

Commission for Children and Young People

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COMMISSION FOR CHILDREN
AND YOUNG PEOPLE

What are the Commission's roles?

Provide independent
scrutiny and oversight

Advocate

Promote views and
experiences
of children and young people

Promote rights, safety
and wellbeing
of children and young people

Support and regulate organisations



Lead up to Child Safe Standards and Reportable Conduct Scheme



Betrayal of
Trust
Inquiry

2012 - 2013

Child Safe
Standards

2016

Reportable
Conduct
Scheme

2017

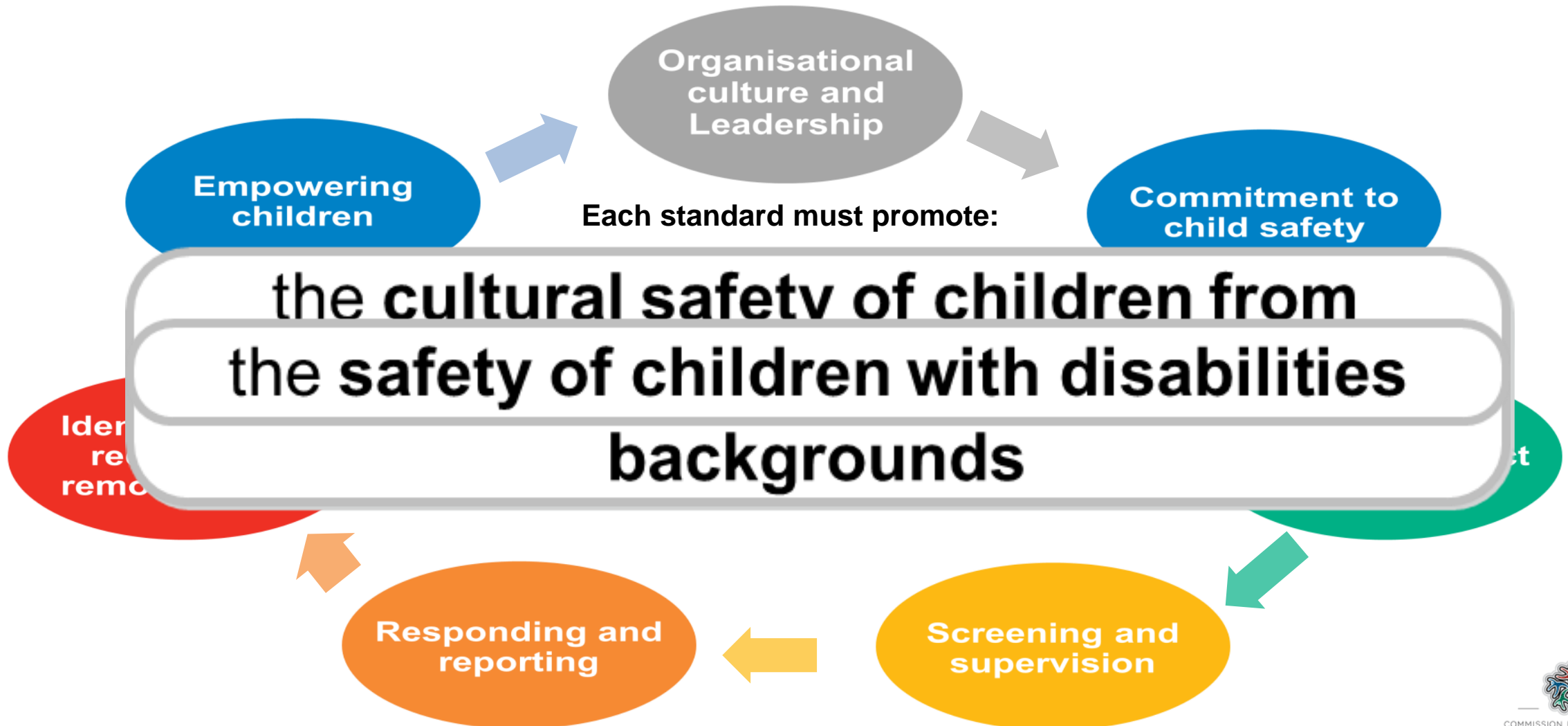
2013 - 2017



Royal Commission
into Institutional Responses to Child
Sexual Abuse

Child Safe Standards

What are the Child Safe Standards and Principles?



Need for Child Safe Standards

Child abuse is not just a problem from the past

The standards support:

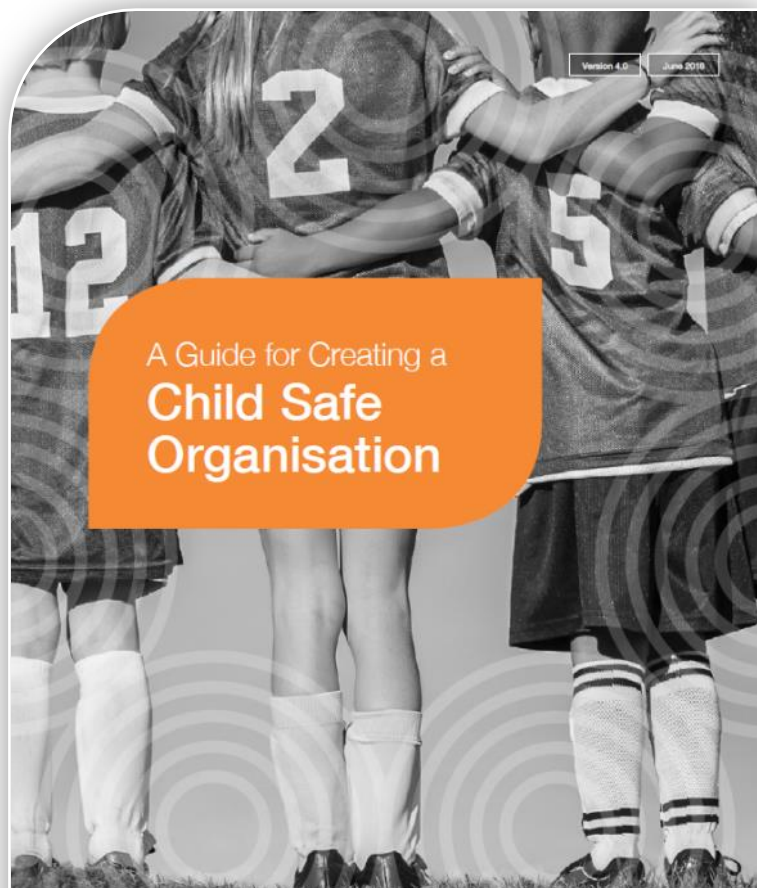
- prevention
- social change

“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”

Royal Commission into Institutional Responses to Child Sexual Abuse



Implementing the standards



Child Safe Standards – Implementation and Action Plan Tool

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

	What is already in place? (Examples of activity in action)	How does the activity/action support your organisation in complying with the standards?	Are there any weak gaps or improvements? What are they?
In what ways does your organisation publicly commit to child safety?	EXAMPLES ONLY: <i>Posters of our Statement of Commitment to Child Safety are displayed on noticeboards.</i> <i>Our Statement of Commitment to Child Safety is published in all job advertisements.</i> <i>Our Statement of Commitment to Child Safety is stated in the introduction to the Volunteer Manual.</i>	EXAMPLES ONLY: <i>New employees and volunteers are made aware of our Statement of Commitment to Child Safety before they commence employment.</i> <i>Our Statement of Commitment to Child Safety is accessible to people accessing our service.</i>	EXAMPLES ONLY: <i>We should distribute a Policy to all families and ask for feedback.</i> <i>We should ask for feedback from families on our Child Safety Policy.</i> <i>We should have our Statement of Commitment to Child Safety on our website.</i>
How does your organisation's leadership champion a child safe culture?			
How does your organisation support leaders to make child safe decisions?	<i>Note: How do possible impacts on child safety inform decision-making at higher levels within the organisation? What systems and processes are in place to assist leaders to make organisational decisions in the best interest of children?</i>		
How are your organisation's leaders informed of the risks to child safety within your organisation?			
How does your organisation ensure child safety is a shared responsibility at all levels of the organisation?			

This template covers key aspects of the standards; however, the implementation of the standards within your particular organisation will start the process of analysing where your organisation needs safe processes, policies and risk strategies. As you identify who will be responsible for developing and overseeing that work, and how often reviews of these policies and procedures are needed.

Remember: With each element you must consider the safety of children from culturally and/or linguistically diverse backgrounds.

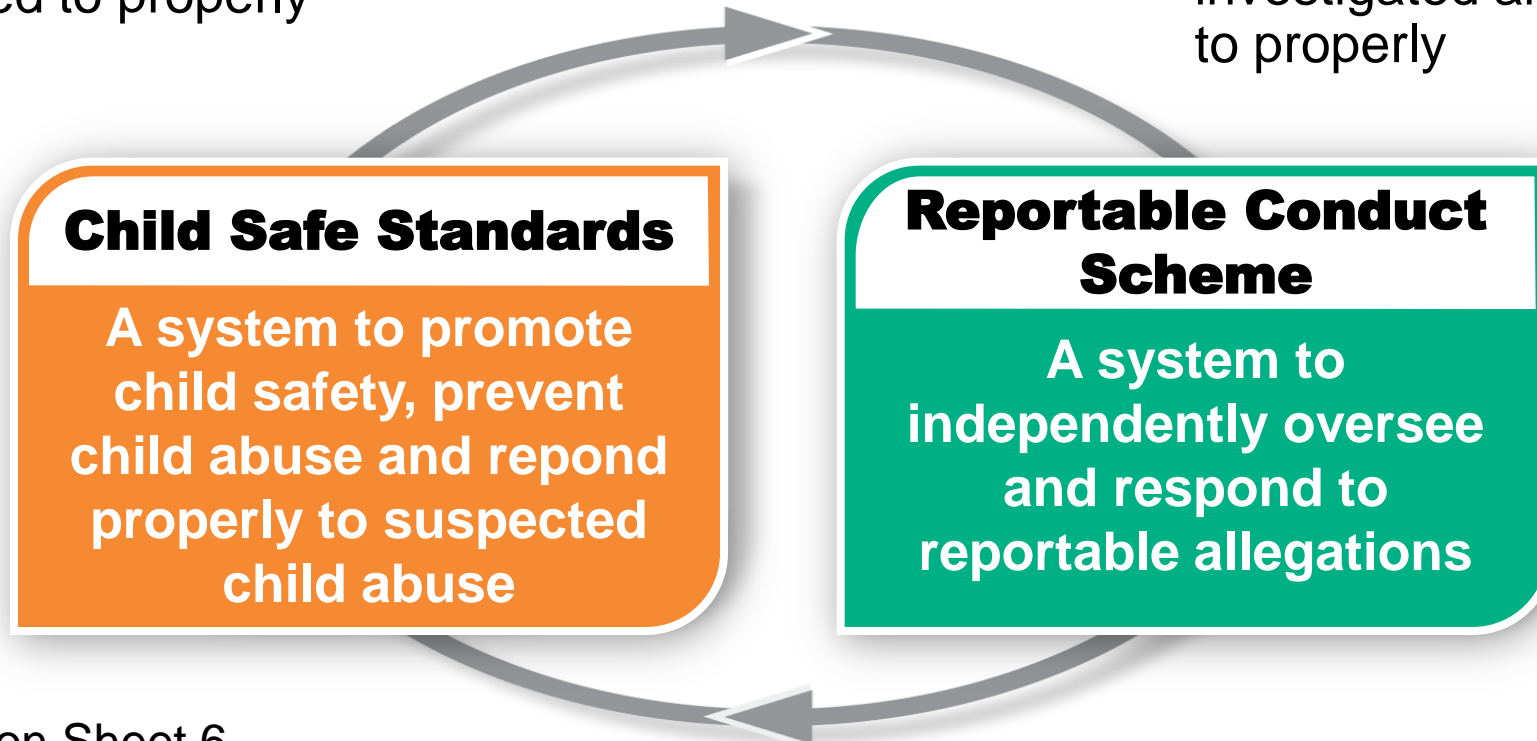
Reportable Conduct Scheme



Child Safe Standards and Reportable Conduct Scheme

- Organisations: 60,000+
- Focus: organisations and systems
- Flexible
- Supports conduct to be identified, reported and responded to properly

- Organisations: 12,000+
- Focus: worker and volunteer conduct
- Prescriptive
- Ensures reportable conduct is investigated and responded to properly



The Reportable Conduct Scheme

The Reportable Conduct Scheme aims to improve how organisations respond to allegations of child abuse and child-related misconduct

- Independent oversight of responses to allegations
- Information sharing
- Building on existing systems



Information Sheet 1



The scheme applies to those who are:

Employed
by the organisation

Engaged
by the organisation

**Religious
workers**
from a religious body

**Certain
foster or kinship
carers**

Includes:

- volunteers
- certain contractors
- office holders
- officers

Includes:

- ministers of religion
- a religious leader
- officers



- **Only those who are 18 years or older**
- **All workers and volunteers in the organisation**
- **Even if their work does not directly relate to children**

Reportable conduct

Sexual offences

Sexual misconduct

Physical violence

**Significant psychological/
emotional harm**

Significant neglect

committed against, with or in the presence of, a child



- **Applies to conduct both inside and outside the workplace**
- **Report based on reasonable belief, does not need proof**



Information Sheets 2, 9, 10 and 11

Head of an organisation is required to:



have systems in place to:

- **prevent** reportable conduct
- **enable** allegations to be made
- **investigate** and respond
- **report** criminal conduct to police



act to:

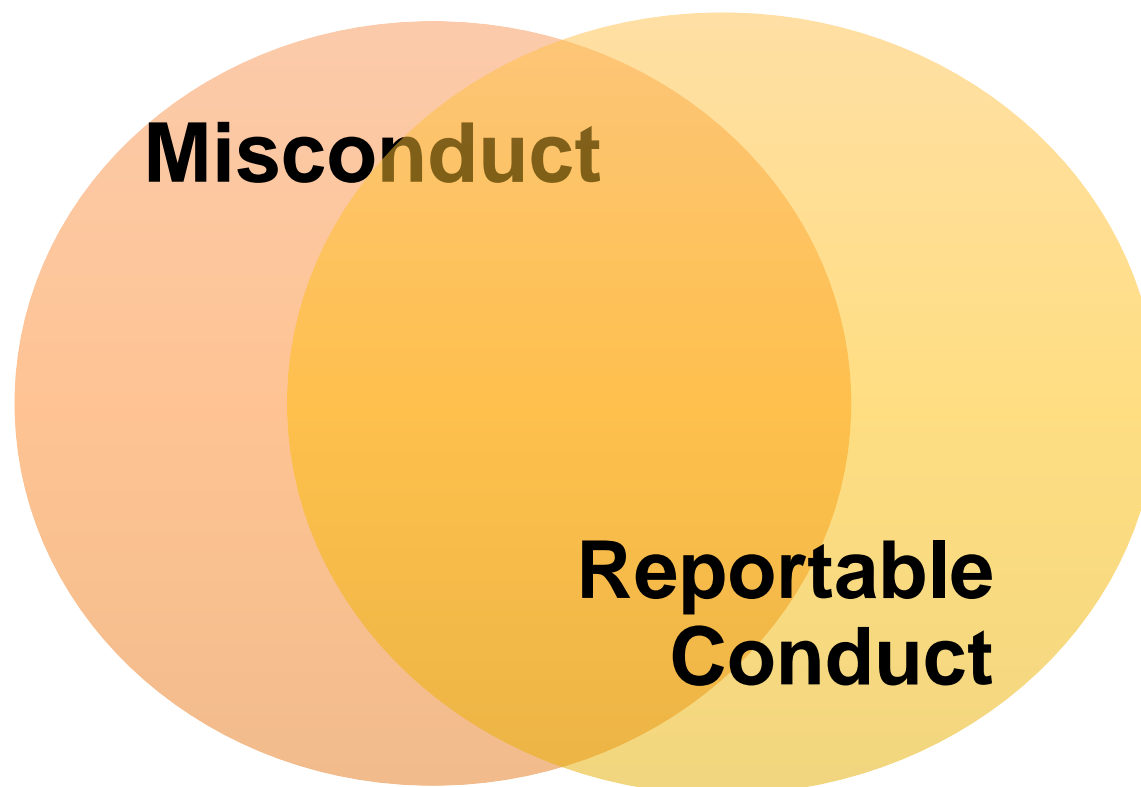
- **notify** the Commission of reportable allegations
- ensure allegations are **investigated**
- **update** the Commission
- report on the **outcomes** of the investigation and actions taken



Information Sheets 3 and 12

Misconduct vs Reportable Conduct

- A breach of professional standards
- A breach of a code of conduct



- a sexual offence
- sexual misconduct
- physical violence
- behaviour that causes significant emotional or psychological harm to a child
- significant neglect of a child



Criminal – you must get clearance from Victoria Police

Notifying a reportable allegation

The Commission must be notified when a head of an organisation has any information that leads a person to form a reasonable belief that

- an employee has committed reportable conduct

OR

- an employee has committed misconduct which *may* include reportable conduct



It is an offence for the head of an organisation to fail to notify the Commission



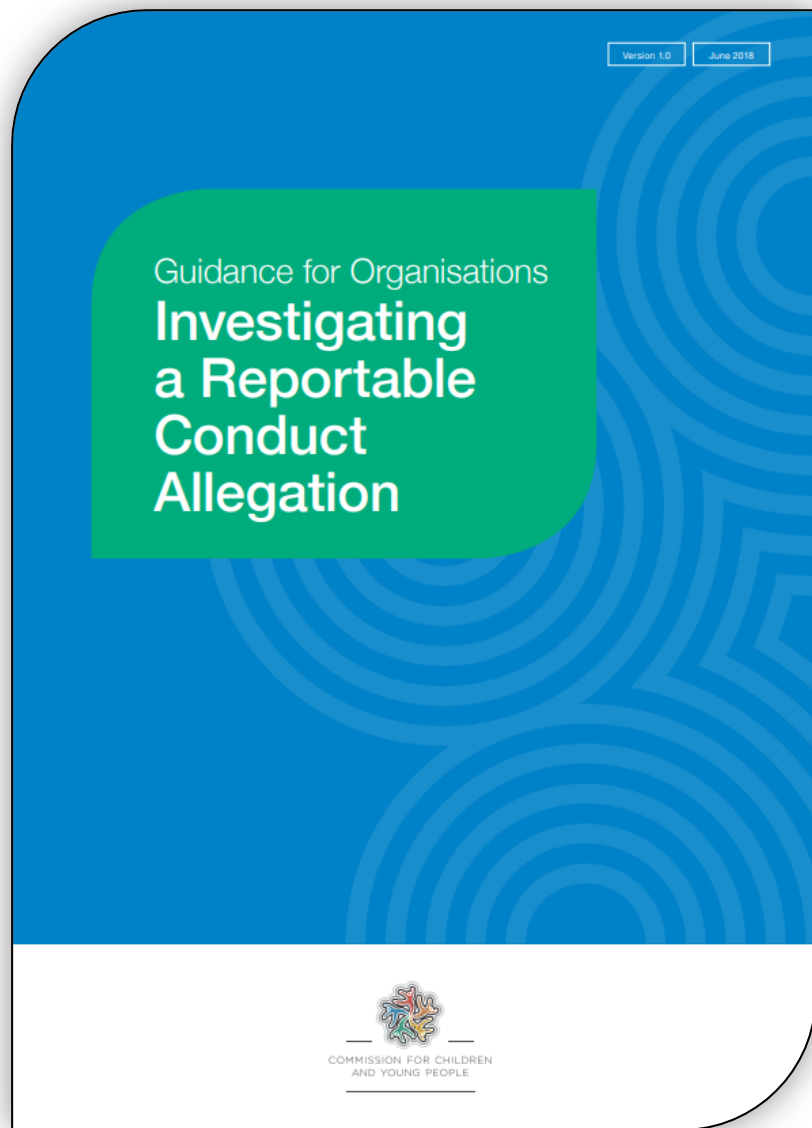
The alleged reportable conduct or misconduct need not occur within the workplace



An allegation may refer to reportable conduct or misconduct that is historical



Undertaking investigations



Remember:

- **Manage risks** during the investigation
- Apply **procedural fairness**
- Get **Police clearance** on criminal matters
- The standard of proof is the **balance of probabilities**

Engagement with the sector

The Commission is:

- raising awareness
- identifying key opportunities for engagement
- promoting greater cooperation, information sharing, regulatory coherence and efficiency with co-regulators and key peak bodies
- providing early years specific resources



New Resources



A Guide for Creating a Child Safe Organisation



نظرة عامة على معايير سلامة الأطفال

Arabic
Child Safe Standards

مفوضية الأطفال والشباب

المفوضية هي هيئة مستقلة ترشح لمصلحة سلامة الأطفال والشباب في فيكتوريا. وفي ما يتعلق بمعايير سلامة الأطفال، فإن دورنا يشمل:

- توفير المعلومات والمشورة والدعم للمؤسسات للمساعدة في بناء قدراتها على الامتثال لمعايير سلامة الأطفال وأن تكون آمنة للأطفال
- تثقيف وتقديم المشورة للمواطنين والجهات التنظيمية الحكومية لتعزيز الامتثال للمعايير
- إجراء استفسارات مع المؤسسات إذا كان لدينا مخاوف بشأن ما إذا كانت آمنة للأطفال، وعند الاقتضاء، إتخاذ إجراءات التنفيذ.

حول معايير سلامة الأطفال

ابتداء من 1 كانون الثاني/يناير 2017، أصبحت المعايير الإلزامية الخاصة بسلامة الأطفال سارية المفعول لكافة المؤسسات الفيكتورية التي تقدم خدمات أو مراقب للأطفال أو تولد أسفلاً. ويحدد قانون سلامة الأطفال لعام 2005 (القانون) تلك المنظمات التي يجب أن تمتثل لمعايير سلامة الأطفال.

توفر معايير سلامة الأطفال إطار عمل لمساعدة المؤسسات على تطوير الثقافة والنظم والسياسات لبناء مؤسسة آمنة للأطفال والمخاطر على التركيز على سلامة الأطفال.

هناك ثلاثة مبادئ رئيسية وسبعة معايير لمساعدة المؤسسات على معالجة المجالات الرئيسية للخطر.

تقدم هذه الورقة بعض الأمثلة على الخطوات الأولى لمساعدة المؤسسات على البدء في تطبيق معايير سلامة الأطفال. قد تحتاج المؤسسات إلى إتخاذ مزيد من الإجراءات لتكون متوافقة تماماً.

ما هي مبادئ معايير سلامة الأطفال؟

بعض الأطفال هم أكثر عرضة للإساءة بناءً على العمر أو الجنس أو الخلفية الثقافية أو الإعاقة أو سوء المعاملة أو الإهمال السابقين. يجب أن تتخذ المؤسسات خطوات لتطوير نهج سلامة الأطفال من خلال مراعاة احتياجات الأطفال من خلفيات متنوعة. تساعد المعايير المؤسسات على تركيز نهجها من خلال توفير ثلاثة مبادئ رئيسية:

- تعزيز السلامة الثقافية للأطفال الأوروغينيين
- تعزيز السلامة الثقافية للأطفال من خلفيات متنوعة ثقافياً ولغوياً
- تعزيز سلامة الأطفال ذوي الإعاقة.

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03 8601 5281

contact@ccyp.vic.gov.au

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Taking children's safety seriously

Victorian laws to help keep children safe

- Child Safe Standards
- Reportable Conduct Scheme

English

Victoria has laws to help keep children safe. Organisations that provide services or facilities to children may be required by law to comply.

Child Safe Standards laws require some Victorian organisations to have policies and take action to keep children safe.

Reportable Conduct Scheme laws require some Victorian organisations to report to the Commission for Children and Young People any allegations that one of their workers or volunteers has abused a child and do an investigation.

Contact the Commission on 8601 5281 for more information and to find out if these laws apply to your organisation. Translating and Interpreting Service 13 14 15.

Arabic

لدى فيكتوريا قوانين تساعد في الحفاظ على سلامة الأطفال. قد يطلب من المؤسسات التي تقدم خدمات أو مرافق للأطفال الامتثال بموجب القانون.

تتطلب القوانين معايير سلامة الأطفال من بعض المؤسسات في فيكتوريا أن تكون لديها سياسات وأن تتخذ الإجراءات للحفاظ على سلامة الأطفال.

وتتطلب قوانين مخطط السلوك الذي يجب الإبلاغ عنه من بعض المؤسسات في فيكتوريا أن تقدم تقريراً إلى مفوضية الأطفال والشباب عن أي ادعاءات بخصوص قيام أحد العاملين أو المتطوعين لديها بإساءة معاملة أحد الأطفال وأن تقوم بالتحقيق.

تصلوا بالمفوضية على الرقم 8601 5281 لمزيد من المعلومات ولتعرف ما إذا كانت هذه القوانين تنطبق على مؤسستكم. خدمة الترجمة الكتابية والتفوية 13 14 15.

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Chinese Simplified

維州有確保兒童安全的法規。為兒童提供服務或便利的機構或許要滿足合規要求。

兒童安全標準 (Child Safe Standards) 法規要求某些維州機構制定政策並採取行動確保兒童安全。

應舉報行為計劃 (Reportable Conduct Scheme) 法規要求某些維州機構向兒童和青少年委員會 (Commission for Children and Young People) 匯報對員工或義工虐待兒童的指控並進行調查。

撥打委員會電話 8601 5281 了解詳情並核實這些法規對貴機構是否適用。筆譯和口譯服務電話 13 14 15。

Chinese Traditional

維州有致力於確保兒童安全的法規。為兒童提供服務或便利的機構或許要滿足合規要求。

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COMMISSION FOR CHILDREN AND YOUNG PEOPLE

Take home messages

- Check if your organisation is required to comply with the Scheme
- If you are required to comply, decide who the 'head' of your organisation is
- Decide who, of the people at your organisation, can reportable allegations be made about
- Establish a clear process for:
 - reportable allegations to be made
 - ensuring the reportable allegation will be brought to the attention of the head of organisation
 - reporting the allegation to the Commission
 - a reportable allegation made against the head of organisation
 - responding to a reportable allegation
 - managing risks throughout the process – especially for children
 - conducting an investigation into the reportable allegation
- Ensure policies and procedure are updated to reflect these processes
- Decide how to communicate this message across your organisation

Further assistance



ccyp.vic.gov.au



(03) 8601 5281



contact@ccyp.vic.gov.au

Register on our website for updates

