Newsletter

We welcome you to our first newsletter. This newsletter will keep you updated on new resources, templates and case studies that have been identified on our site.
Likewise, we will include article of relevance for your interest.

In September 2022, we are pleased to offer each new client a free 20 minute conversation about their child safe journey and the next steps.

For more information join our site today. A small cost for a great investment.

Please feel free to recommend our website to other colleagues, businesses, friends, not for profit, religious and sporting organisations.

If you have suggestions about areas of improvement please send an email to info@childsafetynetwork.com.au.

What's New

Principle/ Standard	Organisation	Resource	Comment
One	Victorian Government	www.vic.gov.au/child-safe-standards-training-material	An example of how training can be developed and delivered to Boards and Committees which oversight practices, noting the large amount of information that is provided
Two	Children's Commissioner for Wales	www.childcomwales.org.uk /wp-content/uploads/2022/03/ TRW_Selfassessment_tool_ ENG-1.pdf	An assessment tool developed to assess how an organisation gives effect to children's rights in its day to day processes.
Three	Sacred Heart Catholic Parish Primary School, Melbourne Archdiocese Catholic Schools Ltd	Engaging-Families-in-Child-Safety-Policy	An example of a policy which outlines how families are engaged in child safety
Four	Qld Government, Child Safety Practice Manual	Communicating in a culturally sensitive way	The table which outlines key aspects of cultural sensitivity can also be applied to other cultural groups
Five	Mount Eliza Primary School, Victoria	Child-Safety-Induction-Pack	An example of how an induction pack can be developed for volunteers noting the large amount of information that is provided
Six	Australian National Audit Office, Performance Report	Management of Complaints by the Office of the Commonwealth Ombudsman	An example of an assessment of an organisations complaints policy. The summary, findings and recommendations are useful to review and apply to an organisation
Seven	Victorian Government	Schools - child safety knowledge, skills and awareness guidance | Victorian Government (www.vic.gov.au)	There is various material referring to key training requirements and how this may be achieved
Eight	eSafety Commissioner	eSafety Strategy 2022-25	The newly released strategy. How will this apply to your online services?
Nine	NSW Office of Children's Guardian	Implementing the Child Safe Standards	A Guideline which outlines how compliance with the Standards may be measured
Ten	Australian National Audit Office, Performance Report	See the case law section of this newsletter and also the Review of the Commonwealth Ombudsman's Complaint Process	Includes various discussion about Policies and Procedures, how these have been developed and areas of improvement

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Key focus areas

Committment Statements

There are many different types of Commitment Statements developed with varying levels of detail and complexity. These are often written statements although some organisations have cleverly enabled them to be accessible in different formats. The type of statement is often influenced by any adverse history the organisation has relating to unsafe child safe practices and any involvement in criminal prosecutions.

Within our site we have developed templates to assist you develop your Commitment Statement so it reflects the context of your organisation. This statement should broadly recognise your commitment to child safety and how the various aspects of the National Principles/Child Safe are related.

It is useful to focus on key area of the Standards and recognise that as they interlink it is not always necessary to refer to each standards subject area. On the website there are various examples which have been identified which are useful to examine and apply to your context. Remember less is more!! The Standards should underpin your strategic and operational approach.

The language used can be written in different tenses noting the use of first person may be more relatable to an individual, whilst third person may more accurately reflect the organisation.

Key focus areas

The role of education in embedding a child safe approach

As trainers who have delivered and developed various training courses over many years we have a deep appreciation of the benefits of training in improving workplace practices and culture. Likewise we understand the complexities associated with training in larger workplaces such as available time, costs, identifying suitable training products and materials and resource constraints.

These are all relevant considerations in meeting the requirements of Principle/Standard 7 to grow your workplace skills. Similarly, it is important to identify priority areas of training and consider carefully the desired outcomes, who requires the training and how this may be delivered and embedded by workplace processes.

Further how can this be delivered in different formats and time provided to staff to complete the required/provided training.

A useful place to start is to examine the Standards and identify two key focus areas for each Standard which should coincide with your areas of focus. Once these areas are identified, in consultation with key staff , these can be prioritised which may inform training subject to any financial constraints. For example, a child care service may consider the following areas require training which can be used to prioritise areas of focus.

Key focus areas

The role of education in embedding a child safe approach continued

Principle/ Standard	Focus Areas	Suggested methods	Priority
One: Leadership	Code of Conduct The Principles of Risk Management	Face to face/online	To include
Two: Children Rights	Complex Behaviours	Face to face	To include
Three: Families	Engaging Families	Face to face/online	To include
Four: Diversity	Engaging with different cultural groups	Face to face/online	To include
Five: Employment	Managing internal conflict	Face to face/online	To include
Six: Complaints	Dealing with difficult persons	Face to face/online	To include
Seven: Education	Developing a training plan	Online	To include
Eight: Online	Current Trends Using social media	Online	To include
Nine: Standards	Not relevant	Not relevant	Not relevant
Ten: Policies	Developing Policies Supervising staff	Online Face to face	To include

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Spotlight: What are some of our leading child safe organisations doing?

Written by Jon Sleeman

The Child Safe sector is quickly evolving as organisations seek to meet their child safe obligations and other entities increase their capability to provide assistance.

Each month in our newsletter we will examine what an organisation has available resources and how their approach may benefit smaller organisations.

This month we are going to examine the YMCA website.

The Safeguarding Children and Young People webpage introduces safeguarding in a YMCA context and how it applies to the broad range of services provided. The Feel Safe, Be Safe Framework is introduced which underpins the YMCA's approach to safeguarding.

There are then four boxes which link to the key areas of Reports a Safeguarding Concern, Safeguarding Resources, Safeguarding Contacts and Stay Safe Online.

A Safeguarding Concern Report can be made by using the Report a Safeguarding Concern box which allows access to a complaint form where a complaint can be lodged. There is useful information to reassure a party making a complaint.

At the date of review the Contacts and Stay Safe Online pages were not working.

Within the Safeguarding Resources section there are various resources accessible including the Safeguarding Policies which is available in an interactive format. The Safeguarding Framework (as a one page poster) is accessible as are safeguarding guidance material and videos. The Y's National Safeguarding Guidance is available on the site which is an extensive documents about its approach to child safety linking to key area of the National Principles/Child Safe Standards.

Spotlight: Continued

Comment

This site is an example of how key items can be placed on a website to highlight how child safety is important to an organisation. The displaying of the framework provides the foundations of the child safe approach and the child safe policy shows how key areas are examined. The ability to make a complaint in the website is a clever way to allow concerns to be captured in a forward facing manner.

Possible considerations, if adopting this approach, is making your Commitment Statement and Framework front and centre of the site as these should form the foundation of your child safe approach.

Likewise if there is a complaint portal it can be useful to have support links listed within this section giving effect to a trauma informed approach and a link to the Complaints Policy.

The use of videos is a terrific way to spread your child safe message noting the costs associated with developing a quality product.

Benefit to schools, child care services

This site shows how you can place key information in one location and structure this. For the education or child care sector such an approach can be used to state clearly your approach to child safety and then link to key areas.

A child care service could for example create a child safety webpage on its website/parent portal and within this place key policies and procedures and examples of how areas of concern can be raised. This could commence with some key areas and over time evolve to the various sections of the child safe standards.

Benefits to other organisations

A similar approach could be adopted for organisations such as transport, sporting and amusement services. The published resources are unlikely to be as comprehensive as the education and child care sector yet should address, as a starting point, key areas such as the Commitment Statement, Child Safety approach as outlined by the Child Safety Policy and the Complaints Policy.

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Case law Insights

The published decision by Dr J Lucy Senior Member of the NSW Civil and Administrative Tribunal, in the case of Yeshiva College Bondi Limited v NSW Education Standards Authority [2022] NSWCATAD 270 on 15 August 2022, is of relevance to child safe organisations as it suggests, how a Tribunal may interpret aspects of child safety, if required to do so.

The decision relates to the registration of an organisation Yeshiva College pursuant to the *Education Act 1990* (NSW). Yeshiva College, as a non-government school, was required to meet registration requirements which are oversighted by the NSW Education and Standards Authority (NESA). This oversight includes the conduct of a registration review process at regular intervals to provide evidence that the requirements of registration are being complied with.

Section 47 of the *Education Act 1990* (NSW) states:

47 Registration requirements for non-government schools

(1) For the purposes of this Act, the requirements for the registration of a non-government school are as follows--
(b1) policies and procedures for the proper governance of the school are in place,

(g) a safe and supportive environment is provided for students by means that include--
(i) school policies and procedures that make provision for the welfare of students, and
(ii) persons who are employed at the school being employed in accordance with Part 2 of the Child Protection (Working with Children) Act 2012 , and
(iii) school policies and procedures that ensure compliance with relevant notification requirements imposed in relation to persons employed at the school by Part 4 of the Children's Guardian Act 2019 and the Child Protection (Working with Children) Act 2012

The NSW NESA Registration Systems and Member Non-government Schools (NSW) Manual (2021) outlines what appropriate governance is considered to be as well as a safe and supportive environment.

The governance requirements include there being in effect "structures, policies and procedures for governance, leadership, authority, decision-making, accountability and transparency" (page 65 of the Manual). Further the Manual states that it is expected that:

• The governance structure of the school will be easily identifiable and outlines the authority, role and responsibilities of responsible persons
• There will be clear delegation processes
• There is a document which outlines the supervisory arrangements and reporting requirements of the responsible persons
• There is a Code of Conduct in effect
• Records are maintained of governance decisions including the Minutes of meetings etc, and
• Documents are in effect outlining how legislative requirements and risk management processes are met particularly "in relation to strategic direction, governance, operation and finance and the associated risk register" (page 66 of the Manual).

The Safe and Supportive requirements include:

A registered non-government school must have in place policies and procedures to ensure that it meets its legislative obligations in relation to child protection. A number of Acts relate to child protection in New South Wales:

• the Children's Guardian Act 2019 which sets out the responsibilities of relevant entities to prevent, identify and respond to reportable conduct by employees
• the Child Protection (Working with Children) Act 2012 relating to working with children check clearances for all persons at the school engaged in child-related work
• the Children and Young Persons (Care and Protection) Act 1998 which sets out the responsibilities of NSW Department of Communities and Justice with regard to child protection

The decision of Dr Lucy outlines concerns that were identified about compliance with these and other aspects by the College which resulted in the cancellation of the registration.

Whilst not commenting particularly on the merits of this decision, as it applies to Yeshiva College, Dr Lucy's decision applies the registration requirements and would appear to identify that it is imperative that :

• working with children records be complete to ensure that any person who interacts with a child or young person complies with this legislative requirement
• child protection policies are contextualised to the organisation and do not rely on policies developed by other organisations
• there should be evidence that all staff (including casual staff) have attended annual child protection training and where they have not these staff should be followed up to ensure they participate in this training at another time
• staff should be provided up to date child protection related policies and procedures
• staff should complete an acknowledgment that they have read and understand the organisations child protection policies, and
• any child protection training should be rigorous to assist staff to understand their responsibilities.

If this methodology is applied to the National Principles and Child Safe Standards it shows the importance of having purpose-built policies and procedures, ensuring all staff are aware of these, conducting regular rigorous staff training in these areas and complying at all times with working with children guidelines.
Such suggestions are areas of focus as organisations apply the child safe standards and which may assist any regulatory audit of the systems and practices in place at a later date.
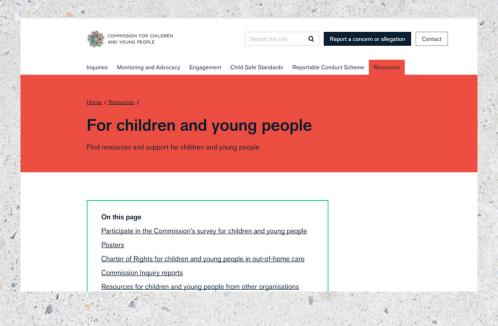I would encourage you to consider how you develop your policies and procedures and provide staff training in these areas and your compliance with working with children requirements.

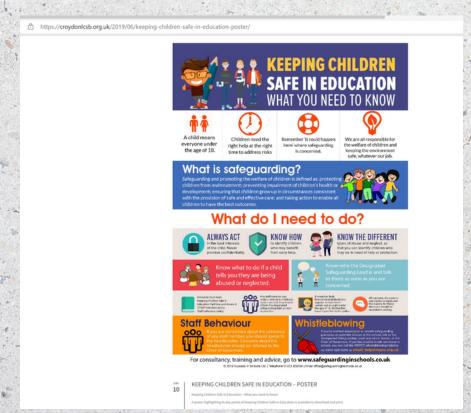The material on our website will also assist you on this journey.

Poster Corner

A poster encouraging children and young persons to raise concerns. Notes its' three key messages in separate sections which would be able to be applied to many child-related organisations. Also see Child safe standards children's poster (dffh.vic.gov.au) which is a good example of a simple visual message for children and young persons of different age groups.

A safeguarding poster from the United Kingdom. Whilst there is a lot of information within the poster it shows how key messages can be displayed on one page.

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