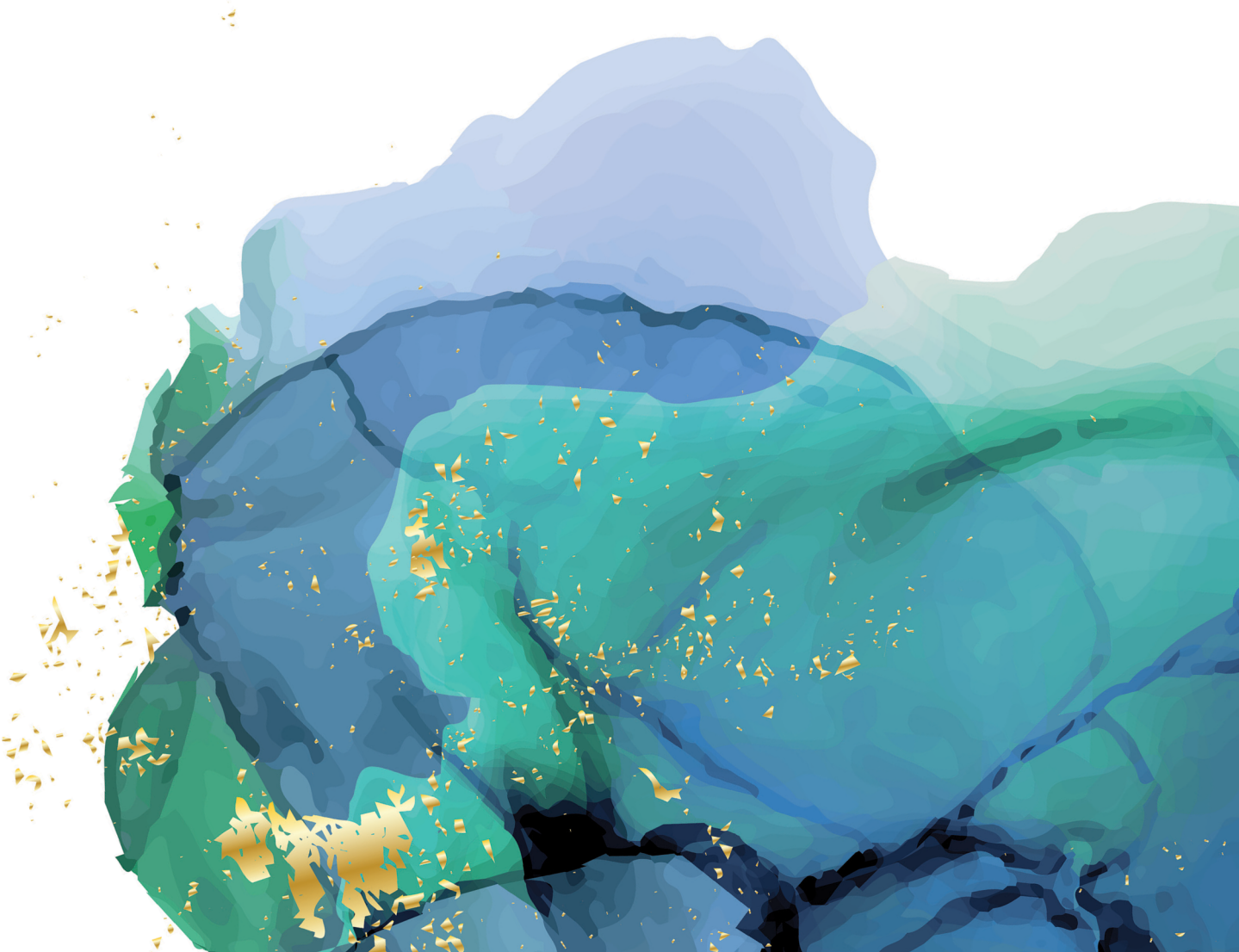
GOVERNMENT OF WESTERN AUSTRALIA

This initiative is part of the WA Government's action to create a Safer WA for Children by implementing the recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse.

Discussion paper on the implementation of child safety officers in local governments

Recommendation 6.12 of the Royal Commission into Institutional Responses to Child Sexual Abuse

December 2020



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1. Background

1.1 Royal Commission into Institutional Responses to Child Sexual Abuse

The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission (Royal Commission) was established in response to allegations of child sexual abuse in institutional contexts that had been emerging in Australia for many years. The Royal Commission's Final Report[1] made 409 recommendations, with 310 applicable to the Western Australian State Government.

The recommendations of the Royal Commission emphasised that organisations working with children must be able to provide safe environments where the rights, needs and interests of children are met. The Royal Commission recommended a range of mechanisms to support child safe organisations, including 10 Child Safe Standards (rec 6.5), which organisations the standards should apply to (rec 6.9) and the role of an independent oversight body to monitor and enforce the standards (rec 6.10 and 6.11) to promote child safety across organisations and the role of child safety officers in local government (rec 6.12).

The Royal Commission also envisioned that the National Office for Child Safety (rec 6.16 and 6.17) would have a key role in collaborating with the Commonwealth, state and territory governments to support national consistency. It would do this by leading capacity building, continuous improvement of child safe initiatives through resources development, best practice material and evaluation. They also expected the National Office for Child Safety to promote participation and empowerment of children and young people.

1.2 National Principles for Child Safe Organisations

The Royal Commission defined child safe organisations as those which create cultures, adopt strategies and take actions to prevent harm to children, including child sexual abuse. The Royal Commission proposed 10 Child Safe Standards be adopted to foster child safety and wellbeing in organisations across Australia, as referenced above.

The Council of Australian Governments endorsed the National Principles for Child Safe Organisations (National Principles) in February 2019. The National Principles (Appendix 1) incorporate the 10 Child Safe Standards recommended by the Royal Commission, with a broader scope that goes beyond child sexual abuse to include all forms of abuse or potential harm to children.

1.3 What is happening in Western Australia to support implementation?

In Western Australia, the Royal Commission recommendations related to the National Principles are being led by the Department of Communities and the Department of the Premier and Cabinet in partnership with key government agencies and the Commissioner for Children and Young People (CCYP).

The Department of the Premier and Cabinet is leading the development of advice to the State Government on an independent oversight system, which will include the monitoring and enforcing of the National Principles for organisations engaged in child-related work. The Royal Commission was of the view that all organisations should strive to be child safe but

[1] https://www.childabuseroyalcommission.gov.au/final-report

recommended that organisations providing the following services should be required to implement the National Principles:

- accommodation and residential services for children;
- activities or services under the auspices of a religious denomination;
- childcare or childminding services;
- child protection services;
- activities or services where clubs and associations have a significant involvement by children;
- coaching or tuition services for children;
- commercial services for children;
- services for children with a disability;
- education services for children;
- health services for children;
- justice and detention services for children; and
- transport services for children.

The Department of Communities is leading the implementation of the National Principles through a range of administrative and legislative levers such as funding agreements and regulatory frameworks. They are also providing support to government and non-government agencies to implement the National Principles in preparation for independent oversight.

Western Australia currently has a voluntary approach to the implementation of the National Principles focused on capacity building, led by CCYP, while options for legally requiring implementation are developed. CCYP has enabling legislation to raise awareness, provide capacity building and consult with children. In 2019, CCYP revised their child safe resources to align with the National Principles.

2. Role of local governments

The Royal Commission cited the fundamental role local governments play in assisting and resourcing communities across Australia, particularly in regional and remote areas where access to resources and services is often more limited than for their urban counterparts.

The Royal Commission highlighted the important roles local governments play in communities that impact on the safety of children including:

- providing services to children, for example libraries, swimming pools and childcare;
- providing spaces for community activities, for example halls, theatres and sports grounds;
- funding or contracting services;
- facilitating community education or outreach programs;
- regulating planning and development approvals, infrastructure and property services; and
- water and food inspection[2].

The active role local governments take in community development and community safety, particularly roles that impact on child safety, was recognised as an opportunity to integrate their direct responsibilities to children with their wider role within the community. Local governments are recognised as well placed to support smaller organisations within their communities to implement the National Principles and create child safe environments.

Through this consultation process the State Government has two key aims:

- to develop a better understanding of the current role of local governments in promoting child safety and how the outcomes of this work are reported internally, to executive and to council; and
- to use this understanding of current work promoting child safety to inform development of an approach to meet recommendation 6.12 of the Royal Commission in implementing the child safety officer role.

2.1 Engagement with the local communities

As part of the response to this consultation process it would be useful for local governments to consider how to engage their local communities in relation to this issue. This active engagement can ensure that the community's expectations and the local government's outcomes and investment in child safety are well understood.

Local governments undertaking the required periodical review of their Integrated Planning and Reporting, may choose to include discussions on child safety as part of the engagement with the local community.

[2] Final Report: Volume 6, Making institutions child safe, p.300

3. Child safety officers

Recommendation 6.12 of the Royal Commission recommended that, with support from governments at the national, state and territory levels, local governments should designate child safety officer positions from existing staff profiles to carry out the following functions:

a) developing child safe messages in local government venues, grounds and facilities;
b) assisting local institutions to access online child safe resources;
c) providing child safety information and support to local institutions on a need's basis; and
d) supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.

Child safety officers are intended to promote child safety within the organisation and support smaller community-based organisations providing services to children to create child safe environments. The role would be expected to support local staff and volunteers to build existing capacity around child safety within their organisations by providing information and assistance.

The Royal Commission's view was that a child safety officer proximate to services and local industries would be especially important in regional and remote areas, given these communities are known to routinely miss out on resources and access to services that are available in urban centres. In regional and remote communities, child safety officers could be a conduit for information.

The Royal Commission's view was that child safety officers should work closely with the independent state oversight body responsible for monitoring and enforcing the National Principles, as they would be well placed to support smaller organisations to understand how they can be child safe.

The intent of the Royal Commission is for local governments to identify where they already have existing staff who could fulfil a role of promoting child safety within the organisation and supporting smaller local organisations to develop capacity in this area. Local governments could create new positions to facilitate implementation of this role where desired and resourcing allows. Volume 6[3] and Volume 14[4] of the Royal Commission's Final Report provide this recommendation in detail.

Acknowledging the existing investment local governments make to promoting community safety, including child safety, the Royal Commission stated that local governments do not need to provide additional financial investment into implementing a child safety officer role and suggest that existing community safety positions within local governments could be expanded to align existing responsibility to strengthen child safety.

The following portfolios may have existing roles that could be considered for alignment with child safety responsibilities and it is recognised that significant work is already occurring in

[3] https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_6_making_institutions_child_safe.pdf
[4] https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_14_sport_recreation_arts_culture_community_and_hobby_groups.pdf

these areas within some local governments to promote child safety, as recommended by the Royal Commission:

- Community safety;
- Community and club development;
- Governance and risk;
- Communications; and
- Disability Access and Inclusion.

It is also recognised that not all local governments have existing community safety positions or have limited capacity to expand the functions of these roles to include child safety. In fulfilling the functions of the child safety officer role, it is recognised that local government staff will need access to appropriate training. Where local governments have limited resources to create child safety officer positions the Royal Commission suggested that state and territory governments may be able to provide assistance.

3.1 Functions of the child safety officer

The four key functions of child safety officers, recommended by the Royal Commission, are outlined below with suggestions as to how each function may look in practice. It is noted that some of these examples may represent work already occurring in many local governments.

a) Developing child safe messages in local government venues, grounds and facilities

Developing child safe messages in local government venues, grounds and facilities promotes the knowledge and understanding of child safety by community members. Public messaging promotes the rights of children to feel safe as well as increasing the understanding of child safety by staff, volunteers and community members and acting as a deterrent for those who may intend to cause harm to children.

To implement this function would include:

- Working with key stakeholders including CCYP and the Working with Children Screening Unit to ensure that nationally consistent child safe messages are identified for use in local governments' venues, grounds and facilities.
- Working with internal communication teams to print posters/signs outlining nationally consistent child safe messages for their various venues, grounds and facilities.

b) Assisting local institutions to access online child safe resources

Institutions in local communities such as sole traders (i.e. music teachers, tennis coaches), private and community organisations (i.e. arts, cultural, community, sport and recreation groups, clubs and associations) may require assistance to access online child safe resources.

To implement this function would include:

- Facilitating the inclusion of information about child safety on their local government website including links to online child safe resource created by CCYP and the National Office of Child Safety. This would be in line with the current practice of many local governments in providing information and a link to Kidsport[5] on their websites.

[5] Kidsport is a scheme that enables low income families to participate in community sport through provision of financial assistance towards club fees).

- Signposting local government staff and local organisations to CCYP, the National Office of Child Safety, and other relevant resources on the local government's website.

Other local government resources may also assist in facilitating this function. Community Resource Centres and libraries provide physical access to computers and the internet, and library staff could provide support to access suitable online child safe resources. Community, Club Development and Community Safety Officers may signpost to online resources within newsletters.

c) Provide child safety information and support to local institutions on a need's basis

Child safety officers are expected to provide general advice around promoting child safety and the implementation of the National Principles within organisations. For some local governments this may include hosting workshops/seminars with external providers.

It is expected that child safety officers would be supported by relevant agencies, such as CCYP, the National of Office of Child Safety, or in the case of child protection concerns, the Western Australia Police Force or Department of Communities in meeting this function.

While it is not the intention of the Royal Commission for local government child safety officers to be a direct point of contact for community members or staff seeking advice on child protection matters, it would be important for anyone in this role to have appropriate knowledge and understanding of child abuse and neglect, as well as local child safeguarding procedures, in order to provide appropriate information, guidance and signposting. It is important for the local government to consider what support mechanisms are in place, to ensure the wellbeing of child safety officers when dealing with these matters and what specific areas of training would be required to build upon existing skills and knowledge of staff.

d) Support local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds

Communities within local government areas differ based on social demographics. The needs of supporting children from diverse backgrounds will differ based on the local population.

To implement this function would include:

- Identifying needs within the local community and key services providing support in meeting these needs.
- Working collaboratively with local government staff, responsible for supporting disability inclusion and access and promoting the needs of Aboriginal and culturally diverse children, to provide advice and support to local organisations on implementing child safe approaches that are accessible and inclusive for children with diverse needs.
- Linking local institutions with key services, including disability advocacy services, Aboriginal family support services or professional interpreters.

4. Progress to date across jurisdictions

Information relating to implementation of the recommendation for local government child safety officers in each state/territory is outlined below. The National Office for Child Safety intends to work with the Australian Local Government Association to develop a plan for implementation at a national level.

Jurisdiction	Action to date
Western Australia	Accepted in principle. The Department of Communities is leading implementation of child safety officers in partnership with the Department of Local Government, Sport and Cultural Industries. The Department of the Premier and Cabinet is leading the development of advice to the State Government on an independent oversight system.
Victoria	Accepted in principle. Volume 6 of the Final Report identifies that a rural city council in Victoria has appointed two child safety officers to help prevent and respond to concerns of abuse. With the Victorian Government's support, Vicsport provides a 'helpdesk', which delivers assistance and advice to state sporting associations, regional sport assemblies, regional academies of sport, clubs and associations to assist them with cultural change, policy development, change management and communications to meet obligations in Victoria's Child Safe Standards.
New South Wales	Accepted in principle.
Australian Capital Territory	Accepted in principle. No reported progress.
Northern Territory	Accepted in principle. No reported progress.
Queensland	Listed for further consideration. The Queensland Government notes this recommendation is primarily the responsibility of the local government sector. The Queensland Government notes there are likely to be resource implications associated with implementing this recommendation, particularly for smaller remote, rural and Indigenous local governments, and will collaborate with the local government sector to identify the best way to support local institutions.
South Australia	Noted. This recommendation is seen to be the responsibility of local governments and is outside the scope of the South Australian Government's response to the Final Report
Tasmania	Accepted in principle. The Tasmanian Government agreed to work with the Local Government Association to progress this work.

5. Process for consultation with the local government sector

Phase 1 – Endorsement of consultation process (complete)

September 2020

The Department of Communities and the Department of Local Government, Sport and Cultural Industries developed a proposed consultation process, which was shared, discussed and endorsed with the Local Government Professionals of Western Australia's (LG Pro) Community Development Network on 1 October 2020. The paper was also shared with the leadership group of the Western Australian Local Government Association's (WALGA) Local Government Community Safety Network for comment and feedback.

Phase 2 – Consultation process (in progress)

December 2020 – April 2021

This discussion paper was developed by the Department of Communities and the Department of Local Government, Sport and Cultural Industries, in consultation with the Department of the Premier and Cabinet, CCYP and WALGA. It will be distributed to individual local governments through WALGA and LG Pro by Wednesday, 2 December 2020, with feedback required from individual local governments and peak bodies by Close of Business on Friday, 2 April 2021.

The State Government will facilitate presentations for local governments on the discussion paper via webinar on Monday, 14 December 2020 and Thursday, 4 February 2021. The webinars will be presented by the Department of Communities and the Department of Local Government, Sport and Cultural Industries with support from WALGA and LG Pro. To register your interest please email childsafeguarding@dlgsc.wa.gov.au prior to each webinar.

This consultation process aligns with the consultation on the design of the independent oversight system, which includes the monitoring and enforcing of the National Principles. Between November 2020 and February 2021, feedback is being sought from organisations likely to be impacted by the independent oversight and broader community stakeholders on particular elements of the system and how they will work. The local government sector is encouraged to provide feedback through the dedicated consultation webpage http://www.wa.gov.au/independent-oversight-system-consultation.

It is recommended that local government officers seek a position in relation to both consultation issues, child safety officers and the independent oversight system, from their respective councils during the consultation period to inform the organisation's feedback. Each local government should then respond individually to the consultation questions with specific feedback relevant to their geographical context.

Phase 3 – Presentation of policy position and guidance on implementation

April – June 2021

The consultation findings from this discussion paper will inform a draft report by Friday, 7 May 2021. The draft report will outline the State Government's proposed implementation of recommendation 6.12 and provide guidance as to how local governments can implement the role of child safety officers, including what support will be needed.

The draft report will be shared with WALGA, LG Pro, the Department of the Premier and Cabinet and CCYP for comments and feedback before being made publicly available and distributed to the local government sector as a final report by Friday, 4 June 2021.

6. Consultation questions

Responses to consultation questions are due to the Department of Communities by Close of Business on Friday, 2 April 2021. Responses can be emailed to csaroyalcommission@communities.wa.gov.au.

1) Please specify which local government you are responding on behalf of.

   Click or tap here to enter text.

2) What is your role within the organisation?

   Click or tap here to enter text.

3) Please consider each of the functions of a child safety officer and the three accompanying questions for each.

   a) Developing child safe messages in local government venues, grounds and facilities;

   In what ways is this function already being delivered within your local government and by which existing role/s and portfolio/s?

   Click or tap here to enter text.

   In what ways can this existing work be built upon to implement the function, as recommended by the Royal Commission?

   Click or tap here to enter text.

   What supports or training might be needed to achieve full implementation of this function?

   Click or tap here to enter text.

   b) Assisting local institutions to access online child safe resources

   In what ways is this function already being delivered within your local government and by which existing role/s and portfolio/s?

   Click or tap here to enter text.

   In what ways can this existing work be built upon to implement the function, as recommended by the Royal Commission?

   Click or tap here to enter text.

What supports or training might be needed to achieve full implementation of this function?

Click or tap here to enter text.

c) Providing child safety information and support to local institutions on a need's basis;

In what ways is this function already being delivered within your local government and by which existing role/s and portfolio/s?

Click or tap here to enter text.

In what ways can this existing work be built upon to implement the function, as recommended by the Royal Commission?

Click or tap here to enter text.

What supports or training might be needed to achieve full implementation of this function?

Click or tap here to enter text.

d) Supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.

In what ways is this function already being delivered within your local government and by which existing role/s and portfolio/s?

Click or tap here to enter text.

In what ways can this existing work be built upon to implement the function, as recommended by the Royal Commission?

Click or tap here to enter text.

What supports or training might be needed to achieve full implementation of this function?

Click or tap here to enter text.

4) Please specify any additional feedback in relation to the proposed implementation of child safety officers within Western Australia.

Click or tap here to enter text.

7. Further information and resources

Contact information

Please contact any of the State Government representatives below to discuss queries relating to this paper or the consultation process.

Amanda Furnell
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Strategy and Partnerships
Department of Communities
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Acting Director Strategic Coordination and Delivery
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Gordon MacMile
Acting Executive Director Local Government
Department of Local Government, Sport and Cultural Industries
Phone: 08 9492 9752
Mobile: 0418 968 952
Email: childsafeguarding@dlgsc.wa.gov.au

Resources

Further detail about the National Principles and resources relating to their implementation in organisations can be found on the websites listed below.

The Commissioner for Children and Young People Western Australia's website has a range of resources related to implementation of the National Principles, as well as links to provide information, resources and practical examples on each of the 10 National Principles.
https://www.ccyp.wa.gov.au/our-work/child-safe-organisations-wa/

The National Office for Child Safety provides further resources to help organisations, children and young people, parents and carers learn about the National Principles and how they should be used.
https://childsafety.pmc.gov.au/what-we-do/national-principles-child-safe-organisations

A Working with Children Check is a compulsory screening strategy in Western Australia and one strategy to keep children safe. The website includes a range of resources including creating a child safe organisation through recruitment and staff management.
https://workingwithchildren.wa.gov.au/about/safeguarding-children

Appendix 1:

National Principles for Child Safe Organisations

1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved in promoting child safety and wellbeing.
4. Equity is upheld and diverse needs respected in policy and practice.
5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
6. Processes to respond to complaints and concerns are child focused.
7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
9. Implementation of the national child safe principles is regularly reviewed and improved.
10. Policies and procedures document how the organisation is safe for children and young people.

The Australian Human Rights Commission was engaged by the Australian Government Department of Social Services to lead consultations and development of the National Principles for Child Safe Organisations. The goal is to build cultures in all organisational settings to advance the safety and wellbeing of children and young people.

A full description of the National Principles can be found at:
National Principles for Child Safe Organisations (humanrights.gov.au)