about where to find them. Restricting staff and volunteer access to the complaint handling policy is discouraged. For example, by limiting who can receive a copy or making people ask a particular staff member. This can make it hard to act quickly and effectively if an urgent issue arises and can also discourage complaints.

You should also provide key information on the complaint handling process for children and their families separately. This information should be easily understood, culturally safe and readily available.

<sup>168</sup> DPMC, [Complaint handling guide: upholding the rights of children and young people](#), Appendix A.

## Flowchart: child safety reporting process

This chart outlines a process for reporting to an organisation.



\* Applies only to organisations covered by the Reportable Conduct Scheme. Refer to the Commission's website for details.

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Children, their families and carers should be given information about how to make a complaint or raise a safety concern without having to request this from the organisation. They need information about the different ways they can raise concerns, who will be responsible for dealing with their complaints, and what the complaints process is. This helps them have the information they need if there is an urgent child safety issue and feel empowered to take action if they are worried.

It is important that the way children can make complaints makes sense to them. You should think about how they communicate and include these methods, for example, allowing them to make a complaint by text message. You will need to monitor these methods to avoid missing any complaints.

The complaint handling process should be easy to understand, and available in an age-appropriate format for the children within your organisation. The [Complaint handling guide](#) includes key information about complaints, in child-friendly language, that children should be told about.<sup>169</sup> Providing a flowchart showing the process can also help people understand.

Your complaint handling policy needs to support an inclusive and respectful complaint handling system. [Standard 1](#) and [Standard 5](#) provide more information on being inclusive and respectful.

You need to make sure children and adults with disability can access information and raise complaints or safety concerns. You are required to make reasonable adjustments throughout your organisation's complaints process so that any barriers to full participation are removed.<sup>170</sup>

As discussed in [Standard 5](#), children from particular backgrounds or with particular lived experiences may face extra barriers to reporting abuse.<sup>171</sup> The complaint handling policy needs to support an accessible and culturally safe process for everyone in the organisation's community. [Standard 1](#) and [Standard 5](#) provide more information on inclusion, accessibility and cultural safety.

## How to respond to complaints and safety concerns

The following actions should occur as part of your organisation's complaints process and be included in your complaint handling policy:

- receiving a complaint
- record keeping
- initial response and risk management
- reporting
- providing ongoing support
- investigation
- outcomes and sharing information.

The [Complaint handling guide](#) has detailed information to help you know how to respond to a complaint or safety concern. It also has a useful step-by-step process that could be used as the basis for your organisation's own procedures.<sup>172</sup>

**'Trust is established through the actions taken by an organisation once a complaint is made. If there is no follow-up and ongoing communication on the case after a complaint is made, then trust can be broken and may be difficult to achieve.'** – parent's organisation representative

It is important for organisations to take a trauma-informed approach at each stage of the complaints process. Understanding the impacts of trauma on children will help organisations include children in complaints processes and reduce the chance of increasing any existing trauma or causing further trauma.

<sup>169</sup> DPMC, [Complaint handling guide: upholding the rights of children and young people](#), Appendix C.

<sup>170</sup> Australian Human Rights Commission (AHRC), [Equal before the law: towards disability justice strategies](#), 2014, p 10.

<sup>171</sup> Commonwealth of Australia, Royal Commission into Institutional Responses to Child Sexual Abuse, [Final report: Volume 4, Identifying and disclosing child sexual abuse](#), 2017, p 3.

<sup>172</sup> DPMC, [Complaint handling guide: upholding the rights of children and young people](#), Appendix B.

## TOOLS AND TIPS

### Creating a child-focused and accessible complaint handling process

#### Designing the process

- Start by thinking that all children are capable of being involved in the complaints process.
- Never dismiss or give less value to the views or statements of children just because they are not adults.
- Involve children in the design, implementation and ongoing improvement of the complaint handling process.
- Invite children and parents and carers to raise any concerns they have as part of regular check-ins.
- Include information about making complaints in the 'contact us' or 'feedback form' page on your organisation's website and email signature block.
- Think about the barriers that may stop someone from giving feedback, raising concerns or making a formal complaint. How can you change your process to account for those barriers?
- Use different ways to explain the process. These may include posters, artwork, photos of positive complaint images, videos and newsletters. Display these in accessible and visible locations.
- Provide both written and verbal communication options, for example, having both a child safe person to speak to and providing a contact number for text messages.

#### Making a complaint

- Listen to what the person making the complaint, including a child, says without judgement and take these views and any allegations seriously.
- Encourage honesty and openness and be clear about the things that children have a control over or a say in, and those where they do not.
- Allow enough time for any discussions with children during the complaints process.
- Think about how and where you will have discussions. Is the venue appropriate? Is the space private? Is it a comfortable and safe space? What support could be provided for the discussion (for example, translators, a support person or visual aids).
- Be clear about what is going to happen in the process, check that the child understands and ask if they need any other support.
- Explain how they can participate, what is likely to be involved and what might be required of them.
- Ask the child how they would like to be kept informed and check in regularly in case things change.
- Check who they would like to support them throughout the complaints process and what might help them feel safe and comfortable.
- Provide information about what further steps they can take if they are not satisfied with the outcome of the complaints process.

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A trauma-informed approach to complaints:

- recognises that emotional, physical or sexual abuse and other negative life experiences such as racism or violence constitute a trauma
- understands that the impact of abuse on children can be profound, especially when it occurs at developmentally vulnerable times of their life
- uses strategies to help children participate in complaints processes without causing further trauma.<sup>173</sup>

The Commission's [Guide for including children and young people in reportable conduct investigations](#) has information on trauma and taking a trauma-informed approach that is helpful for all sorts of complaints and investigations involving children.

This guide's section on [Child abuse and harm](#) also has further information on taking a trauma-informed approach.

### Receiving a complaint

Making a complaint and raising safety concerns is not easy, particularly for children. Submissions to the Royal Commission showed that:

- many victim-survivors feel shame, fear and self-blame, so they often do not report being harmed by an adult – particularly in the case of sexual abuse
- many victim-survivors often do not tell anyone that an adult is harming them because they do not believe there is anyone to tell
- when victim-survivors do disclose abuse, many report being viewed with suspicion and not being believed.<sup>174</sup>

Children raising complaints and safety concerns or disclosing abuse should be treated with sensitivity and given support. You should connect children and their families with services that can support them to manage difficult or traumatic experiences.

It is very important that an organisation validates a child's disclosure, no matter how the individual receiving the disclosure might feel about it. This means listening to the child, taking them seriously and responding to and acting on the disclosure by following reporting and response procedures.

Actions to take if a child raises a complaint or safety concern, or discloses abuse, include:

- let the child talk about their concerns in their own time and in their own words. Give them full attention, time and a quiet space in which to do this
- maintain a calm appearance and do not be afraid of saying the 'wrong' thing
- be supportive, reassuring and comforting if they are upset
- tell them it is not their fault and that they were right to tell you
- ask open-ended questions and not leading questions
- do not make promises you cannot keep
- let them know you will act on this information, that you may need to let other people know, and explain why that is the case
- write down what the child told you as soon as you can, using their words as best as you can remember. Take note of their behaviour and appearance at the time
- take notes of physical evidence, for example, bruising if the child shows you
- help the child and their family to get appropriate support, such as counselling
- thank or commend the child for helping make your organisation safer.<sup>175</sup>

The Australian Institute of Family Studies has a helpful [poster](#) about responding to children's disclosures of abuse that you could put in your staff and volunteer break room or provide in induction packs.<sup>176</sup>

<sup>173</sup> Adapted from Commission for Children and Young People, [Guide for including children and young people in reportable conduct investigations](#), 2019.

<sup>174</sup> Royal Commission, [Final report: Volume 4, Identifying and disclosing child sexual abuse](#).

<sup>175</sup> Adapted from Australian Government, Australian Institute of Family Studies (AIFS), [Responding to children and young people's disclosures of abuse](#), CFA Practitioner Resource, 2015.

<sup>176</sup> AIFS, [Responding to children and young people's disclosures of abuse](#).

The [Complaint handling guide](#) has a template your organisation can use to make a record of complaints.<sup>177</sup>

Complaints, safety concerns and disclosure of abuse may also be raised by adults. Adults may be victim-survivors of abuse suffered when they were a child and should also receive a sensitive, respectful and supportive response from the organisation. It is important to understand that it can take time for victim-survivors of child abuse and harm to come forward and report. The Royal Commission found that it is common for victim-survivors not to disclose child sexual abuse until many years after the abuse occurred. On average it took 23.9 years for those the Royal Commission spoke with to tell someone about their abuse.<sup>178</sup>

Helping staff and volunteers know about indicators of abuse helps them be proactive and reduce reliance on children disclosing abuse. It is important to note that children may disclose abuse through emotional or behavioural cues, such as anxiety, withdrawal or aggression. You can find information on indicators of child abuse and harm in [Child abuse and harm](#).

An organisation might also learn about child abuse and harm through:

- disclosure by another victim
- a witness who sees the abuse or other evidence, such as a photo
- physical evidence, such as an injury, a sexually transmitted infection or pregnancy
- disclosure by the perpetrator
- other evidence, such as child sexual exploitation material
- adults recognising non-verbal or behavioural clues that a child has been abused.

Your complaint handling policy should make it clear that families, staff, volunteers or other children can raise a complaint on behalf of an alleged victim, and that safety concerns in the organisation should be acted on regardless of whether the child has come forward.

## Record keeping

It is important to create, keep and store accurate and timely records following a complaint of child abuse or harm. A good record keeping system is central to transparency and accountability, and to the overall integrity of your organisation.<sup>179</sup>

Your organisation should be familiar with any record keeping obligations that apply. Obligations can come from legislation, professional standards or contractual/funding agreements.

Refer to your organisation's approach to record keeping in your complaint handling policy so everyone is clear on their obligations. Make sure that people in your organisation like staff or volunteers are properly trained in how to meet record keeping obligations.

Full and accurate records should be created about all complaints or safety concerns that are raised. Records should be kept even if an investigation does not uphold a complaint. Documents and other types of records should be kept so there is a full account of how the complaint or safety issue arose, what response was taken and what happened. This includes:

- all letters or emails raising, or about, a complaint or safety concern
- notes of meetings or conversations where complaints or safety concerns are raised or discussed
- incident reports, witness statements, transcripts or notes of interviews with witnesses, or submissions
- investigation reports as well as briefings, notes, letters or other records created as part of an investigation
- referrals to authorities, copies of information shared with authorities and records of any interactions with authorities
- reports received from medical practitioners, health professionals, psychologists, teachers, coaches, social workers, legal officers, counsellors, chaplains and case officers in

<sup>177</sup> DPMC, [Complaint handling guide: upholding the rights of children and young people](#), Appendix M.

<sup>178</sup> Royal Commission, [Final report: Volume 4, Identifying and disclosing child sexual abuse](#), p 9.

<sup>179</sup> The information in the record keeping section has been adapted from, Public Record Office of Victoria, [Creating, managing and retaining records for current or future child sexual abuse allegations](#), 2020.

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relation to a complaint or safety concern

- records about support provided to any parties and any other action taken in response to the complaint or safety concern (such as compensation, redress, counselling, apologies and acknowledgements, insurance claims and assessments)
- records of proceedings or decisions by bodies, tribunals or courts.

In addition, relevant records which may help with the investigation of a complaint or safety concern should be identified and kept as part of the investigation record. For example:

- rosters, sign on sheets, personnel records of employees and volunteers (including relevant security checks and Working with Children Check), records detailing student work placements
- enrolment, attendance and absence records of children
- permission forms from parents and carers
- surveillance images and footage
- program flyers, location maps, photographs of the environment
- or any other supporting documentation you think is relevant to the child and complaint.

**You should also keep records that may include information that is not written, such as maps, images, photographs or audio and video recordings.**

It is important to keep good records of all stages of the complaint process. Your notes should be detailed, objective and include the context and supporting information so they form good evidence if needed. Notes should be dated and clearly list the details of participants and witnesses. It is good practice to create and implement a checklist for documentation for handling complaints to make sure consistent records are maintained.

Clearly document and keep the outcome of any investigations, or the resolution of the complaint, including any findings made, reasons for decisions and actions taken.

Document and keep information about the organisation's response to the investigation or complaint and what further actions, if any, are taken. This may include whether the complaint led to a review of your risk management plan or Child Safety and Wellbeing Policy and practices.

In line with the [Complaint handling guide](#) and [Public Record Office of Victoria guidelines](#) ensure that all records are maintained with context in an 'indexed, logical and secure manner'.<sup>180</sup> Records should be kept securely so they cannot be interfered with or destroyed.

If you create and keep accurate and detailed records and useful statistical data about complaints and safety issues, you will also be able to identify trends in the types of complaints. These trends can be used to inform your ongoing child safety and wellbeing risk management strategies to prevent, identify and mitigate risks to children.

The organisation's leaders must have oversight of complaints raised, and governance systems should allow reviews of how complaints were handled to provide quality assurance and enable continuous improvement. Refer to [Standard 10](#) for more information about the review process.

In Victoria there is no time limit on when a person can bring a civil action based on a child abuse claim. It can be a criminal offence to destroy evidence required for a legal proceeding.<sup>181</sup> The Royal Commission recommended that records relating to child sexual abuse be kept for 45 years; however, this may not be long enough given the potential lifespan of children today, and that we know many people can take decades to disclose abuse.

Refer to the chapter on record keeping and complaints data in the [Complaint handling guide](#) for more information.

<sup>180</sup> DPMC, [Complaint handling guide: upholding the rights of children and young people](#), Guideline 9.

<sup>181</sup> Section 254, [Crimes Act 1954 \(Vic\)](#).

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The Public Records Office has also produced guidance on [Creating, managing and retaining records for current or future child sexual abuse allegations](#). This is aimed at public sector organisations but can be useful for all organisations.

Refer to [Standard 2](#) and [Standard 6](#) for more information about record keeping.

### Initial response and risk management

Taking action to prioritise children's safety should be the organisation's focus once a complaint or safety concern has been raised.

It is important to take a moment to assess the immediate risks so these can guide the next steps your organisation takes. You will need to assess the risks to the safety of all children (not just the alleged victim) and any other affected people. The risks will depend on the nature and seriousness of the allegation or complaint (see [Standard 9](#) for more information about risk management). The [Complaint handling guide](#) also has a useful checklist.<sup>182</sup>

Depending on the nature and seriousness of the complaint or safety concern you may need to:

- arrange urgent medical assistance by:
  - administering first aid
  - calling 000 for an ambulance and following any instructions from emergency service officers/paramedics
- call 000 for urgent Victoria Police assistance if you have concerns that are life threatening or posing an immediate risk to the health and safety of anyone
- tell the child's parents and carers about the complaint or safety concern, unless the disclosure is related to abuse within the family
- keep children in the organisation safe, including while the complaint is investigated

- consider if evidence needs to be immediately secured (for example, CCTV footage, emails, downloads) to preserve any future investigation (criminal, child protection or organisation) from being compromised
- report to authorities – see below for further information.

You may need to manage risks to children in your organisation posed by the subject of an allegation. Your organisation's response will depend on the nature of the allegations and the subject's level of engagement with, responsibility for and access to children and their information. Actions to manage this risk could include:

- standing down the subject of allegation during the investigation
- altering their duties including not permitting them to engage with children
- not permitting them to have unsupervised contact with children
- removing their access to any sensitive IT systems, files or facilities.

Risk management is ongoing. As your organisation collects more information about a complaint or safety concern, it is important to manage any new risks or issues that emerge.<sup>183</sup>

The Commission's [Guidance for organisations investigating a reportable conduct allegation](#) has some guidance on risk management during an investigation.<sup>184</sup>

### Reporting

Your complaint handling policy must address the process for reporting disclosures, complaints and safety concerns both:

- internally within your organisation, and
- to external authorities.

<sup>182</sup> DPMC, [Complaint handling guide: upholding the rights of children and young people](#), Appendix I.

<sup>183</sup> DPMC, [Complaint handling guide: upholding the rights of children and young people](#), p 57.

<sup>184</sup> Commission for Children and Young People, [Guidance for organisations investigating a reportable conduct allegation](#), 2018, p 19.

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Make it clear who has the responsibility in your organisation to receive disclosures, complaints and safety concerns, and to take action, so that your community know who they should report to. Staff and volunteers need to know who to report to if a child discloses abuse to them or they have concerns about a child. Families and children need to know who they can talk to if they want to make a complaint or report safety concerns.

Not all disclosures, complaints and safety concerns will need to be reported by an organisation to external authorities. However, they should all be taken seriously and considered internally by the organisation. Making an initial assessment will help responsible staff or volunteers make sure they follow the lines of reporting set out in the organisation's complaint handling policy and reporting obligations.

### Reporting to external authorities

An organisation's external reporting obligations will vary depending on the kind of organisation as well as the nature and circumstances of the complaint. Your policies and procedures should recognise that child safety is your main consideration when considering reporting to external authorities.

The complaints most likely to require external reporting involve allegations or suspicion of child abuse or harm, other child protection concerns, or other criminal conduct.

There are legal obligations in legislation that require mandatory reporting to Victoria Police, the Department of Families, Fairness and Housing, the Commission and some other regulators.

Sometimes it may not be a requirement for your organisation to report a complaint or concern to external authorities, but it may still be advisable to report so the safety of children can be prioritised.

Your complaint handling policy should outline the following key external reporting requirements:

### *Alleged or suspected criminal conduct*

Physical or sexual abuse, including grooming, of children is a crime and should be reported to the police.

Family violence, whether or not a child has been physically or sexually abused, is serious, affects children in the family and often involves criminal behaviour. If a concern relates to family violence it should be reported to the police.

If anyone is in imminent or immediate danger, call 000 immediately.

### *Failure to disclose a sexual offence*

If an adult reasonably believes a sexual offence has been committed by an adult against a child under the age of 16, they must report it to Victoria Police by calling 000 or going to their local station. Failure to disclose the information may be a criminal offence. The offence applies to all adults in Victoria, not just professionals who work with children, unless they have a reasonable excuse.

For more information refer to the [Failure to disclose offence](#) fact sheet.

### *Child Protection*

The Victorian Child Protection Service (Child Protection) is targeted to children at risk of harm or where families are unable or unwilling to protect them.<sup>185</sup> You should make a report to Child Protection if you have formed a reasonable belief that a child has suffered or is likely to suffer significant harm as a result of abuse or neglect and their parent has not or is unlikely to protect them from harm of that type.

Some groups of people have a mandatory reporting obligation which means they must:

- make a report to Child Protection if they believe on reasonable grounds that a child needs protection from physical injury or sexual abuse
- make the report as soon as possible after forming a belief
- make a report each time they become aware of any further grounds for the belief.<sup>186</sup>

<sup>185</sup> Adapted from Victorian Government, Department of Families, Fairness and Housing (DFFH), [Child Protection](#), Families and Children website, 2022.

<sup>186</sup> Adapted from DFFH, [Child Protection](#) and Victorian Government, Department of Families, Fairness and Housing, [Mandatory reporting](#), Children, Youth and Families website, 2020.

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Individuals who are required by law to report are:

- people in religious ministry
- registered medical practitioners
- nurses and midwives
- registered psychologists
- registered teachers, school principals, school counsellors
- early childhood teachers and workers
- approved providers and nominated supervisors of education and care and children's services
- police officers
- out-of-home-care workers (excluding voluntary foster and kinship carers)
- youth justice workers.

It may be a criminal offence for people in these groups not to report to Child Protection. The obligation to report is a personal one, meaning it cannot be delegated. It is your responsibility to make sure that the report to Child Protection has been made.

For more information go to [Mandatory reporting](#).

Although certain professionals are covered by mandatory reporting obligations, any person can make a report to Child Protection at any time.

For more information and contact details for Child Protection during business hours, visit the [Department of Families, Fairness and Housing](#) (DFFH) website. After hours or in emergencies, contact the Child Protection Emergency After Hours Service on 13 12 78 or call 000 to report to Victoria Police if there is immediate or imminent danger.

### *Child in need of therapeutic treatment*

Any person who believes on reasonable grounds that a child aged over ten but under 18 has been exhibiting sexually abusive behaviours and may need therapeutic treatment may make a report to Child Protection. For more information about how to respond to complaints about children displaying harmful sexual behaviour refer to the [Complaint handling guide](#).<sup>187</sup>

Notifications can be made by contacting your local DFFH division.

### *Reportable Conduct Scheme*

Some organisations must comply with reporting obligations under Victoria's Reportable Conduct Scheme (the Scheme). The Scheme requires heads of organisations to notify the Commission about any reportable allegations that an organisation's workers or volunteers have committed child abuse or child-related misconduct within three days of becoming aware of the allegation. The organisation must also investigate these allegations (after receiving clearance by Victoria Police) and report its findings together with any actions taken to the Commission.

For more information go to [Who does the Scheme apply to?](#) and [Reportable Conduct Scheme](#).

### *Other reporting obligations*

Some types of organisations have additional reporting requirements to other regulators. These include:

- early childhood services regulated by the [Department of Education and Training](#)
- schools and other education or training organisations registered with the [Victorian Registration and Qualifications Authority](#)
- schools and early childhood services that employ teachers registered with the [Victorian Institute of Teaching](#)
- disability services regulated by the [NDIS Quality and Safeguards Commission](#)
- some organisations that employ disability workers who must report to the [Victorian Disability Worker Commission](#)
- some organisations engaging health practitioners who must report to the [Australian Health Practitioner Regulation Agency](#).

<sup>187</sup> DPMC, [Complaint handling guide: upholding the rights of children and young people](#), pp 24–25.

## Cooperating with law enforcement and regulators

Your organisation must cooperate with Victoria Police, Child Protection, the Commission and other authorities that have a role in responding to complaints and concerns so that children's safety is prioritised. They may need to investigate and would benefit from your organisation's support and assistance to identify and contact witnesses and gather or retain evidence.

Once an organisation has made a report to Victoria Police or Child Protection, it should not investigate the allegation without consulting them first. If a criminal or Child Protection investigation is underway, there is a risk that an investigation by the organisation could negatively impact future police action or put children at risk. If there is any doubt about whether actions by the organisation might negatively impact a later investigation, consult with the relevant external authority or law enforcement body first.

If your organisation thinks urgent action is needed to protect someone, contact Victoria Police and/or Child Protection. Your organisation should also have processes to escalate action to senior leaders in the organisation if there is an urgent safety issue.

### Provide support

Experiences of child abuse and harm can cause trauma and significantly impact the mental health and wellbeing of children. Sometimes complaints may be raised by adults about events that happened when they were a child.

It can also be stressful where other children are involved in safety incidents, for example, as witnesses or if a friend discloses abuse to them.

Staff, volunteers and the subject of the allegation may also need support.

Immediate support after a complaint has been raised as well as throughout an investigation and afterwards may be appropriate.

It is important that providing support forms part of your complaint handling policy. Your organisation should make sure that those impacted are given appropriate support or referred to an organisation that can support them. Some may benefit from a referral for counselling which could be a one-off session with a qualified counsellor, or something more ongoing.

If a child or their family would benefit from a referral to a support and/or counselling service, staff and volunteers should discuss this with them and help them by making the referral.

Examples of support services include:

- private or family counselling services
- established wellbeing and support services in your organisation such as student counsellors or wellbeing staff and assistance programs
- family services through the [Orange Door](#)
- organisations specialising in supporting victims of abuse and complex trauma such as [Blue Knot](#) and [Centres Against Sexual Assault](#)
- support through the [Victims of Crime Helpline](#)
- telephone and online support services like [Lifeline Australia](#), [Kids Help Line](#), [headspace](#) and [Beyond Blue](#).

### Investigation

The Royal Commission heard evidence that some institutions dismissed, minimised or ignored complaints. The Royal Commission also found that some organisations failed victims because they did not establish adequate systems or knowledge to investigate properly.<sup>188</sup> The mishandling of complaints can mean that allegations of child abuse and harm are not properly investigated, and children not adequately protected.<sup>189</sup>

A range of different kinds of complaints and safety concerns will be raised with your organisation. All need to be investigated in some way, taken seriously and responded to promptly and thoroughly.

<sup>188</sup> Royal Commission, [Final report: Volume 7, Improving institutional responding and reporting](#), 2017, pp 164–165.

<sup>189</sup> Royal Commission, [Final report: Preface and executive summary](#), 2017, p 30.

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If a complaint raises concerns about the safety of children or allegations of misconduct or other concerning conduct about staff or volunteers, an investigation will usually be required. An investigation involves gathering and assessing evidence, speaking to witnesses, the alleged victim and the subject of allegation, making findings and taking action. An investigation enables the organisation to thoroughly look into what happened. It also provides all those involved the chance to share what they know and feel heard by the organisation.

The nature and extent of an investigation should generally be proportionate to the seriousness of the complaint and risks posed to children.

If the complaint involves a [reportable allegation](#), an investigation is mandatory for those [organisations required to comply with the Scheme](#).

The Commission has developed [guidance](#) for organisations to use when conducting investigations under the Scheme. This guidance can also be used by anyone conducting an investigation. The [Complaint handling guide](#) also has detailed guidance on investigations.<sup>190</sup>

Not all complaints or safety concerns need a formal investigation, and a different process may be appropriate. A complaint might be suitable for informal resolution if:

- the complaint – based on the available information – seems to have arisen from a minor misunderstanding or miscommunication
- the complaint relates to an issue with, or a gap in, service provision that can be easily resolved.

The [Victorian Ombudsman](#) and [Commonwealth Ombudsman](#) have guidance on handling complaints for public organisations that can be useful for any organisation.

It is important that you consider the involvement of children in the complaint process. The trigger for considering the involvement of a child should be whether they are affected by the complaint. This should not be based solely on whether or not the child initiated the complaint. Effectively involving children also often requires involving their parents or carers.

It is good practice to develop a simple plan for involving children throughout the complaints process and seeking the views of their parents or carers if this is appropriate.<sup>191</sup>

Taking children seriously in a complaints process involves giving them a chance to say what happened or their concerns in their own words. It also means showing that their feelings and concerns have been considered and explaining what action may be taken in response.<sup>192</sup>

Relationships between organisations and complainants can break down when information about progress in responding to a complaint is not regularly provided. Although you may be limited in what you can say at various stages of the process, your organisation should plan regular check-ins with children or their families to keep them updated. It is also useful to see how children and their families are coping emotionally and whether they need further support.

Your organisation's complaints process also needs to be fair to the subject of the complaint. This includes providing them with opportunities to provide their side of the story, to comment on any proposed adverse findings and that those involved in making findings are free from any bias.

The [Complaint handling guide](#) has detailed guidance on planning the involvement of children in the complaints process and providing fairness for the subject of the complaint. The Commission has issued guidance on [including children and young people in investigations](#) under the Scheme that can be useful for any investigation.

<sup>190</sup> DPMC, [Complaint handling guide: upholding the rights of children and young people](#), p 58.

<sup>191</sup> Adapted from DPMC, [Complaint handling guide: upholding the rights of children and young people](#), pp 16–17.

<sup>192</sup> Adapted from DPMC, [Complaint handling guide: upholding the rights of children and young people](#), pp 16–17.

## Outcomes and sharing information

An important part of resolving a complaint or safety concern is having a clear outcome. This means your organisation decides what to do after having properly considered the issue and the evidence, tells relevant people about this decision and then takes appropriate action.

The complaint handling process should be thorough and should allow for decisions to be made as quickly as possible. Clear timeframes and due dates can help your organisation keep the response to a complaint on track.

Your organisation should usually provide the child and their family with an explanation about:

- what was done to respond to the complaint including any investigation
- the decision or finding, including the main evidence that was obtained or unable to be obtained, and reasons why this decision was made
- action taken, or that will be taken, to address the complaint, including by whom and when.<sup>193</sup>

If your organisation makes negative findings about the subject of the complaint's conduct, you must consider their privacy when deciding what to share about the findings or decisions with the child and their family or the complainant (if they are a staff member, volunteer or other person).

Your organisation should make sure the subject of the complaint is also told about any findings or decisions. You may also need to take further action to protect children as a result of the findings of the investigation.

If children and families are not happy with the way the complaint was handled or the outcome, they should be given avenues for review. In some sectors a person who is dissatisfied with the outcome of their complaint can escalate the matter to their sector regulator.

To support child safety, there may be other people or organisations you should share findings, decisions or other information with. Failure to share information can undermine children's safety.

The Royal Commission found that even where information sharing is legally permitted or required, people may be reluctant to share. This can be caused by concerns about privacy, confidentiality and defamation. Sometimes information is not shared because people do not understand the laws. Sometimes it is because of a siloed culture, poor leadership and weak or unclear governance arrangements.<sup>194</sup> Your complaint handling policy should outline how important the sharing of information is to promote the safety and wellbeing of children. It should also give guidance on when information can and cannot be shared.

The [Child Information Sharing Scheme](#) and [Family Violence Information Sharing Scheme](#) both allow some authorised organisations to share information with each other to support child safety or wellbeing.

Refer to [Standard 2](#) for more information about information sharing.

## Confidentiality, privacy obligations and employment law obligations

When responding to complaints and safety concerns your organisation must be aware of confidentiality, privacy and employment law obligations.

### Confidentiality

Confidentiality is important for complaints processes. People can have concerns about confidentiality and privacy when they want to make a complaint. They may wish to remain anonymous, or may not want information shared with authorities such as police.

<sup>193</sup> Adapted from DPMC, [Complaint handling guide: upholding the rights of children and young people](#), p 81.

<sup>194</sup> Royal Commission, [Final report: Volume 8, Record keeping and information sharing](#), 2017, p 13.

## Standard 7

While confidentiality can be important, for example, to support an effective investigation, your organisation also needs to provide realistic advice to children and others about when information may be shared and with whom. Sometimes it will not be possible to maintain confidentiality in order to best protect children or so that the subject of a complaint can be treated fairly.

Whether information needs to be kept confidential will depend on the circumstances and the nature of the complaint.

The [Complaint handling guide](#) has further information about confidentiality.<sup>195</sup>

### Privacy law

Personal information that identifies a child or another individual associated with a complaint should only be disclosed by the organisation as permitted under the relevant laws. Examples of personal information include an individual's name, signature, address, telephone number, date of birth, school, health information, financial details and commentary or opinion about a person.

An individual's right to privacy is not absolute. Sometimes other concerns are given priority, such as the safety of others, or the interests of justice. In some circumstances, your organisation may be unable to act on a complaint without disclosing personal information, for example, when the complaint concerns the alleged conduct of an individual.

Some organisations are covered by specific privacy legislation that needs to be considered, and you can find out information from:

- [Australian Information Commissioner](#)  
(for large businesses, some small businesses and Commonwealth public sector organisations)
- [Victorian Information Commissioner](#)  
(for Victorian public sector organisations).

To support your organisation with privacy, it is important to identify which privacy or other laws apply and provide guidance in your complaint handling policy.

The [Complaint handling guide](#) has further information about privacy.<sup>196</sup>

### Employment law

Your complaint handling policy and processes must be in line with any employment law obligations that apply to your staff and volunteers. For example, you should ensure that any investigation into an employee's conduct complies with procedural fairness.

When a complaint is raised against an employee that is serious enough to warrant an investigation, they should generally:

- be told about the details of the complaint
- have an appropriate amount of time to consider the complaint
- be able to ask that an appropriate support person is present if they are interviewed
- be invited to respond, either verbally or in writing, to the complaint and any adverse information that is credible, relevant and significant
- have an investigator who is impartial.

For further information on employment law please see the [Fair Work Ombudsman](#).

<sup>195</sup> DPMC, [Complaint handling guide: upholding the rights of children and young people](#), Guideline 4, pp 47–52.

<sup>196</sup> DPMC, [Complaint handling guide: upholding the rights of children and young people](#), Guideline 4, pp 47–52.

## 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:**

- 8.1** Staff and volunteers are trained and supported to effectively implement the organisation's Child Safety and Wellbeing Policy.
- 8.2** Staff and volunteers receive training and information to recognise indicators of child harm including harm caused by other children and young people.
- 8.3** Staff and volunteers receive training and information to respond effectively to issues of child safety and wellbeing and support colleagues who disclose harm.
- 8.4** Staff and volunteers receive training and information on how to build culturally safe environments for children and young people.

## Compliance indicators

### What the Commission will look for when assessing this Standard

Organisations will generally comply if they produce these documents and undertake these actions in a way that supports the organisation to achieve this Standard.<sup>197</sup> The nature or characteristics of your organisation may mean you need to do something different to what is proposed in this guide. If so, you may have to explain how your approach complies with the outcomes and the minimum requirements of the Standards.

#### DOCUMENTS

- A training action plan for staff and volunteers includes training on:
  - the Child Safety and Wellbeing Policy (8.1)
  - identifying indicators of child abuse and harm (8.2)
  - how to support a person making a disclosure about harm to a child (8.3)
  - how to respond to issues of child safety including internal and external reporting requirements, notifying families and carers and managing risks to children (8.3)
  - how to support cultural safety. (8.4)
- Guidance materials (such as policies, procedures, guidelines, information sheets and posters) for staff and volunteers provide guidance about:
  - identifying indicators of child abuse and harm, including where caused by other children (8.2)
  - how to respond to issues of child safety including internal and external reporting requirements, notifying families and carers and managing risks to children (8.3)
  - how to support a person disclosing harm to a child (8.3)
  - how to create culturally safe environments in the organisation. (8.4)
- A training register records completion of training by staff and volunteers. (8.1, 8.2, 8.3, 8.4)

<sup>197</sup> Some sectors and organisations have co-regulators, in addition to the Commission, that have issued specific guidance. Where a co-regulator's guidance on the Standards applies to your organisation, and is different to this guide, your organisation should follow that co-regulator's guidance.

## ACTIONS

- Leaders communicate to staff and volunteers that child safety training is mandatory. (8.1, 8.2, 8.3, 8.4)
- Training is provided to staff and volunteers on the Child Safety and Wellbeing Policy on induction and at regular intervals. (8.1)
- Training is provided to staff and volunteers that supports their ability to:
  - identify signs of child abuse and harm (8.2)
  - respond to issues of child safety including internal and external reporting requirements, notifying families and carers and managing risks to children (8.3)
  - support a person disclosing child harm (8.2, 8.3)
  - create culturally safe environments in the organisation. (8.4)
- Training and guidance on child safety is:
  - appropriate to the organisation’s engagement with children and the needs of children in the organisation
  - trauma-informed
  - offered on a regular basis to enable staff and volunteers to keep their skills and knowledge up-to-date
  - regularly reviewed and updated to remain effective. (8.1, 8.2, 8.3, 8.4)
- Supervision and management of staff and volunteers includes identifying child safety training needs. (8.1, 8.2, 8.3, 8.4)

## Introduction

Organisations need to equip their staff and volunteers with the knowledge and skills to keep children safe and provide ongoing education and training. Staff and volunteers must also be supported to implement the organisation’s Child Safety and Wellbeing Policy and take action in response to safety concerns. When an organisation’s staff and volunteers are properly informed, trained and supported, they are more likely to uphold the organisation’s child safe values.

Training and information should be trauma-informed, tailored to the needs of different staff and volunteers and consider how they engage with children. It should help staff and volunteers know how to implement the organisation’s Child Safety and Wellbeing Policy, recognise indicators of child harm, respond to child safety issues, and build a culturally safe environment.

Your organisation should keep a record of when information and training is provided to staff and volunteers. Your organisation should know if training and information has been provided to all relevant staff and volunteers and when refresher training might be needed to keep knowledge and skills up-to-date.

## Ways to build knowledge and skills

Opportunities for organisations to assist staff and volunteers to develop their child safety knowledge and skills include:

- induction
- ongoing training and professional development
- supervision and management.

### Induction

All staff and volunteers must receive an induction to make them aware of their child safety and wellbeing responsibilities and to build the knowledge and skills necessary to keep children safe. An induction should equip staff and volunteers to:

- implement the organisation's Child Safety and Wellbeing Policy
- understand the behaviour expected of them with children as set out in the organisation's Code of Conduct
- identify child harm and respond to child safety issues, including when a child discloses safety concerns or abuse
- fulfil child safety reporting obligations
- provide culturally safe environments for children
- follow record keeping and information sharing obligations.

It will help your organisation if the induction process is documented so that staff and volunteers receive all the training and information they should. Induction might be needed for staff and volunteers who change roles in the organisation as well as those who are new. It should occur before any work with children begins.

For more information about induction for staff and volunteers see [Standard 6](#).

## Training and information

Once staff or volunteers have started with the organisation, they should be provided with ongoing opportunities to continue to develop and update their knowledge and skills.

There are many ways to support staff and volunteers including:

- providing a copy of key documents like the organisation's Child Wellbeing and Safety Policy, Code of Conduct, complaint handling policy and information on indicators of child harm and how to respond to child safety concerns
- regular communication with staff and volunteers about the Child Safety and Wellbeing Policy and Code of Conduct. This could be in supervision meetings, at staff meetings, in newsletters and staff updates
- organising online or face-to-face training for teams or individuals as well as regular refresher training
- seminars or information sessions provided by the organisation or external providers
- hosting discussions for groups of staff and volunteers on child safety topics where knowledgeable and skilled managers answer questions
- regular supervision sessions between managers and individual staff and volunteers that include consideration of child safety and wellbeing
- mentoring or coaching
- involving staff and volunteers in reviewing the organisation's child safe policies and procedures
- providing staff and volunteers with the opportunity to debrief with someone on issues of child safety and wellbeing, including learning from safety incidents and 'near misses'
- providing staff and volunteers with the opportunity to engage with children on what does and does not make them feel safe in the organisation.

## Supervision and people management

Supervising staff and volunteers, monitoring their performance and providing feedback is also an important way to develop knowledge and skills. Staff and volunteers should have opportunities to discuss issues and raise concerns with their managers and supervisors. Managers should also look to act early to provide feedback and correct any unsafe or concerning conduct by staff and volunteers before they harm children.

For more information about supervision and management of staff and volunteers see [Standard 6](#).

## Making training and information effective

### Be trauma-informed

Training and information to staff and volunteers on child safety issues, including indicators of harm, may be confronting. People in your organisation may themselves be survivors of child abuse and harm or have family members, including a child, who has experienced abuse.

A trauma-informed approach involves understanding the effects of trauma and stress on a person and being sensitive to the nature of information being provided and how it is provided. This seeks to safeguard individuals from further harm.

Think about the way you can structure and deliver training or provide information so that it is sensitive to the participants' comfort levels and minimises distress. You should provide a supportive environment for training that is built on trust and collaboration, gives participants choice, is respectful of diversity and empowering.<sup>198</sup>

Your organisation should also be alert to the risks for staff and volunteers of vicarious trauma. Vicarious trauma is when staff and volunteers themselves experience trauma from being repeatedly exposed to other people's trauma and their stories of traumatic events. Vicarious trauma is often cumulative, building up over time.

Taking a trauma-informed approach when supporting and developing staff and volunteers to keep children safe can involve the following:

- Providing a trigger or content warning upfront before starting a training session to warn the audience about upcoming sensitive content or imagery that may have a negative impact on someone. This gives people who have had traumatic experiences in their past choices about whether to attend the session. In these circumstances, you should provide alternate methods for people to access the information. If your organisation has access to employee assistance or support programs, consider making support available following the session.
- Learn about how to have safe conversations with different people and to recognise signs that the person may be becoming distressed. The Blue Knot Foundation has a useful guide on [talking about trauma](#).
- Consider whether staff and volunteers who are exposed to traumatic content, including where children make disclosures of abuse, need extra support to avoid vicarious trauma.
- Consider including information and/or training about trauma and trauma-informed approaches to staff and volunteers as part of developing their knowledge and skills.
- Consider if staff or volunteers who do not engage with children can opt out of certain types of training that may bring up past trauma for them (they will still need training in the organisation's Child Safety and Wellbeing Policy, complaint handling policy and Code of Conduct).

<sup>198</sup> Blue Knot, [Being trauma-informed and working with complex trauma](#), Blue Knot Professional Community website.

## Tailor your approach

Each organisation will need to consider their specific activities and roles with children, the existing knowledge and skills of staff and volunteers and their ongoing developmental needs in order to design their approach to education and training. Organisations need to remember that the purpose of education and training is to equip staff and volunteers to play their part in keeping children safe and responding effectively to issues of child safety and wellbeing.

Organisations can develop their own child safe training, share learning resources with other organisations in their sector or adapt existing material that is publicly available to make it appropriate to them. There are many resources that may be useful. These include:

- The [PROTECT](#) website provides extensive information about child abuse and harm. Refer also to the [Raising Children Network](#) for information on child sexual abuse.
- The Australian Human Rights Commission has information on [children's rights](#) and [child abuse prevention](#).
- Some organisations provide fee-for-service training on recognising and responding to child abuse and harm. Some of these include [BraveHearts](#), [Child Wise](#), [The Centre for Excellence in Child and Family Welfare](#), [NAPCAN](#) and the [Australian Childhood Foundation](#). These organisations also have other resources available to support your learning. This is just a selection of organisations providing these services and is not an exhaustive list.
- The UK's National Society for the Prevention of Cruelty to Children has released an [animated clip](#) to help people respond to a disclosure of child abuse.

Organisations may need to develop, or source externally, their own training for staff and volunteers who perform roles with children that need particular expertise.<sup>199</sup>

Your organisation may also benefit from training particular staff and volunteers so they can train other staff and volunteers and answer their questions. Some organisations may have a dedicated child safety officer or officers who perform this role.

Remember that general training on child safety or the Standards will not equip your organisation's staff and volunteers to understand and implement the specifics of your Child Wellbeing and Safety Policy, Code of Conduct and complaint handling policy. Your organisation will need to provide specific training and information on this.

We have created a [Sample learning or training action plan](#) for an organisation seeking to meet its training obligations under the Standards.

## Provide effective training

It is important that the training provided by your organisation is effective. This means that people can practically apply the knowledge and information when performing their roles and responsibilities.

It is also important to consider the type of training required across different roles and responsibilities. Think about the information and knowledge needed by board members, child safety officers, frontline workers or back of office staff and how the content and emphasis of the training may differ. You should take a proportionate approach. Start with what everyone needs to know (like the Child Safety and Wellbeing Policy, complaint handling policy and Code of Conduct) and build up from there. You can add more detailed or specialised training for staff and volunteers whose roles have more responsibility with children or are more specialised, where the risk of child abuse or harm increases or where staff and volunteers are more likely to receive disclosures of abuse.

<sup>199</sup> The Commission for Children and Young People does not accredit any third-party training providers.

## Standard 8

Some ways that you can make sure your training is effective are to:

- review the content regularly to make sure it is current, reflects changes in legislation and regulatory requirements
- adjust content after learning from child safety incidents or new risks to children that you have identified
- update to reflect changes in the organisation like changes in structure or activities
- regularly provide refresher training and supplementary training for those staff and volunteers with particular needs
- provide documents that reinforce the key information for training
- assess the understanding of training participants through activities like quizzes, tests or group discussions
- check information from training has been understood by managers discussing content in staff meetings and other forums.

### Training and support to effectively implement the Child Safety and Wellbeing Policy

A Child Safety and Wellbeing Policy clarifies the organisation's expectations about child safety and wellbeing systems and practices and how the organisation is meeting the Standards.

For further information on a Child Safety and Wellbeing Policy and culture of child safety refer to [Standard 2](#).

Having a Child Safety and Wellbeing Policy alone does not protect children from abuse and harm. It needs to be implemented and followed by staff and volunteers who understand their specific role in the implementation.

Staff and volunteers need training and support to implement the Child Safety and Wellbeing Policy. Tell staff and volunteers the organisation supports them when they take action in response to child safety concerns. Make it easy for them to raise questions or seek guidance. Provide them with the time and resources they need to implement the Child Safety and Wellbeing Policy.

### Recognising the indicators of child abuse and harm

A child safe organisation supports its staff to identify signs where a child may be experiencing abuse or harm. Children may not speak up when they feel unsafe, when they have been abused or suffered harm. However, their behaviour may change. It is essential that staff and volunteers are aware of this and able to act in a preventative way. That is why information and training for staff and volunteers on indicators of child abuse and harm is so important.

A recent study<sup>200</sup> on community knowledge and attitudes reinforced that organisations must continue to address the need for education and training identified in the Royal Commission into Institutional Responses to Child Sexual Abuse:

**'It is not sufficient to educate children to recognise behaviours that constitute sexual abuse and instruct them to tell someone if they are abused. Instead, adults need to be attuned to signs of harm in children and equipped to identify signs of possible sexual abuse.'**  
– the Royal Commission<sup>201</sup>

<sup>200</sup> J Tucci and J Mitchell, [Still unseen and ignored: tracking community knowledge and attitudes about child abuse and child protection in Australia](#), Australian Childhood Foundation, 2021, p 34.

<sup>201</sup> Commonwealth of Australia, Royal Commission into Institutional Responses to Child Sexual Abuse, [Final report: Volume 4, Identifying and disclosing child sexual abuse](#), 2017, p 13.

## TOOLS AND TIPS

### How to train for the effective implementation of the Child Safety and Wellbeing Policy

- See training as an ongoing obligation, not a once-off.
- Make sure training is specific and tailored to your organisation.
- Include child safety and wellbeing as a standing item on leadership, team and staff meeting agendas to reinforce lessons from training.
- Regularly remind staff and volunteers of critical information from the Child Safety and Wellbeing Policy like:
  - key child safety roles and responsibilities in your organisation, including who and how to report child safety concerns
  - different things about child safety to remember in different environments (for example, online, on excursions or camps, during competitions).
- Consult with staff and volunteers to check if the Child Safety and Wellbeing Policy is understood and remains appropriate or if it needs to be changed.
- Talk with staff and volunteers about how they are implementing the Child Safety and Wellbeing Policy as part of performance and annual review sessions and identify any development needs to address gaps in performance.
- Communicate the Child Safety and Wellbeing Policy both informally and formally, for example:
  - discuss it in team meetings
  - notify staff and volunteers of updates or changes
  - make it easily accessible and remind staff and volunteers how to access it.
- Ask families, the community and children for feedback about staff and volunteers so the organisation knows if they are not implementing or following the Child Safety and Wellbeing Policy.

Those who work with children need to understand what child abuse and harm are so they are equipped to identify, prevent and respond to it. Because harm from abuse may be experienced and shown in different ways over time depending on the individual child, staff and volunteers need to understand the indicators of both child abuse and harm. Definitions of child abuse and child harm are available in the [Glossary](#).

### What are the indicators of child abuse and harm?

Physical and behavioural indicators of child harm can be found in [Child abuse and harm](#). Being aware that certain factors can increase a child's risk of being abused supports staff and volunteers to be alert to the risk of child harm and consciously looking for possible indicators of harm.

Child safety regulators have also produced guidance to support specific sectors that may be useful for organisations more broadly, including [schools](#) and [social services](#). For information on responding to disclosures and reporting obligations when harm is identified see [Standard 7](#).

## TOOLS AND TIPS

### Make your organisation alert to child abuse and harm

- Display information or posters in staff rooms on indicators of child abuse and harm.
- Shine a light on specific types of abuse and harm in staff or volunteer newsletters or forums.
- Identify opportunities to raise awareness of child abuse and harm, for example, through events or activities related to [White Balloon Day](#) or [National Child Protection Week](#).
- Foster awareness of the factors that can increase a child's risk of being abused by sharing resources from organisations with expertise in the safety of children.
- Ask for staff feedback on their understanding and learning needs.

### Supporting staff and volunteers to respond effectively

Staff and volunteers need training and information so they can respond effectively to child safety and wellbeing issues. Not only do they need to know what to do, but also have the chance to develop practical skills in protecting children, supporting their wellbeing and responding to disclosures.

Receiving disclosures of harm to a child can be both distressing and stressful. This means it is useful for staff and volunteers to know who they can get guidance and support from. Staff and volunteers also need to know the organisation is behind them when they do the right thing and respond to child safety and wellbeing issues.

Children will often disclose abuse to people they trust and may not just go to the person trained for that role. Therefore, it may be appropriate to train a broad range of staff and volunteers, not just those who are frontline workers engaging with children.

Training and information could include:

- identifying risks of child abuse and harm and taking action to reduce risks. This should include situations where staff and volunteers need to act quickly to respond to a new risk and there is not time to report this internally, for example, where children are camping or on an excursion
- how to respond when a child discloses abuse, complaint handling and how to respond to child safety issues including internal reporting
- when and how to report to external authorities and information sharing obligations
- record keeping and investigation procedures
- connecting children and their families with services that can provide them with support to manage difficult or traumatic experiences
- what to do if they detect breaches of the Child Safety and Wellbeing Policy or Code of Conduct
- supporting colleagues including through debriefing and where to access support internally and/or externally.

## Building culturally safe environments

Building an organisation where all members of the organisation's community feel included and safe is important to reducing the risk of child abuse and harm.

Information about cultural safety and training can be found in [Standard 1](#) and [Standard 5](#).

Staff and volunteer behaviour is a critical part of creating cultural safety. Culturally safe organisations take active steps to make sure that Aboriginal people and people with culturally and linguistically diverse backgrounds feel that their culture and identity is respected, that they feel safe to be themselves and to express their culture in their own way.

Training and information for staff and volunteers should support them to:

- understand what cultural safety is, why it is important to child safety and wellbeing and their role in creating a culturally safe environment
- support participation and inclusion within the organisation by all children and their families and create an environment where expressions of an individual's culture are welcomed, respected and valued
- understand the strengths of Aboriginal culture and its importance to the safety and wellbeing of Aboriginal children
- encourage Aboriginal children to enjoy their cultural rights
- identify, confront and address any instances of racism.

Cultural awareness and cultural safety training is one important way to increase knowledge and understanding. Staff and volunteers may also be able to attend professional development opportunities like conferences or workshops. Your organisation could also consider arranging tailored onsite training or workshops.

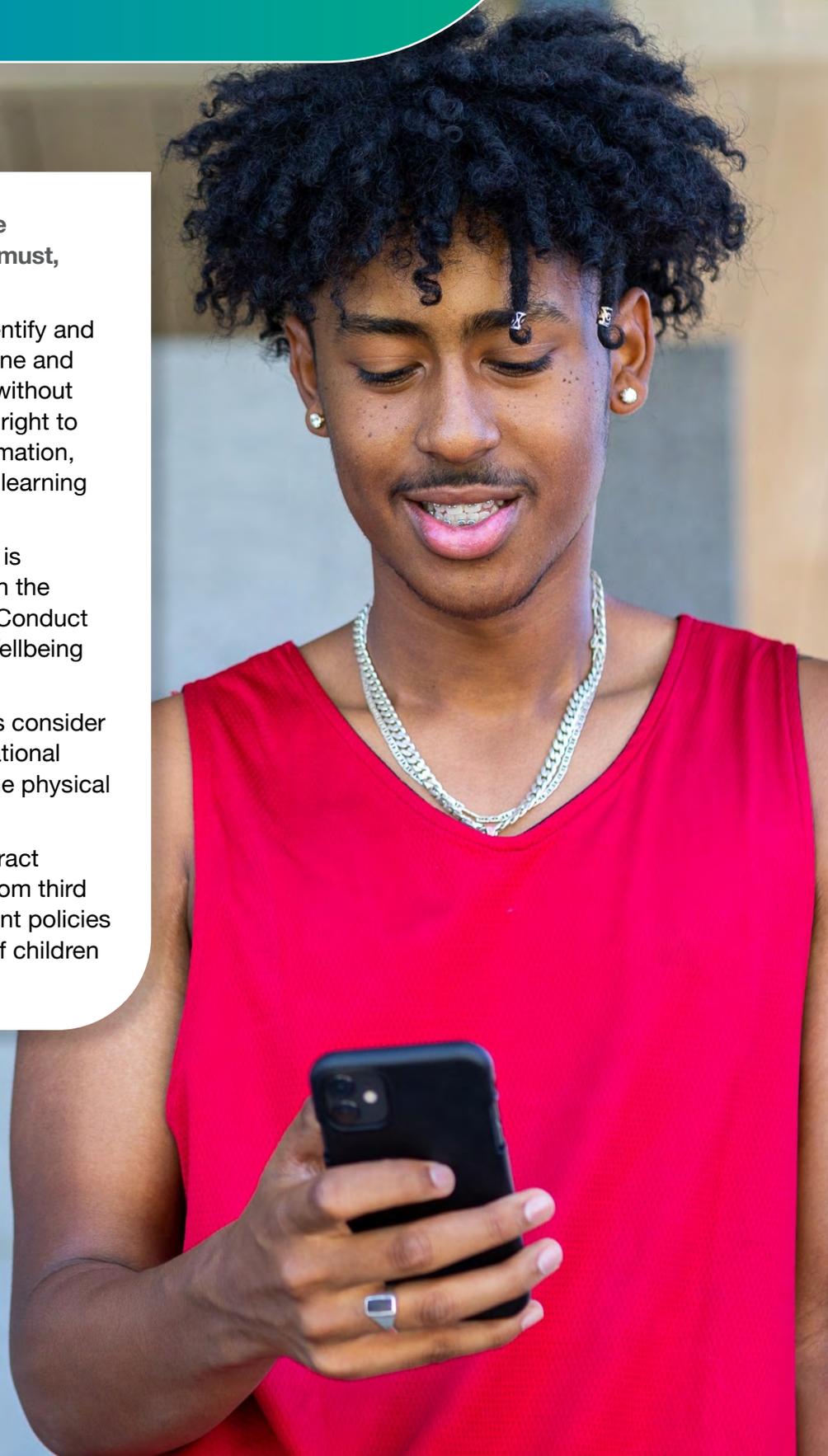
For organisations with limited resources there are other ways to support learning. Free and accessible information is available online. Staff and volunteer learning could involve reading, visiting websites, watching videos or movies and hosting discussions.

## 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:**

- 9.1** 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.
- 9.2** The online environment is used in accordance with the organisation's Code of Conduct and Child Safety and Wellbeing Policy and practices.
- 9.3** Risk management plans consider risks posed by organisational setting, activities and the physical environment.
- 9.4** Organisations that contract facilities and services from third parties have procurement policies that ensure the safety of children and young people.



## Compliance indicators

### What the Commission will look for when assessing this Standard

Organisations will generally comply if they produce these documents and undertake these actions in a way that supports the organisation to achieve this Standard.<sup>202</sup> The nature or characteristics of your organisation may mean you need to do something different to what is proposed in this guide. If so, you may have to explain how your approach complies with the outcomes and the minimum requirements of the Standards.

#### DOCUMENTS

- A risk assessment identifies risks of child abuse and harm in both physical and online environments connected with the organisation. (9.1, 9.3)
- Risk management plans list the actions the organisation will take to prevent or reduce each identified risk of child abuse and harm. (9.3)
- The Code of Conduct and Child Safety and Wellbeing Policy identifies how the organisation will keep children safe in physical and online environments, with specific reference to higher-risk activities. (9.2, 9.3)
- Procurement policies about engaging third-party contractors set out processes to protect children from risks of child abuse and harm, such as requiring compliance with the organisation's Code of Conduct and Child Safety and Wellbeing Policy. (9.4)

<sup>202</sup> Some sectors and organisations have co-regulators, in addition to the Commission, that have issued specific guidance. Where a co-regulator's guidance on the Standards applies to your organisation, and is different to this guide, your organisation should follow that co-regulator's guidance.

## ACTIONS

- Risk assessment and management plans are informed by and responsive to the views and concerns of staff, volunteers and children. Plans show that the organisation has balanced the need to manage the risk of harm and abuse against children's rights to privacy, access to information, social connections and learning opportunities. (9.1, 9.3)
- Staff and volunteers are provided with risk management plans so they are aware of risks of child abuse and harm and know what action they need to take to prevent and reduce them. (9.1)
- Action is taken by staff and volunteers in the organisation to prevent and reduce risks of child abuse and harm when identified. (9.1)
- Risk assessments and management plans are regularly reviewed to keep them up-to-date and include lessons from complaints, concerns and safety incidents. (9.1, 9.2)
- The organisation's leadership and governance arrangements ensure risk assessment and management are focused on identifying, preventing and reducing risks of child abuse and harm. (links to 2.5)
- When negotiating contracts with third parties, contracts include terms that allow the organisation to take action if the third party does not meet expected child safety and wellbeing standards. (9.4)
- When third-party contractors are engaged, action is taken by the organisation to assess whether, and the extent to which, the engagement of third-party contractors poses risks of child abuse and harm. (9.4)
- Depending on the level of risk posed by third-party contractors, the organisation should take actions to prevent or reduce risks of child abuse or harm. Appropriate actions may include:
  - requiring third-party contractors to comply with the organisation's policies and procedures
  - monitoring compliance by third-party contractors with the Child Safe Standards and/or the organisation's policies and procedures
  - working with third-party contractors to identify, prevent and reduce risks of child abuse and harm
  - where an organisation is unable to adequately manage risks of child abuse and harm posed by third-party contractors, consider terminating the contract or take other appropriate action to protect children. (9.4)
- If appropriate, staff, volunteers, parents, carers and children are provided with information about online safety and risks in the online environment, such as online grooming, cyber bullying and sexting. Support is given to reporting negative experiences or concerns. (9.2)

## Introduction

Identifying and managing risk in organisations is a fundamental step in keeping children safe from harm. By adopting a sound risk management approach, an organisation can actively reduce the likelihood of children suffering harm or abuse.

Organisations are required to analyse and understand, then try to reduce, the potential risks to the children they engage with. It is important to think about risks created by the organisation's structure, activities and culture, as well as the physical and online environments the organisation operates in.

Physical environments are the places an organisation uses or owns, such as a building, facility or space. It includes places that are shared spaces, places for regular, occasional or one-off usage, or places managed through a contract or agreement. Online environments are any technological platforms that people in the organisation use or control, such as computers, phones, websites, intranet, social media and video conference facilities. Sometimes the risks in physical environments and online environments intersect. You need to consider elements of the physical environment during online sessions, such as who is present and what they can hear.

When identifying and managing risk of harm to children, it is important to balance the need to manage the risk of harm and abuse against the benefits to children of a particular activity or approach.

## Why risk needs to be identified and managed in your organisation

A risk is the possibility of something bad happening at some time in the future.<sup>203</sup> When we say **risk** in the Standards, we mean the chance for child abuse and harm to occur in connection with an organisation.

You may be familiar with some types of risk and how to manage them, such as financial risk, legal risk, or occupational health and safety (OHS) risk. These are usually thought of as risks *to* the organisation.

For the Standards, you need to think about a different kind of risk – risks to children *from* the organisation or those involved with it, the activities undertaken by the organisation and its physical and online environments. This kind of risk management is focused on preventing and reducing **child abuse** and **harm**.

Findings of the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) show that opportunities to abuse are linked with the ability to be alone with a child and the ability to groom a child undetected over a period of time.<sup>204</sup> We also know from the Royal Commission that the risk of child abuse and harm varies from organisation to organisation, and it can change.<sup>205</sup> Therefore, every organisation must identify risks that may occur in that organisation's context and find ways to mitigate or manage those risks.<sup>206</sup>

Even well-run organisations who follow best-practice approaches will present some degree of risk to children. Children are exposed to higher levels of risk when organisations take no action to address their own unique risks. We also know that the presence of multiple risk factors in an organisation does not necessarily result in abuse, and abuse can happen even when the level of risk is low.<sup>207</sup>

<sup>203</sup> Oxford University Press, [Oxford advanced learner's dictionary](#), 2022.

<sup>204</sup> Commonwealth of Australia, Royal Commission into Institutional Responses to Child Sexual Abuse, [Final report: Volume 2, Nature and cause](#), 2017.

<sup>205</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), p 140.

<sup>206</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), p 14.

<sup>207</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), p 140.

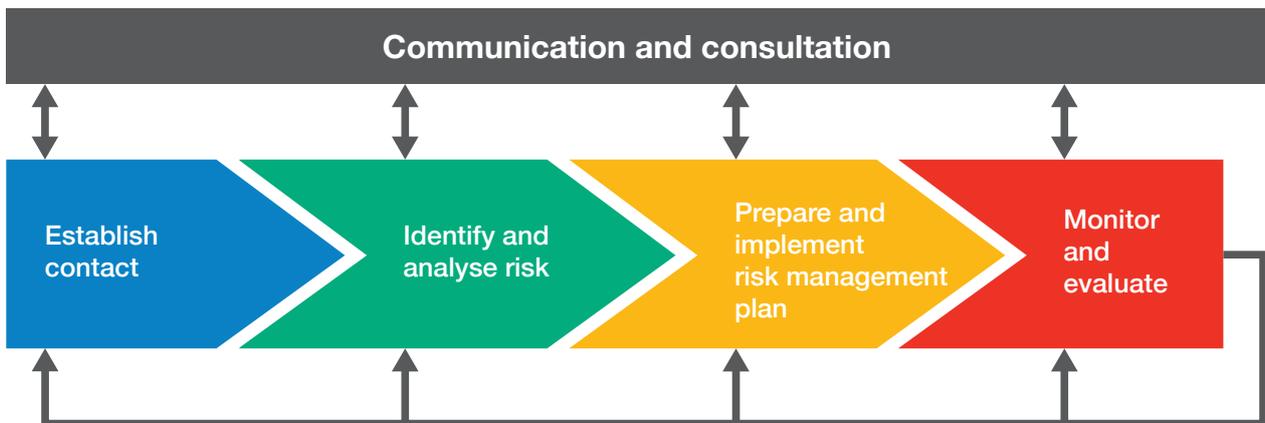


Figure 9.1: Risk management process

It can be hard striking a balance between managing risk and being too cautious or risk averse. Organisations should not be so risk averse that they prevent healthy and positive relationships developing between adults and the children they work with.<sup>208</sup> Children have a right to have opportunities to participate safely in activities and programs that will benefit them and promote their wellbeing. It is also important that children are respected and have a right to privacy. Identifying and managing the risks that go along with these benefits is essential.

Effective risk identification and management is related to other Standards, including Standard 2, 6, 8, 10 and 11. [Standard 2](#) provides information about how leaders and those in governance roles can support risk management. [Standard 6](#) describes a range of risk management practices in relation to the recruitment of staff and volunteers. [Standard 8](#) provides guidance on educating and training staff to keep children safe and the appropriate response to risks or incidences of harm. [Standard 10](#) promotes regular reviews of child safe practices and a focus on continuous improvement. [Standard 11](#) requires organisations to consult about and document child safe policies and procedures.

## Risk management for child safety and wellbeing

Organisations may use risk management for all sorts of different reasons including for work health and safety obligations or under regulatory frameworks for their sector. Figure 9.1 above and the steps below provide you with a risk management process that is focused on risks of child abuse and harm.

### Step 1: Communication and consultation

**‘Stumbling blocks for organisations in assessing risk may be that signs are not always obvious or consistent. Some people may observe risks more than others and this is why community feedback is essential to identify potential risks and establish the criteria for assessment of risk.’**  
– parents’ group representative

<sup>208</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), p 135.

## Standard 9

We all need to understand the risks of child abuse and harm. Leaders and managers must make sure staff and volunteers can identify the risks in their organisation and know how they should be managed.

To ensure effective risk management that identifies all risks, organisations should seek input and perspectives from a wide range of people, including:

- children who may have different views to adults on what safety looks like in an organisation and will be able to point to specific situations or practices that make them, or other children, feel unsafe
- families and communities who may have unique perspectives on where there are risks to children within an organisation, as well as a keen interest in the effectiveness of risk management
- staff and volunteers who have day-to-day experience with organisational processes and direct involvement with children may have insights into where there are risks, and whether risk management strategies are widely known, widely implemented and effective
- involving children from particularly vulnerable groups and their parents and carers will be important to improve understanding of child safety risks from their perspective.

It is better to start consulting at the beginning of the risk assessment process, because then you can include other insights. It is important to communicate the risk management plans you develop with these same people so that they know what they need to do to manage risks.

More information about consulting with children, families and communities can be found in [Standard 3](#) and [Standard 4](#).

### Step 2: Establish context

It is important to consider all the ways children engage with your organisation. This includes the events, programs and activities that happen where children participate and any other activities or decisions that occur within the organisation that impact children directly or indirectly. For example, when an organisation decides to reduce staffing for a youth program, there are direct impacts on children. When an organisation introduces a new IT system to store personal information, there may be indirect impacts on children.

The list of events, programs, activities, decisions and systems that you identify during this process provides the base for identifying potential sources of risk.

### Step 3: Risk identification and analysis

You will need to identify risks of child abuse and harm throughout the organisation's operations. This involves focusing on risks to children rather than risks to the organisation. You are asking the question: what could go wrong within the organisation or in any specific activity that may result in harm or abuse to children?

Try to consider all the different ways that children could be harmed or abused including: grooming, sexual abuse, physical violence, serious neglect, bullying, abuse by adults and children, and abuse by volunteers and paid staff. More information on different forms of child abuse and harm can be found in [Child abuse and harm](#).

When thinking about child safety, research commissioned for the Royal Commission suggested that organisations should consider risks from four different angles.<sup>209</sup>

<sup>209</sup> P Parkinson and J Cashmore, [Assessing the different dimensions and degrees of risk of child sexual abuse in institutions](#), report for the Royal Commission into Institutional Responses to Child Sexual Abuse, 2017.

### 1. Situational risk – What activities are children involved in and where might harm or abuse occur?

Situational risk refers to the specific characteristics of the activity and the environment where it occurs. Are there opportunities for adults to be alone with children, unseen by others, or to form relationships with children that could involve physical contact or emotional closeness that could allow a shift from acceptable to unprofessional and abusive behaviours?

Some factors to consider about each activity are:

- the physical and online environments of the setting and the facilities
- how often and for how long the activity occurs
- whether there is physical contact between the child and adult
- whether interactions can result in an emotional dependence on adults
- the adequacy of supervision
- whether the activity requires overnight accommodation without parents or carers.

**A study showed children saw safe environments as ordered and predictable child-friendly spaces where trusted adults and other children were around.<sup>210</sup>**

### 2. Vulnerability risk – What are the circumstances or characteristics of the children in your organisation that might make them more vulnerable to harm or abuse?

The Royal Commission highlighted several factors that affect a child's vulnerability to child abuse.<sup>211</sup> These factors can increase a child's exposure to the risk of being abused, the impact of abuse if it occurs, or increase their reluctance to report abuse. The better you know the children you engage with, and their diverse circumstances and experiences, the better you can identify vulnerability risks.

Children who are more likely to be exposed to circumstances that increase their vulnerability include those:

- from Aboriginal backgrounds
- with disability
- from culturally and linguistically diverse backgrounds
- newly arrived in Australia
- who identify as LGBTIQ or are non-binary or gender diverse or are questioning their sexuality or gender
- with a history of trauma, abuse or neglect
- unable to live at home including those who are homeless or living in foster, residential or kinship care
- with a history of drug or alcohol dependence
- with poor mental or physical health.

More information about diversity and its relationship to vulnerability can be found in [Standard 5](#).

<sup>210</sup> T Moore et al., [Taking us seriously: children and young people talk about safety and institutional responses to their safety concerns](#) [pdf 6MB], report for the Royal Commission into Institutional Responses to Child Sexual Abuse, 2015, p 29.

<sup>211</sup> Royal Commission, [Final report: Volume 2, Nature and cause](#), 2017, p 17.

### 3. Propensity risk – What is the profile of the adults who engage with children in your organisation?

To understand risk, organisations must operate on the assumption that everybody who works with children can pose some level of risk to them. This can be hard because it means assuming there could be perpetrators of child abuse and harm in your organisation.

However, there is no one psychological profile for a person who harms or abuses children, so you need to consider factors like:

- the types of people attracted to a position and your organisation's staffing and volunteer profile
- how inappropriate behaviour is managed in your organisation
- the attitudes toward children in your organisation.

Human resource policies can make it harder for likely perpetrators to gain access to the organisation or to remain hidden. More information on this can be found in [Standard 6](#).

### 4. Institutional risk – How do the characteristics of the organisation, such as its structures, attitudes and practices, affect the risk of child abuse and harm?

Institutional risk refers to the characteristics of an organisation, rather than its activities. By characteristics, we mean your organisation's attitudes and culture, policies and practices, and skills and resources. These can directly increase or decrease the risk that child abuse and harm will occur, be prevented, detected and/or stopped. They also affect the organisation's response to disclosing or reporting abuse, and its willingness or ability to act protectively once abuse is disclosed.

When assessing institutional risk, we need to understand the internal structures that may disempower children and stop them from speaking up or taking action within an organisation.

The Royal Commission found that risk of abuse can increase in organisations that:<sup>212</sup>

- have a strong hierarchical structure
- encourage deference to authority or unquestioning trust of leaders
- have a close-knit community, where people have known each other for years or are related
- contain people whose attitudes towards children are that they should be seen and not heard
- prioritise reputation above the safety of children.

Consider the attitudes and culture of your organisation. Does it:

- understand all forms of child abuse and harm
- listen to and empower children
- educate children around what constitutes appropriate and acceptable behaviour towards them by adults
- prioritise the safety of children over the reputation of the organisation
- see the prevention of child abuse and harm as a shared responsibility
- not tolerate racism and other forms of prejudice and address it when it occurs?

Many Australian risk management systems are based on the international standard on risk management<sup>213</sup> and risk is often expressed as a combination of the likelihood of an event (the probability that it will occur) and the consequences (the impact of that event if it does occur).

Assessing the consequences of child abuse and harm is complex. The same form of abuse can have very different impacts on different children, making it hard to predict how an abuse or harm type will affect an individual child. Some consequences may take years to manifest, and some forms of abuse have a cumulative impact on children. If your child abuse and harm risk assessment is based on the international standard, you should consider the consequence of child abuse and harm to be severe or catastrophic.

<sup>212</sup> Royal Commission, [Final report: Volume 2, Nature and cause](#), p 16.

<sup>213</sup> International Organization for Standardization, [ISO 31000, Risk management – guidelines](#), 2018.

## Step 4: Risk management

The aim of risk management is to take action to prevent or reduce the risk that children will be abused or harmed. While it is confronting to imagine children being abused or harmed in your organisation, it is important not to ignore or downplay the risks, and to ensure prevention strategies are put in place.

Organisations can take many different actions to reduce the risks of harm and abuse. For each identified risk, you need to list what your organisation already does to keep children safe and think about whether you think that will work and whether it is enough.

You need to identify gaps in the way your organisation is currently managing risk so you can prepare a plan to address them.

Risk management plans consider the risks of child abuse or harm posed in your organisation in both the physical and online environments and list planned actions to address these risks. These plans should be used to guide your staff and volunteers on what they need to do to help keep children safe.

Risk management plans should thoroughly document all identified risks to child safety and wellbeing and record the way your organisation will manage each one. As a living document, the plan should be revisited and updated regularly as you improve your understanding about whether planned actions were effective, and to reflect any changes to the organisation and its activities.

It is important to tell staff and volunteers about risk management plans so they can take the actions they need to prevent and reduce risks of child abuse and harm.

Many organisations use corporate risk templates as part of their risk management strategy. These templates typically focus on risks to the organisation, not to children. A child safe risk management plan and template asks you to consider potential risks of child abuse and harm to children in your organisation.

**Risk assessment and management templates** have been developed to help you complete your child safe risk assessments and management plan.

## Step 5: Monitoring and review

Risk management is not a 'set and forget' exercise.

Risk management plans should be reviewed regularly to check they have been implemented, and to monitor their effectiveness. Good practice is to review risk management plans annually, but sometimes you might need to do this more frequently so they stay up-to-date with changes in your organisation.

You should review plans whenever changes are made in your organisation that could affect the risk of child abuse or harm. Reasons to update risk management plans include:

- introducing a new event or activity or changing an existing one
- starting to use a new online platform or system
- the developer making changes to the online platforms you are using
- changes to the characteristics of the children, staff or volunteers engaged in your organisation.

You should look for changes or decisions that will impact children either directly or indirectly.

If you develop new ways to prevent or reduce risks to children, you should update your plan so staff and volunteers know about these new ways.

If a safety incident occurs, your organisation should review its risk management plans to establish if what happened was due to gaps in the plan or because actions you planned did not work to keep children safe. If so, new or different actions should be planned and implemented to reduce the risk of further safety incidents. **Standard 10** requires organisations to analyse safety incidents and use findings to make improvements including how risks are managed.

## Use of the online environment

Online services for children continue to grow. The COVID-19 pandemic has seen many organisations shift parts of their service or activities to remote or online environments through video conferences, online forums, social media or over the phone. Children may also bring their own technology (like smartphones) to organisations.

Online technologies are constantly changing. Children are often ahead of parents, carers and staff in adapting to these changes.

The [eSafety Commissioner](#) has information about popular and emerging online technologies and ways to manage online risks. Organisations using online environments are encouraged to educate themselves so they can properly prevent and reduce risks to children.

Just like physical environments, online environments need to be included when implementing the Standards and assessing the risks of child abuse or harm. This means that online behaviour needs to be covered in your organisation's Code of Conduct and addressed in your Child Safety and Wellbeing Policy and practices. Policies and practices need to explicitly address potential online risks of child abuse and harm. Staff, volunteers and children must be made aware of the Code of Conduct, policies and practices and should be accountable for their behaviour online.

Online platforms can frequently change their privacy and other settings, so it is important for organisations to understand and respond to any changes. It is equally important to regularly review the risks associated with these settings as part of your ongoing risk assessment and mitigation. Your organisation must stay up-to-date to ensure your relevant policies, Code of Conduct and IT system privacy and security settings reflect these changes.

Informing children and their families about your risk management plans for online environments will help empower everyone to work together to call out online abuse or harm if they see it. It is important that children know who they can talk to if they are worried about behaviour online.

With many staff now working from home, organisations should consider whether there are any additional risks involved. These could be risks to children who may also be at home and who are exposed to inappropriate content because of their parent's or carer's work, such as discussions that may be overheard or images viewed on a screen. Organisations can discuss with their staff what is appropriate for them to work on at home, and what should take place in the office.

[Standard 2](#) provides further information on preparing a Code of Conduct. [Standard 11](#) provides information about documenting child safety in policies and procedures.

## Risks in the online environment

Risks to the safety and wellbeing of children in online environments from both adults and children include:

- opportunities for unwanted or unsupervised contact with children
- opportunities for grooming
- cyberbullying and abuse such as 'trolling'
- risks of exposure to inappropriate, illicit or explicit content or imagery
- access to content that is not age-appropriate
- sharing personal information that can be used later to cause harm to a child, including requesting or sending images
- possible breaches of privacy, including sharing or acquiring without permission or stealing personal or sensitive information or personal images
- people not connected to the organisation viewing online activities, or accessing a child's computer to obtain information about children (for example, names or email addresses)
- scams targeting children.

## How can you manage risks in online environments?

You can take many actions to manage the risks in online environments.

The table below provides some examples of risks to consider, and possible management strategies. Organisations are not expected to use all these strategies but instead could develop the most appropriate ones for their activities.

Areas to consider	Examples of management strategies
<p>Examine any opportunities for adults to have unwanted or inappropriate contact with children via online technologies and phones.</p>	<p>Advise children not to engage with staff, volunteers or unknown adults in unofficial or private online environments (for example, through direct messaging).</p> <p>Carefully select online platforms and use privacy and security settings to create a safer online environment.</p> <p>Use software features and security settings to monitor and filter online and mobile device activities. For example, some programs and devices will allow you to generate reports on activity that could allow you to identify unusual patterns of usage, or you may have settings that restrict access to user databases or direct messaging.</p> <p>Be clear on how social media, texting, video and other technologies should and should not be used by staff and volunteers engaging with children.</p> <p>Make parents and carers aware of any online accounts created for their children so they can support the safety of their children online.</p>
<p>Establish appropriate oversight practices and safeguards for any contact with children using online technologies and phones.</p>	<p>Provide clear guidelines for staff and volunteers about acceptable and unacceptable forms of online/phone contact and behaviour with children, and convey clear consequences for breaches.</p> <p>Provide clear messaging in the organisation about the importance of child safety in online/phone interactions.</p> <p>Explain to staff, volunteers, parents, carers and children how you are managing the safety risks associated with these technologies.</p> <p>Some forms of online abuse may be captured by the <a href="#">Reportable Conduct Scheme</a> meaning the Commission for Children and Young People must be notified.</p> <p>Consider limiting one-on-one services to situations in which a parent, carer or other adult can be in the room with the child or where parental consent is given. Where this is not possible, consider if one-on-one services can be supervised by a second adult in the organisation.</p> <p>Where possible, schedule any one-on-one contact required with a child through the organisation's email or other traceable systems and copy in the team leader or manager.</p>

Areas to consider	Examples of management strategies
<p>Establish appropriate oversight practices and safeguards for any contact with children using online technologies and phones. (continued)</p>	<p>Communicate to staff, volunteers, children and their families acceptable methods of communication and situations for directly contacting children. This should take into account the available systems, the needs of children and minimise unnecessary direct or one-on-one contact.</p> <p>Be clear about when staff require authorisation for certain communications with children and under what circumstances this may not be required (such as in crisis support) and how staff are to maintain and/or report the contact.</p> <p>Minimise children being isolated within the organisation and create opportunities for them to engage with different adults so they can better understand if any adults are behaving inappropriately.</p> <p>Educate children about how to manage privacy settings and block unwanted communications.</p> <p>Provide children with clear information about who to contact in the organisation if they are worried about any behaviour online.</p>
<p>Identify avenues through which children could have inappropriate, abusive or bullying contact with other children.</p>	<p>Communicate clear expectations for behaviour in online settings to children.</p> <p>Establish a moderator role to oversee interactions for safety.</p> <p>Educate children about how to manage privacy settings, block unwanted communications and report online abuse.</p>
<p>Assess whether online platforms used to deliver services are secure and appropriately protect the children using them.</p>	<p>The eSafety Commissioner's <a href="#">Tips for online collaboration tools</a> can help you work through the risks associated with online platforms and technologies.</p>
<p>Consider if children's images or personal information should be shared online. It may be that children's information or photos are shared online but access is limited and monitored.</p>	<p>Sharing children's images or personal information online can sometimes put their safety at risk. Consider whether these risks can be reduced and, if it is too risky, do not share. Once shared online, it may be difficult to remove later.</p> <p>Consider how the organisation safeguards the security of information and documentation about children shared online.</p> <p>Obtain consent from children and parents or carers for any use of their images or personal information online.</p> <p>Child Family Community Australia's <a href="#">resource sheet</a> provides guidance and best practice guidelines for child safety and the use of images of children online.</p>

## Third-party contractors

Many organisations use services or facilities provided by a third party, however, these are often forgotten in risk assessments or the organisation assumes the third party is managing the risk (that is, by outsourcing your risk management). It is important to consider the risks these contractors pose to the children in your organisation and the options you have to manage those risks. Some examples of third-party services or facilities are:

- a disability service that uses staff from a labour hire company to care for children when a staff member is sick
- a residential care facility contracting catering services
- a youth organisation with a program for at-risk youth engaging a third party to deliver the counselling part of the program
- a church that rents facilities to hold their weekly service
- a local council that rents out its conference rooms to other organisations meaning external people are in the area at the same time as council-run activities involving children
- a sporting club that rents a youth camp to hold a training weekend
- a school engaging a motivational speaker to engage with VCE students
- commercial homestay agencies offering to arrange local homestay accommodation.

Depending on the nature of their activities, third parties may or may not be subject to the Standards. You cannot assume they are safe or have appropriate child safe policies or risk management strategies in place. Your procurement policies should help the organisation make decisions that manage risks to children.

Arrangements with third parties can present safety risks. They may bring in unknown persons, or persons not subject to the same level of child safety screening, into physical and online environments where they could have contact with children.

It is the responsibility of organisations that are subject to the Standards to consider, identify and manage any risks presented by third parties to the children that they serve.

You must document how you will manage these risks to children in your risk management plans. You should also include the steps you will take if you are unable to adequately manage the risks to children posed by a third party, for example, changing the service provided or terminating the contract.

**Remember – third-party contractual arrangements can include services offered free or as a donation.**

## TOOLS AND TIPS

### Managing child safety risks from third parties

You can manage the risks to children presented by third parties in different ways. For example:

- check with any third parties you engage about how they incorporate child safety considerations and expectations in their policies and practices
- provide a copy of your Code of Conduct and Child Safety and Wellbeing Policy and ask third parties to read and agree to work within these requirements. You may include this requirement in any procurement contracts
- be clear in any procurement contracts what your organisation will do if a third party fails to meet the requirements for child safety
- establish any points of contact between the third party and children and put specific risk management strategies in place, like using sign in/sign out registers or supervising the third party onsite
- duty of care may be incorporated into contractual arrangements or agreements with third parties where relevant, however, these arrangements should recognise your organisation retains the primary duty of care
- ensure that reporting or information sharing arrangements cover any child safety incidents or significant changes that may affect the delivery of care to children under the arrangement.

### Further resources

The [eSafety Commissioner](#) provides a range of practical resources to assist parents, children and educators to stay safe online. The website includes information on seeking consent to publish [images online](#).

Youth Law Australia has information on [online privacy](#).

Child Family Community Australia's [resource sheet](#) provides guidance and best practice guidelines for child safety and the use of images of children online.

Some forms of online abuse of children can be [reported](#) to the eSafety Commissioner, who may be able to help and assist in getting online content removed.

Some forms of online abuse may also fall under the [Reportable Conduct Scheme](#) meaning the Commission for Children and Young People must be notified.

The Australian Government has a [checklist](#) for online safety for child safe organisations.

## Standard 10

Implementation of the Child Safe Standards is regularly reviewed and improved

**In complying with Child Safe Standard 10 an organisation must, at a minimum, ensure:**

**10.1** The organisation regularly reviews, evaluates and improves child safe practices.

**10.2** Complaints, concerns and safety incidents are analysed to identify causes and systemic failures to inform continuous improvement.

**10.3** The organisation reports on the findings of relevant reviews to staff and volunteers, community and families, and children and young people.

## Compliance indicators

### What the Commission will look for when assessing this Standard

Organisations will generally comply if they produce these documents and undertake these actions in a way that supports the organisation to achieve this Standard.<sup>214</sup> The nature or characteristics of your organisation may mean you need to do something different to what is proposed in this guide. If so, you may have to explain how your approach complies with the outcomes and the minimum requirements of the Standards.

#### DOCUMENTS

- All policies and procedures have a regular review period indicated in the document. (10.1)
- Reports document any child safety and wellbeing reviews and findings. (10.3)

#### ACTIONS

- Records are kept of complaints, concerns, allegations and actions taken to respond. (10.1, 10.2, 10.3)
- Complaints, concerns, safety incidents or significant breaches of policy (such as the Code of Conduct) are examined to understand what caused the problem and whether there are any flaws in the organisation's policies, procedures and practices that contributed to the problem. Where flaws or failings are identified, improvements are made to prevent the problem from happening again. (10.1 and 10.2)
- The organisation regularly reviews policies, procedures and child safe practices, and makes improvements considering:
  - analysis of complaints, concerns, safety incidents and significant breaches of policy
  - feedback sought from staff, volunteers, children, families and communities
  - whether the organisation has fully implemented each of the Child Safe Standards. (10.1, 10.2 and links to Standard 3 and 4.3)
- Reports about the findings and actions taken in response to reviews of the organisation's child safe practices are shared with staff, volunteers, children, families and communities. (10.3)

<sup>214</sup> Some sectors and organisations have co-regulators, in addition to the Commission, that have issued specific guidance. Where a co-regulator's guidance on the Standards applies to your organisation, and is different to this guide, your organisation should follow that co-regulator's guidance.

## Introduction

Being a child safe organisation requires ongoing effort to keep children safe. Child safe organisations have an open and transparent culture, learn from their mistakes and put the interests of children first. Taking time to review policies, procedures and practices is an important way to make sure that the organisation's child safe practices support a focus on child safety and wellbeing in your organisation.

The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) showed us that the failure to implement, adhere to, review and improve policies, procedures and practices affected organisations' ability to keep children safe.<sup>215</sup>

Regular review is important to check that your policies, procedures and practices are up-to-date and effective, and that they are fully implemented and followed by everyone. It helps organisations maintain the best approach to child safety and wellbeing and minimise the risk of child abuse and harm.

Child safe organisations use reviews to:

- identify what is working well in their child safe approach
- check that policies and procedures are fit for purpose, understood by everyone and have been properly implemented and followed
- continuously improve child safe practices
- learn from safety incidents, concerns, complaints and feedback
- address weaknesses, failures or gaps in child safe systems
- adapt to address new challenges or concerns
- reflect on any changes in their organisation
- involve their community in their approach to child safety and wellbeing.<sup>216</sup>

The Standards require that reviews are a regular part of an organisation's child safe approach. An annual review is good practice to maintain up-to-date and effective policies and procedures. In a fast-changing environment, more frequent review may be needed. Changes in the organisation or a child safety incident should also trigger the need for review.

Reviews will look different in different organisations, depending on their engagement with and responsibility for children, their activities, their size and resources. For example, in smaller organisations reviews may be led by one person, examine smaller volumes of information, and may choose simple ways to consult and report. In larger organisations with multiple activities and/or high levels of responsibility for the day-to-day care of children, reviews should be comprehensive and include all activities and relevant policies and procedures. Here, the review may be led by a team, use external, independent review and audit services, or require the contributions of several staff to coordinate and conduct.

Reviews may consider all your organisation's child safe policies, procedures and systems, or examine something specific. However, it is important all organisations review their entire child safe approach regularly to make sure that necessary policies and procedures are in place, that they are being properly followed, and that systems are working effectively to keep children safe.

The review should include an assessment of your organisation's compliance with the Standards, including areas that you have assessed as achieved, and areas that require further actions. You should include actions, timeframes, roles and responsibilities and success indicators as part of the review.

<sup>215</sup> Commonwealth of Australia, Royal Commission into Institutional Responses to Child Sexual Abuse, [Final report: Volume 4, Identifying and disclosing child sexual abuse](#), 2017.

<sup>216</sup> Adapted from Australian Human Rights Commission (AHRC), [National Principle 9 e-learning module](#), Child Safe Organisations website.

## TOOLS AND TIPS

### When might an organisation conduct a review?

You should conduct a review:

- if your child safe approaches and systems have not been previously reviewed, or were reviewed more than a year ago – reviews should be done regularly
- when a safety incident occurs involving a child
- when legislation or regulations change and impact an organisation's child-related activities
- when changes occur in the organisation
- if new issues arise, new activities are proposed, or before new kinds of child-related work begin
- when a complaint is made, a concern is raised, or feedback is received
- if it becomes apparent that staff and volunteers are unaware of, or are not implementing, policies and procedures.<sup>217</sup>

## Review, evaluation and improvement

When reviewing and evaluating, you are assessing your organisation's child safe policies, procedures and practices, with the intention of making changes if necessary or improvements if identified. You should also look at how effective they are in supporting child safety and wellbeing.

Before you start, your organisation should decide the extent of the review. Will it focus on your entire child safe system, or on one or more parts? You should keep records of your reviews including who participates, what actions you decide to take, and the dates that actions need to be completed. You need to check that all actions are taken after the review.

Once you have decided on the extent of the review, then you can break the process down into four steps.

### Step 1. Collect information

The first stage is to allocate roles and responsibilities to conduct the review. You will then need to gather information about your organisation's child safe practices and systems. You will look at this information to consider the

strengths and weaknesses in your child safe approach. Think broadly about the kinds of information and evidence that help you understand how child safe practices are supposed to work, and how they are actually working, including:

- policies and procedures – like child safety and wellbeing policies, codes of conduct, complaints and reporting policies and procedures, risk management frameworks, record keeping and information sharing policies, and diversity and inclusion policies
- practices – like discussions and records about how staff and volunteer recruitment, screening, induction and training is actually completed in the organisation; or what communication or engagement happens with your community about child safe matters including programs, training or workshops; how you provide culturally safe environments and promote equity and diversity, and whether children are informed about safety, rights or participation
- feedback and incident-related reports – like feedback received from children or staff and volunteers, complaints and concerns, occupational health and safety reports, critical incident reports, risk reports.

<sup>217</sup> Adapted from AHRC, [National Principle 9 e-learning module](#).

## Standard 10

Your organisation should look externally and gather information about any relevant new legislative requirements or regulations and best practice approaches to child safety issues. [Standard 11](#) includes guidance about where to find information on best practice in child safety and wellbeing. You may also like to ask other organisations working with children about their child safe practices.

### Step 2. Consult

**‘It’s important for organisations to be visible and transparent in how they are managing and prioritising child safety.’** – parents’ group representative

Children have direct knowledge and experience of what it feels like to be a part of your organisation, whether it feels safe and whether it is safe for them. Hearing from them is critical to any review. Families and communities have a significant stake in the safety of children and tell us they expect to be involved in the review of policies, procedures and practices.

Your organisation exists as part of a community. How your community thinks about your organisation’s approach to child safety and wellbeing, and how effective your systems are will inform your child safe practices. Consultation with your community is important. There are many ways to consult, including surveys, interviews, focus groups, inviting written feedback (anonymous or otherwise) and formal or informal discussions. You should make your organisation’s community feel welcome and that their feedback and views are valued and taken seriously.

Everyone in your organisation’s community has an interest in, and can potentially contribute to, a review including:

- staff (including leaders) and volunteers
- children
- families, including parents and carers
- members (for example, of sporting clubs)

- related organisations, such as organisations you share facilities or activities with, third-party providers, or peak bodies
- other community groups or members with an interest in child safety in your organisation.

Different parts of your organisation’s community will have different levels of knowledge and awareness of child safety and wellbeing policies and practices in your organisation, so it is important to check in with as many parts of the community as possible.

Consultation could focus on:

- whether all members of the community know how to raise a complaint or safety concern and how comfortable they feel to do this
- whether all members of the community are aware of and understand the organisation’s child safe practices and systems
- how accessible child-focused complaint handling processes are for children and families
- whether the organisation’s child safe practices, processes and systems are accessible and well communicated
- whether staff and volunteers follow the policies and procedures
- children’s experiences of safety and wellbeing within the organisation
- successes and failures in child safe practices and systems
- opportunities for improvement.

**‘Just for them to ask if we feel safe in an organisation, it’s pretty simple...’** – young person

Consultation helps you meet the requirements of [Standard 3](#), where organisations need to have ways for children to express their views and participate in decision-making, and [Standard 4](#), which requires that families have a say in the review of an organisation’s policies and practices.

## TOOLS AND TIPS

### Using indicators to track progress

Indicators can measure progress over time. You can develop a set of indicators to measure how well your organisation is meeting child safety and wellbeing goals. For example, you may wish to track the number of complaints received each year or how safe the children in your organisation feel by asking them to rate from not at all safe through to very safe. You can have a range of measures that are objective (such as the percentage of staff completing cultural safety training) or subjective (such as a rating of 1 to 5 on how well staff understand your Child Safety and Wellbeing Policy).

You will need to survey or consult with your community to track indicators that measure people's opinions or feelings.

If you repeat and monitor these measures over time, you can see if changes you make are working or if new issues are emerging. For example, if you introduce a more accessible complaints process and the number of complaints increases, this may suggest your changes to the complaints process have been successful, but that you might have some other changes to make to your practices.<sup>218</sup>

Open questions that cannot be answered with a simple 'yes' or 'no' and instead require a person to explain their individual view can be useful to get a good understanding about your organisation's child safe systems.

Your organisation may also ask questions that help you understand the accessibility and effectiveness of your child safety and wellbeing system. Here are some examples:

#### **Children (noting that questions will need to be modified or omitted for different age groups):**

- What do you like most about our organisation? What don't you like?
- What makes you feel safe in our organisation?
- What would you do if you were worried about something or someone or felt unsafe? Who would you tell?
- Is there anything that worries you or makes you feel unsafe in our organisation and why does it make you feel this way?
- Is there anything that would stop you from telling us about what worries you or makes you feel unsafe?

- Do you think you are asked about decisions that affect you in our organisation?
- Is there anything in our organisation that you would like to change?
- Do you feel comfortable to be yourself? What helps you to feel comfortable?
- Is there anything in our organisation that makes you feel like you cannot be yourself?

#### **Families:**

- How satisfied are you with the level of information provided about the organisation's child safe practices?
- Is there anything that makes it difficult for you to access information, for example, language or technology requirements?
- Do you feel comfortable to raise concerns with us or make complaints?
- How would you raise a concern or make a complaint to us?
- Is there anything we can improve about our complaints and reporting process?
- What makes you feel welcomed and accepted in our organisation? Are there any improvements we can make?

<sup>218</sup> Adapted from AHRC, [National Principle 9 e-learning module](#).

## Standard 10

- Is there anything in our organisation that you would like to provide feedback on?

### Staff and volunteers:

- How well do you understand the organisation's policies and procedures about child safety and wellbeing?
- How consistently are they followed?
- How would you describe the importance placed on child safety and wellbeing within the organisation?
- What would you do if a child disclosed abuse?
- How confident do you feel about identifying the signs of abuse and acting if you think another staff member or volunteer may be acting inappropriately with children?
- What is in place to help children speak up if they feel unsafe?
- How are children supported to participate and share their views?
- Do you see any barriers to keeping children safe in the organisation?
- How are good practice and lessons about child safety and wellbeing shared by leaders in the organisation?

### Step 3. Assess information

Once you have gathered relevant information and consulted with the community, it is time to assess the effectiveness of your child safety and wellbeing policies, procedures and practices. You should also consider whether there are any gaps or areas for improvement in implementing the Standards.

If you decide to appoint a person or group to assess the information, discussions should include leaders, staff and volunteers to ensure a broad range of views about strengths, weaknesses and gaps.

Some questions to ask as part of assessing the information you have gathered:

- Do our existing policies, practices and procedures address all the Standards?
- Do people know how to raise child safety concerns and complaints?

- Do people know what to do if an allegation of child abuse or harm is disclosed?
- What is working well in our current child safe practices and systems?
- Where are the weaknesses, gaps or recurring issues in our child safe practices and systems that need attention?
- Have we identified any risks of harm or abuse to children that have not been properly managed?
- Has anything changed (such as new activities, facilities or different participants) that require changes to our policies, procedures and practices? Do the changes alter how we need to communicate about them?
- Are our policies and procedures accessible, widely known and understood by all the organisation's community?
- Are our policies, procedures and practices consistently followed by staff and volunteers?
- What do complaints (or lack of them), concerns, safety incidents and feedback tell us about how well things are working to keep children safe? What does this tell us about what people think about our policies, practices and procedures?
- Are our child safe practices inclusive, meeting the diverse needs of all children in our organisation?
- Are our child safe practices and systems up-to-date and consider any changes to legislation or major developments in child safety?
- What do our indicators from community consultation tell us about where things might need to change?
- What can we learn from our successes and mistakes?

### Step 4. Make findings and plan for improvement

After the assessment, your organisation should record its findings. The next step is to decide what changes are needed to improve the safety and wellbeing of children.

Ask what needs to be done to address any identified gaps, weaknesses or risks. Ask how to make your child safe practices and systems as strong as possible.

## Standard 10

Think about whether changes need to be made to:

- culture
- governance
- policies and procedures
- communication
- training
- risk management
- consultation
- reporting
- interactions between staff and volunteers with children
- record keeping and information sharing
- other areas of practice.

Create a plan for improvement that includes:

- the actions that will be taken
- who is responsible
- timeframes for completing the actions
- how improvements will be measured and reported on
- a timeframe for the next review.

Your organisation should refer to the Standards as it plans for improvement, to make sure your plans are in line with the Standards. Keep a record of the actions taken as plans are implemented.

If you find that child abuse and harm or safety incidents were not reported to the appropriate authorities during your review, you should report immediately and modify your reporting and complaints policies and procedures to prevent this happening again.

## Analyse complaints, concerns and safety incidents

Your organisation must maintain records of concerns, complaints and safety incidents. [Standard 7](#) provides more information on processes for handling complaints and concerns and reporting requirements.

**A safety incident is any event of harm or abuse of a child and includes incidents that could have caused harm or abuse.**

Looking at complaints, concerns and safety incidents is critical to a review. It provides information on the effectiveness of your organisation's child safe systems and practices, and can help identify areas where changes are needed to prevent further abuse or harm. It can also show that something in the system has failed or needs improvement.

As part of the assessment step of a review, your organisation must gather complaints, concerns and safety incident records, and consider:

- What are the underlying causes or issues behind each matter?
- Do they point to gaps or failures in your policies, procedures or practices? What parts of your organisation do they relate to?
- Are there any patterns in behaviours, practices, safety incidents or near misses that need to be fixed?
- Are there any themes that emerge that suggest that people in your organisation may not understand how to follow your child safe policies?
- What needs to change to address the issues identified and strengthen child safe systems and practices?

These observations should inform review findings and plans for improvement.

## Reporting on review findings

Child safe organisations are open and transparent about their child safe practices. You should report findings from reviews to staff and volunteers, children in your organisation, their families, and other relevant community members.

Reporting on your review findings is consistent with obligations under [Standard 4](#), which requires organisations to engage, consult and openly communicate with families and communities.

## TOOLS AND TIPS

### Respecting privacy and confidentiality

Sometimes the content and findings of a review may involve personal or sensitive information about individual staff, volunteers or children. There may also be concerns about confidentiality.

In Victoria, the [Privacy and Data Protection Act 2014 \(Vic\)](#) establishes privacy laws and protections, and is applicable to Victorian government organisations, including departments, councils, schools, universities and TAFEs. The [Privacy Act 1988 \(Cth\)](#) applies to Australian government agencies, organisations with an annual turnover more than \$3 million and some [small businesses](#).

**Personal information** is information or an opinion about you where your identity is clear or where someone could reasonably work out that it related to you.

Personal information can include:

- a person's name
- email address
- postal address
- phone number
- signature
- fingerprint
- photographs or surveillance footage of a person
- comments written about a person
- financial details.

**Sensitive information** includes information about a person's:

- race or ethnicity
- political opinions
- membership of a political association
- religion
- philosophical beliefs
- membership of a professional or trade association
- membership of a trade union
- sexual preferences or practices
- criminal record.<sup>219</sup>

Usually, it is **not** appropriate for organisations to publicly report information that is personal or sensitive. Your organisation should consider how it shares review findings and planned improvements while respecting the privacy of those involved in any previous complaints, concerns or safety incidents. Your organisation may be able to share themes or high level, non-identifying summaries of complaints, safety concerns or safety incidents in a way that protects personal or sensitive information of individuals.

More information about privacy can be found on the [Office of the Victorian Information Commissioner](#) and [Australian Information Commissioner](#) websites.

**Confidentiality** can be important. Some people may be reluctant to participate in reviews and give their feedback. Offering to keep their identity confidential may help. More information on maintaining confidentiality during the complaints process and taking a trauma-informed approach to complaints is available in [Standard 7](#).

<sup>219</sup> Office of the Victorian Information Commissioner, [Your privacy rights](#), 2020.

## Standard 10

Things to consider when reporting on review findings include:

- share findings in a timely way so they remain current and meaningful
- communicate findings to children in age-appropriate ways
- make findings and recommendations easy to access and understand
- share findings from reviews and outline any plans to change or update child safe practices or systems
- inform your organisation's community about when changes will happen and/or further reviews
- remember to protect people's privacy and maintain confidentiality as required by law or where you have committed to do so
- consider how publicly reporting on a review may impact on parties involved in any safety incidents referenced – especially consider the need to warn any victim-survivors that the report will be published.

There are many ways to share review findings, and your organisation's approach should be informed by the value of transparency and openness, as well as the needs of your organisation's community.

## Further resources

The Australian Human Rights Commission's e-learning module on National Principle 9 available at [Child Safe Organisations e-learning portal](#).

For further information about privacy laws in Victoria, see the [Office of the Victorian Information Commissioner](#) website.

## TOOLS AND TIPS

### Sharing findings

Methods for sharing findings include:

- bulletins on websites or social media
- group emails
- stories in newsletters
- in-person or online group discussions or forums
- at regular meetings or assemblies
- in periodic or annual reports.

## Standard 11

Policies and procedures document how the organisation is safe for children and young people



**In complying with Child Safe Standard 11 an organisation must, at a minimum, ensure:**

- 11.1** Policies and procedures address all Child Safe Standards.
- 11.2** Policies and procedures are documented and easy to understand.
- 11.3** Best practice models and stakeholder consultation informs the development of policies and procedures.
- 11.4** Leaders champion and model compliance with policies and procedures.
- 11.5** Staff and volunteers understand and implement policies and procedures.

## Compliance indicators

### What the Commission will look for when assessing this Standard

Organisations will generally comply if they produce these documents and undertake these actions in a way that supports the organisation to achieve this Standard.<sup>220</sup> The nature or characteristics of your organisation may mean you need to do something different to what is proposed in this guide. If so, you may have to explain how your approach complies with the outcomes and the minimum requirements of the Standards.

#### DOCUMENTS

- A Child Safety and Wellbeing Policy sets out the organisation's expectations, practices and approach in relation to each of the Child Safe Standards. (11.1, 11.2 and links to 2.3)
- A Code of Conduct sets out the expectations for behaviour and responsibilities of staff and volunteers. (11.1, 11.2 and links to 2.4)
- Risk assessment and management plans address risks of child abuse and harm. (11.1, 11.2 and links to 9.1 and 9.3)
- The complaint handling policy and processes address how the organisation will respond and all internal and external reporting obligations. (11.1, 11.2 and links to Standard 7)
- Organisational recruitment, human resources and volunteering policies have a clear child safety focus. (11.1, 11.2 and links to Standard 6)
- If your organisation contracts facilities and/or services from third parties, procurement policies ensure the safety of children. (11.1, 11.2 and links to 9.4)

<sup>220</sup> Some sectors and organisations have co-regulators, in addition to the Commission, that have issued specific guidance. Where a co-regulator's guidance on the Standards applies to your organisation, and is different to this guide, your organisation should follow that co-regulator's guidance.

## ACTIONS

- Regular consultation on child safety with everyone involved in your organisation is undertaken. (11.3 and links to Standards 3 and 4)
- The organisation uses input from consultations and available information about creating child safety and wellbeing to help develop, review and update policies and procedures related to child safety. (11.3)
- The organisation's policies and procedures cover all the Child Safe Standards and address the risks to the safety of children that are specific to the organisation and its environment. (11.1)
- Policies and procedures are easy to understand and can be accessed easily. (11.2)

## Introduction

**'We're told from day one to listen and follow the rules... but what rules do they follow?' – young person**

Documented policies and procedures are critical for your organisation to implement the Standards, prevent child abuse and harm, and promote the wellbeing and safety of children.

**Policies** are the documented rules, expectations and positions of the organisation.

**Procedures** are the documented actions and processes that put the organisation's policies into operation.

Policies and procedures will guide people within your organisation by describing how the organisation promotes wellbeing and prevents and responds to child safety issues. Their role is to provide clear guidance so that leaders, staff, volunteers, children and their families understand how things are done, what they can expect and what they are expected to do.

Effective policies and procedures:

- help everyone in an organisation know what should happen and what they should do
- help avoid inconsistent or reactive responses where staff and volunteers are left without assistance on complex issues putting people at risk
- support leaders, staff and volunteers to be on the same page about how the organisation does things and supports everyone to uphold the organisation's expectations in relation to child safety
- help maintain child safe practices when there are changes to leadership, staff and volunteers
- are widely available and accessible within the organisation, and where appropriate, outside the organisation
- are written simply and can be easily understood by everyone in the organisation and the community
- are up-to-date, relevant and regularly reviewed
- are championed by leaders
- are implemented throughout the whole organisation and across all staff and volunteers.

**The Royal Commission into Institutional Responses to Child Sexual Abuse identified that a lack of current, clear policies and procedures can increase opportunities for perpetrators to abuse children. Where policies did not exist or were not followed, there were instances of child sexual abuse. Reasons included:**

- organisations prioritising efficiency and cost cutting, for example, having only one staff member on duty when two or more staff were needed to supervise children
- organisations claiming a lack of resources to train or supervise staff on their policies and procedures
- organisations relaxing safeguards over time, allowing a 'drift into failure'
- when minor deviations from policies and procedures do not lead immediately to negative outcomes, they can become normal
- staff, volunteers and others may not be given enough information about child protection policies to be able to follow them.<sup>221</sup>

Documenting policies and procedures sends a message to everyone that child safety is important.

## Preparing a policy or procedure

There are several steps involved in developing meaningful, accessible and relevant policies and procedures.

### Step 1: Research and consult

Consult widely with leaders, staff, volunteers, families, children and your organisation's community to understand their views, experiences and expectations.

Consider any relevant research or advice from other experts or organisations that could inform your policies or procedures.

### Step 2: Write

While policies and procedures need to be thorough and accurate, try to keep the language and contents as simple and accessible as possible. They should be easy for everyone to understand.

### Step 3: Seek feedback

Share the draft policy or procedure with staff, volunteers, families, children and your organisation's community to ask for feedback. Update the draft as required.

### Step 4: Seek approval

Get approval for the policy or procedure from your board, committee of management or senior leaders.

### Step 5: Share and implement

Display, publish or distribute the policy or procedure so that people who need it can find it. Make sure it is accessible to everyone who needs it including people with different communication and language needs.

For policies, you may like to perform a 'launch' or announce the policy making sure that relevant staff, volunteers, families, children and other members of your community are aware of the policy and its requirements.

Organise necessary training to make sure staff and volunteers can implement and follow the policy or procedure.

When new people join the organisation, share relevant policies and procedures with them.

<sup>221</sup> Commonwealth of Australia, Royal Commission into Institutional Responses to Child Sexual Abuse, [Final report: Volume 2, Nature and cause](#), 2017, p 172.

Remind people regularly about the policies and procedures so they remain aware of the organisation's expectations.

### Step 6: Review

Using information about what worked and did not work, review and update policies and procedures regularly to make sure they remain current and effective.

## Policies and procedures address all Standards

The Standards work together to prevent child harm and abuse and promote safety and wellbeing.

This guide sets out in different chapters which parts of the Standards need to be documented in policies and procedures. More information on preparing a Child Safety and Wellbeing Policy is in [Standard 2](#).

Incorporating child safety in your policies (where relevant) is an important part of embedding child safe policies and practices in your organisation. This means that child safety is not seen as an add-on or something separate. Rather it is an everyday part of how your organisation operates.

In addition to the Child Safety and Wellbeing Policy, some common areas for policies that should consider child safety and the Standards include:

- Code of Conduct
- complaint handling and feedback policies
- risk management policies and plans
- reporting policies
- recruitment and screening policies
- performance monitoring, supervision or disciplinary policies
- social media policies
- stakeholder engagement plans
- occupational health and safety policies
- hygiene policies
- equity, diversity and inclusion plans or policies
- procurement policies and contracts
- record keeping, information sharing and privacy policies.

## Policies and procedures are documented and easy to understand

**'Make the rules clear, not just for workers but for us and everyone.'**  
– young person

**'Ask if people understand the rules, and if they don't, make sure they can share the rules in a way they do understand.'** – young person

It is not enough to think about preferred practices or believe that everyone in the organisation is already doing the right thing. Rules and expectations need to be written down and formalised in policy so they can be shared and used to embed child safety consistently.

Some child safety issues can be complex to understand, but your organisation's policies should aim to be written as simply as possible. Policies should be written with the audience in mind, using language that is accessible to everyone who needs to understand it. When making your policies, think about who will need to read them, understand them and put them into practice.

Policies and procedures should not be:

- long, complex documents that stay 'on the shelf' and are not used or known about
- out-of-date and not trusted by staff and volunteers as presenting the organisation's current position
- developed in isolation from staff and volunteers, the children they work with or families and carers
- ignored by leaders, staff or volunteers.

[Standard 5](#) and [Standard 7](#) provide information on creating accessible, child-focused policies and procedures.

## TOOLS AND TIPS

### Accessibility

Ask: Who needs to access and understand this policy?

- Who are our staff and volunteers, and what is their capacity to read and apply this policy?
- What kind of images, diagrams, maps or simplified language can we use to make this policy short and easy to understand?
- How can we make this policy, or key information from it, accessible to children?
- Do we need a specific version of the policy for children and their families?
- How can we communicate the policy to people to support them to understand its purpose and how to use it?
- How will we make the policy accessible to people from culturally and linguistically diverse backgrounds, or people with disability?
- How can we invite feedback to make the policy more accessible?

## Best practice and stakeholder consultation

**‘When they decide rules and regulations, before they are made official, speak to kids and young people to figure out if it’s actually going to help kids or if it’s just something that adults think will help kids.’ – young person**

It is difficult to produce effective policies if they are developed in isolation. Policies need to provide practical guidance to staff and volunteers and others in the organisation, which can be hard to get right if they are not involved. Ideas from other organisations and experts can also help you to develop approaches to issues that have the best chance of creating a safe environment for children that promotes their wellbeing.

## Best practice

Fortunately, organisations do not always need to start from scratch. Most child safety matters have been considered before by experts, academics, peak bodies and other organisations. Tapping into insights provided by others’ experience, and by available research and written guidance, can help your organisation produce the best results for children. This is often referred to as ‘best practice’, meaning the current, accepted state of knowledge about what works.

Best practice in child safety for your organisation is what works for your unique circumstances. What works for one organisation may not work for another.

What is considered best practice also changes. Organisations must keep an eye on how best practice ideas are changing and review policies regularly to make sure they remain in line with current thinking about child safety. This can be part of the review process in [Standard 10](#). Best practice information and resources are different for different organisations, and you will need to be aware of the sources of best practice guidance relevant to your activities or sectors.

## TOOLS AND TIPS

### Where can organisations find ‘best practice’ information and resources?

Try searching online for:

- Commission for Children and Young People guidance
- other Commissioners for Children and Young People around Australia
- Royal Commission into Institutional Responses to Child Sexual Abuse
- National Office for Child Safety
- industry and sector peak bodies
- academic and other research.

Not all organisations can manage extensive research. For smaller organisations, with limited responsibility for children, it may be enough to review the Commission for Children and Young People’s (the Commission’s) guidance.

### Stakeholder consultation

**‘We should be able to make some rules, because most rules are from a principal or teacher’s perspective rather than a student.’ – young person**

Asking for different views and insights will help to make sure that a policy is effective and covers everyone’s different needs. Consultation also means that policies can be tested to check they are relevant, provide the right kind of information and will be used. Usually, it is easier to implement a policy when those who will use it have had a say in its development.

Organisations are required to consult with stakeholders to inform the development of policies and procedures. In this guide we interchange the terms stakeholders and organisation’s community.

Children should have a say in the development of policies that affect them. [Standard 3](#) and the Commission’s [Empowerment and participation: a guide for organisations working with children and young people](#) provide some ideas about how to engage with children about safety in the organisation. [Standard 4](#) also requires that families and communities have a say in the development and review of an organisation’s policies and practices.

Consulting with stakeholders can be done in different ways. Organisations with a high level of responsibility for the care of children may need to seek the views of multiple stakeholders and thoroughly test ideas when developing child safety policies. Smaller organisations may take a simpler approach to consultation, in line with their resources.

## TOOLS AND TIPS

### Consultation methods

There are many ways to consult. Consulting involves asking questions and sharing information and context to engage people in sharing their views and experiences to inform policy development. Some methods organisations could use are:

- surveys
- workshops
- facilitated group conversations
- informal group conversations
- one-on-one discussions
- invitations for submissions or written input
- meetings
- online feedback sites or tools
- group emails
- focus groups.

## TOOLS AND TIPS

### Championing and modelling compliance for leaders

- Make public statements about the importance of child safety in the organisation.
- Make child safety visible in the organisation through regular discussions, websites, posters, emails, online stories or newsletters.
- Understand how child safety issues are managed and be familiar with policies.
- Regularly discuss child safety in meetings and forums.
- Ensure relevant policies are in place and available to everyone who needs them.
- Put policies into practice and support staff, volunteers and children to use them.
- Make sure relevant child safety training is provided for staff and volunteers.
- Be involved in stakeholder consultation as part of the development of child safe policies in the organisation.
- Talk to children and families about what the organisation is doing to keep children safe.
- Engage with children about their experiences in the organisation.
- Listen and act when children have feedback or raise concerns.
- Make sure risk management in the organisation focuses on child safety.
- Share successes and acknowledge good child safe practices and initiatives in the organisation.

### Leaders champion and model compliance

A child safe culture requires an organisation to have shared attitudes, values, policies and practices that prioritise the safety of children. Leaders play an important role in creating a culture where children's safety and wellbeing is at the heart of the organisation and the way it operates.

Leaders need to understand and champion their child safety policies and procedures and set expectations for others in the organisation. They should lead the way by modelling compliance.

Championing and modelling compliance means leaders take a proactive, outspoken approach on the importance of child safety and wellbeing. Leaders 'walk the talk' in taking child safety matters seriously, responding promptly and thoroughly, and providing staff and volunteers with the time and resources needed to embed child safe practices throughout the organisation. Leaders must follow their organisation's policies and be held accountable for this.

More information on what leaders are required to do to create and maintain a child safe culture is in

[Standard 2](#).

### Staff and volunteers implement policies and procedures

Everyone has a role in creating a child safe organisation. Staff and volunteers are usually responsible for taking action to implement child safe policies and follow procedures to embed child safety into everyday practice.

Staff and volunteers need to be treated as a critical part of creating a child safe organisation. They should be provided with the information and support necessary to put policies and procedures into practice.

[Standard 8](#) requires that staff and volunteers are trained and supported to effectively implement the organisation's Child Safety and Wellbeing Policy.

Leaders also need to hold staff and volunteers to account for implementing child safe policies and following procedures. Leaders also need to take action on any breaches by staff and volunteers of child safe policies or procedures, such as the organisation's Code of Conduct.

# Glossary

## Aboriginal

The term Aboriginal in this guide is inclusive of Aboriginal and Torres Strait Islander peoples.

## child or young person

In this guide we use the term child or children to include both children and young people under the age of 18 years.<sup>222</sup>

## child abuse

Child abuse is defined in the *Child Wellbeing and Safety Act 2005* (Vic) as including:

- a sexual offence committed against a child
- an offence committed against a child under section 49M(1) of the *Crimes Act 1958* (Vic), such as grooming
- physical violence against a child
- causing serious emotional or psychological harm to a child
- serious neglect of a child.

## child safe culture

A child safe culture means an organisation has shared attitudes, values, policies and practices that prioritise the safety of children.<sup>223</sup>

## Child Safety and Wellbeing Policy

A Child Safety and Wellbeing Policy clarifies the organisation's expectations about child safety and wellbeing systems and practices and how the organisation is meeting the Standards. The policy holds staff and the organisation to account and may include statements to children, families, staff, volunteers and the community that an organisation is committed to child safety and wellbeing, as well as describing how that commitment will be met.

## child safety officer

A child safety officer is the role within the organisation responsible for training others in implementing the Child Safe Standards.

## child safety person

A child safety person is a nominated person, or persons, that people within the organisation's community can go to with any child safety concerns or complaints. Their name and contact details are widely advertised around the organisation.

Organisations may choose to consolidate both the child safety officer and child safety person functions into one role.

## communities

Communities means a group of people with whom a child shares common interests, experiences, social background, nationality, culture, beliefs or identity.<sup>224</sup>

<sup>222</sup> Adapted from the *Child Wellbeing and Safety Act 2005* (Vic).

<sup>223</sup> Adapted from Commission for Children and Young People, [Empowerment and participation: a guide for organisations working with children and young people](#), 2021.

<sup>224</sup> Adapted from Cambridge Dictionary definition.

### concerns and complaints

A **concern** refers to any potential issue that could impact negatively on the safety and wellbeing of children.

A **complaint** is an expression of dissatisfaction to an organisation related to one or more of the following:

- the organisation's services or dealings with individuals
- allegations of abuse or misconduct by a staff member, a volunteer or another individual associated with the organisation
- disclosures of abuse or harm made by a child
- the conduct of a child at the organisation
- the inadequate handling of a prior concern
- general concerns about the safety of a group of children or activity.<sup>225</sup>

### cultural rights

Cultural rights are the rights of each child (either individually or as part of a group of people) to develop and express their background, customs, social behaviour, language, religion or spirituality, beliefs and way of living.

Aboriginal people have distinct cultural rights to enjoy their identity and culture; maintain the use of their language; maintain their kinship ties; and maintain their relationship with the land, waters and other resources with which they have a connection under traditional laws and customs.<sup>226</sup>

### cultural safety

Cultural safety is 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'. It empowers people and allows them to contribute and feel safe to be themselves.<sup>227</sup>

### culturally and linguistically diverse

Culturally and linguistically diverse is a broad and inclusive term for communities with diverse language, ethnic background, nationality, dress, traditions, food, societal structures, art and religion characteristics.<sup>228</sup>

Culturally and linguistically diverse does not usually include Aboriginal communities and people because of their distinct history and experience as Australia's First Nations people. For the purposes of the Standards there are specific considerations for Aboriginal children, however, we also acknowledge the cultural and linguistic diversity of Aboriginal communities.

### disability

Disability means:

- the total or partial loss of a body part or a bodily function (such as mobility, sight or hearing)
- the presence in the body of organisms that may cause disease
- malformation or disfigurement
- a mental or psychological disease or disorder
- learning difficulties.

Disability may be permanent, non-permanent or an increased chance of developing a disability in future. Disability also includes behaviour that may be a symptom or expression of disability even if that disability is not formally diagnosed.

<sup>225</sup> Adapted from Commonwealth of Australia, Department of the Prime Minister and Cabinet, [Complaint handling guide: upholding the rights of children and young people](#), National Office for Child Safety website, 2019.

<sup>226</sup> Adapted from [Charter of Human Rights and Responsibilities Act 2006 \(Vic\)](#).

<sup>227</sup> The Secretariat of National Aboriginal and Islander Child Care (SNAICC), with the help of Victorian Aboriginal Child Care Agency (VACCA), in partnership with the National Office for Child Safety created: Commonwealth of Australia, Department of the Prime Minister and Cabinet, [Keeping our kids safe: cultural safety and the National Principles for Child Safe Organisations](#), 2021, p 7.

<sup>228</sup> Ethnic Communities' Council of Victoria, [Glossary of terms](#).

### disclosure

A disclosure is the process by which a child conveys or attempts to convey that they are being, or have been, abused. Disclosure can be verbal, non-verbal or indicated through behaviour. A disclosure may be accidental or intentional, partial or complete and victims may disclose in different ways to different people throughout their lives.<sup>229</sup>

Adults may also convey that they were abused as a child or that they may have perpetrated abuse.

### empowerment

Empowerment is building up children and strengthening their confidence in themselves and in an organisation. It involves equipping children with the skills and knowledge to make informed decisions and enabling them to increase control of their lives.<sup>230</sup>

### equity

Equity is a state of fairness in which all children are equal and can participate fully and safely in an organisation, regardless of their background, characteristics or beliefs. This requires that organisations understand that some children have different needs and may require different supports or assistance to feel safe, well and to participate fully.<sup>231</sup>

### families

Families means people who make up the family unit for a child. Families may be made up of a wide variety of relationships, including those who are related by blood, marriage, adoption, kinship structures or other extended family structures. Families may include people who share in the daily tasks of living or share a very close, personal relationship.

### governance

Governance is an organisation's leadership, oversight and accountability processes. Governance includes an organisation's rules as to who has the authority to make decisions, how decisions should be made and monitored and how people are to be held to account.<sup>232</sup>

### harm

Harm is damage to the health, safety or wellbeing of a child, including as a result of child abuse by adults or the conduct of other children. It includes physical, emotional, sexual and psychological harm. Harm can arise from a single act or event and can also be cumulative, that is, arising as a result of a series of acts or events over a period of time.

### human rights

Human rights refers to all the rights of children, including those in the Universal Declaration of Human Rights, the United Nations Convention on the Rights of the Child and the *Charter of Human Rights and Responsibilities Act 2006* (Vic). Rights include a child's right to safety, information and participation in an organisation.

### inclusive environment

Organisations with an inclusive environment:

- value all children
- respect their rights
- challenge all forms of discrimination
- understand and respond to the needs and capabilities of all children and their families, including Aboriginal children and their families
- adjust their approaches to ensure all children feel safe, welcome and can participate.<sup>233</sup>

<sup>229</sup> Adapted from Commonwealth of Australia, Royal Commission into Institutional Responses to Child Sexual Abuse, [Final report: Volume 4, Identifying and disclosing child sexual abuse](#), 2017.

<sup>230</sup> Commission for Children and Young People, [Empowerment and participation: a guide for organisations working with children and young people](#), 2021, p 6.

<sup>231</sup> Based on concepts from the *Equal Opportunity Act 2010* (Vic).

<sup>232</sup> Adapted from Governance Institute of Australia, [What is governance?](#)

<sup>233</sup> Adapted from Commission for Children and Young People, [Empowerment and participation: a guide for organisations working with children and young people](#), 2021.

### information sharing obligations

Different organisations are subject to different information sharing obligations in Victoria. The law requires or allows, in certain circumstances, some organisations to share confidential or sensitive information about a person with each other, often to support safety or wellbeing. It is the responsibility of an organisation to understand and comply with its obligations in these areas.

Information sharing schemes in Victoria include the [Child Information Sharing Scheme](#) and the [Family Violence Information Sharing Scheme](#).

To find out if you are one of these organisations, refer to information on the [Who can share information under the information sharing and MARAM reforms](#) information page.

### online environments

Online environments are any technological platforms which an organisation uses or controls, such as computers, phones, websites, intranet, social media and video conference facilities regardless of where such platforms may be accessed by children.

### organisation's community

The terms stakeholder and organisation's community are used interchangeably in this guide. The organisation's community is anyone who has an interest in or engages with the organisation. The organisation's community can include:

- staff
- volunteers
- children the organisation engages with
- families, including parents and carers
- members (for example, of sporting clubs)
- related organisations, such as organisations you share facilities or activities with, third-party providers, or peak bodies
- other community groups or members.

### organisational culture

Organisational culture is the system of shared assumptions, values and beliefs that influence the way people behave in an organisation, and how these factors contribute to the organisational environment.<sup>234</sup>

### participation

Participation refers to opportunities for children to have their say and to inform decision-making. This includes engaging children in conversation where ideas are shared. This requires organisations to listen, to hear and to make appropriate changes based on what children share.<sup>235</sup>

### physical environments

Physical environments are the physical places where an organisation operates or conducts activities, such as a building, facility or space and includes physical environments operated by third parties.

### policies

Policies are the documented rules, expectations and positions of the organisation.

### practices

Practices are the rules, expectations, actions or processes that are commonly or usually done by, or within, the organisation, regardless of whether those rules, expectations, actions or processes are written down.

### procedures

Procedures are the documented actions and processes that put into operation the organisation's policies.

### processes

Processes are a systematic series of actions directed at achieving a particular outcome.

<sup>234</sup> Commission for Children and Young People, [Empowerment and participation: a guide for organisations working with children and young people](#), 2021, p 15.

<sup>235</sup> Commission for Children and Young People, [Empowerment and participation: a guide for organisations working with children and young people](#), 2021, p 7.

### risk

In the context of the Standards, risk is exposure to the chance for harm or abuse of a child to occur in connection with an organisation.<sup>236</sup>

### risk management

Risk management involves identifying, preventing and minimising risk as much as is reasonably possible.

### safety incidents

Safety incidents refer to any event of harm or abuse of a child and includes incidents that could have caused harm or abuse of a child.<sup>237</sup>

### sexual abuse prevention programs

Sexual abuse prevention programs refer to age-appropriate programs and education delivered to children to build their knowledge and skills to understand inappropriate behaviour by adults and other children, help protect themselves from potentially abusive situations, and become aware of how to seek help in the event of abuse or attempted abuse. Persons delivering formal sexual abuse prevention programs or education should be appropriately skilled and trained.<sup>238</sup>

### staff

Staff means a person engaged by an organisation as an employee, worker, contractor, labour hire worker, officer or office holder, minister of religion or religious or pastoral leader, regardless of whether that person's role relates to children.<sup>239</sup>

### stakeholders

Refer to definition for organisation's community.

### strategies

Strategies are plans or actions designed to achieve a particular outcome.

### supervision

Supervision, in reference to staff and volunteers, refers to an organisation's oversight of the conduct of staff and volunteers. Supervision may include providing staff and volunteers with resources, training and support as well as monitoring their conduct.

### systems

Systems is a broad term used to describe related or coordinated procedures or processes of the organisation, which work together towards preventing, responding to and reporting of allegations of child abuse and harm.

### volunteer

Volunteer means any person engaged by or a part of an organisation who provides a service without receiving a financial benefit, regardless of whether their role relates to children. 'Volunteers' for the purpose of the Standards includes foster carers and kinship carers. There is no minimum period of engagement to be considered a volunteer.

### wellbeing

Wellbeing is a positive state of physical, mental and emotional health. It generally means feeling safe, happy and healthy more than momentarily.

<sup>236</sup> Adapted from Macquarie Dictionary definition.

<sup>237</sup> Australian Human Rights Commission, [Child Safe Organisations e-learning modules](#), Child Safe Organisations website.

<sup>238</sup> Royal Commission, [Final report: Volume 6, Making institutions child safe](#), pp 70–71.

<sup>239</sup> Adapted from the *Child Wellbeing and Safety Act 2005* (Vic).



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