# Child Safe Standards Review Submission

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To the Child Safe Standards Review Team,

Thank you for providing the opportunity to contribute to the review of the Victorian child safe standards.

## Summary

NDS supports a regulatory scheme which ensures that services for children and young people with a disability are safe. We all have a moral, ethical and legal responsibility to actively prevent the abuse and neglect of children and young people. NDS welcomes a national approach, which better aligns with the National Principles for Child Safe Organisations.

Further streamlining of reporting requirements is required in order to reduce the compliance burden placed on disability service providers. Whilst adherence to the Child Safe Standards is pivotal to ensuring the safety of children, fostering a positive organisational culture, building community awareness and actively seeking out opportunities to listen to the voice of children and young people is fundamental to embedding and maintaining good practice.

## Submission to the Child Safe Standards Review Team on the Review of Victoria’s Child Safe Standards

Recently, the Council of Australian Governments (COAG) unanimously endorsed the new National Principles for Child Safe Organisations. NDS welcomes this endorsement and strongly supports a nationally consistent approach to the standards relating to child safety.

With the National Disability Insurance Scheme Quality and Safeguarding Framework due to take effect in Victoria on 1 July 2019, NDS urges the Child Safe Standards review team to consider the implications of duplicative reporting which may only serve to lessen the desired effect of the standards. As per the recommendations made by the Royal Commission, NDS advocates that, wherever possible, the child safe standards are incorporated into existing regulatory frameworks.

The Victorian disability sector is going through a significant period of transformational change. NDS members have provided feedback that implementing the Child Safe Standards and the Reportable Conduct Scheme has involved significant document and procedural changes for recruitment, induction, on-boarding, existing staff education as well as adjustments to IT systems. This has occurred within the context of the transition to the National Disability Insurance Scheme (NDIS), the introduction of the Client Incident Management System (CIMS) and the introduction of the Disability Worker Code of Conduct. From 1 July 2019, Victoria will also be subject to the NDIS Code of Conduct and NDIS Practice Standards. Whilst support for a national approach is widely accepted amongst service providers, it is important that any changes to existing requirements are implemented in a considered way, in the context of the current environment. Changes are costly for service providers and can result in staff experiencing change fatigue and information saturation. Greater flexibility to implement the actions that are appropriate to individual organisations and the specific services they provide would add to the effectiveness of the child safe standards.

Additionally, NDS members have advised that they require guidance on how to embed this work with other staff development within funding schemes in a financially sustainable way. A commitment is required from the Victorian government to work with federal and other state/territory governments to reduce the complexity and cost of compliance obligations.

NDS recommends that the codes of conduct that are in place for workers and volunteers across the various sectors are streamlined. Ideally, a national register would eventually cover workers and volunteers with roles including; Working with Children, Disability Support, Aged Care, Out of Home Care, Corrections and Justice. This would streamline processes for employers and registrants as well as prevent people from changing roles or sectors after restrictions are applied. In addition, streamlined approaches to incident reporting where reports are automatically distributed to all relevant agencies (e.g., NDIS Commission, child safe, police, child protection, education) would be efficient and cost effective.

Outcome-focused or goal-based regulation that aims to minimise the need for enforcement is necessary. Whilst compliance with legislation is critical, at times, service providers focus too heavily on their regulatory requirements in order to meet compliance. To keep children and young people safe, a holistic, outcomes focused approach that encourages organisations and their employees to understand the values behind the legislation is essential.

A fundamental component of keeping children and young people safe is the promotion of their empowerment and participation in decisions that affect their lives. NDS believes it is important that the Royal Commission’s Child Safe Standard 2.1: “Children are able to express their views and are provided opportunities to participate in decisions that affect their lives”, is incorporated into the national approach. There is currently a lack of resources available to support consultation processes with people, including children, with disability, indigenous people and people from CALD backgrounds. Investment from government is needed to enable experts to be engaged across disciplines to create best practice tools, resources and support materials. It is necessary that government consultation with children and young people with disability occurs locally and results in actions that are monitored, reviewed and reported. This would support a clearer understanding of potential barriers for improvement that may arise from an individual’s location, funding or hesitation to ‘have a voice’ in case it affects funding or service access. Additional investment is required in order to research the impact of domestic violence on children and young people, particularly children and a young people with a disability.

The National Principles (Principle 2) makes reference to the need for children and young people to be informed of their rights. This is an important inclusion which is in line with the principles of the NDIS and contemporary practice. The rights and protection of children and young people should also be promoted across the community, not just in the workplace. This is in line with the addition of Principle 3 under the National Principles: “Families and communities are informed, and involved in promoting child safety and wellbeing”. Community awareness that reinforces positive values is an important element of keeping children and young people safe.

NDS advocates for government-sponsored research to occur in order to inform the development of tools and resources to support service providers with their engagement with the children and young people they support, their families and the wider community.

Additional investment is also required for the development of resources to assist with workers’ and volunteers’ understanding, prevention and response to the abuse of children and young people.

Furthermore, NDS calls for targeted investment in resources that assist organisations providing services to children and young people, to ensure their voices are heard and that they are empowered and actively involved in decisions, which affect their lives.

Thank you for your consideration of these comments and for the opportunity to make this contribution.

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### Who we are

National Disability Services (NDS) is the peak industry body for non-government, disability service providers. It represents service providers across Australia in their work to deliver high-quality supports and life opportunities for people with disability. Its Australia-wide membership includes over 1,000 non-government organisations, which support people with all forms of disability. NDS members collectively provide the full range of disability services – from accommodation support, respite and therapy to community participation and employment. Many of our members provide services to children with a disability.

NDS has developed a range of free resources for service providers as part of the Zero Tolerance initiative. The Zero Tolerance Framework supports providers and their employees to understand, implement and improve practices, which safeguard the rights of people with disability they support. In 2017/2018, NDS facilitated a reference group to understand the implications of the Victorian child safe standards for disability service providers and developed a range of resources to assist the disability sector.