

Child Safety & Wellbeing Policy

Policy title	Child safety and wellbeing
Purpose	This Policy outlines how the Tourette Syndrome Association of Australia (TSAA) prioritises the safety and wellbeing of children and what steps we will take to do this.
Statement of Commitment	We are committed to providing services and activities that are safe for all children, where child abuse and harm are not tolerated. Child safety is a priority for the TSAA and the prevention and reporting of abuse is supported and encouraged. All staff, volunteers and contractors are responsible for promoting the safety, wellbeing and empowerment of children. All children who seek support from the TSAA have a right to feel and be safe. The TSAA recognises that discrimination can harm children and we treat all children with dignity and respect.
Scope	<p>This policy applies to all staff, volunteers, Committee members, children and other individuals involved in our organisation. This policy applies to all activities – support groups, camps, Facebook groups, phone support, mentoring, conferences, school visits – conducted by the TSAA.</p> <p>This policy is based on the mandatory Victorian Child Safe Standards, and the National Principles for Child Safe organisations. Refer to Appendix 1 for the differences between the two. This policy also addresses state and territory reportable conduct schemes and reporting of suspected abuse and neglect.</p>
Responsibilities	<p>The TSAA Committee has overall responsibility for the development and implementation of this policy, the Code of Conduct and related policies and processes, including recruitment and screening, training, continuous improvement of processes and policies, risk assessments, external reporting and information sharing, responding to and investigating complaints, and record keeping. The Committee is responsible for ensuring that the process to make a complaint or raise a concern about child safety and wellbeing is available to all staff, volunteers, contractors/consultants, members, visitors and children.</p> <p>The TSAA President is the Principal Officer (head of organisation) for the purposes of the Victorian Reportable Conduct Scheme. The President can delegate this responsibility when they are unavailable, but retains accountability for compliance with the scheme.</p> <p>Support Group Leaders and Camp Coordinators are the Child Safety Officers for the support group catch-ups and camps that they organise. The TSAA President is the Child Safety Officer for all other TSAA activities and services.</p> <p>The Child Safety Coordinator is responsible for the maintenance of child safety documentation, delivering child safety & wellbeing training, co-ordinating the investigation of complaints, and assisting the Committee in the governance of the child and wellbeing matters.</p> <p>The National Support Group Coordinator is responsible for supporting Support Group Leaders (SGLs) to understand and carry out their obligations under this policy and the Code of Conduct.</p> <p>The Camp Sub-Committee is responsible for developing and implementing nationally consistent camp processes to ensure child safety</p>

	<p>& wellbeing, and assisting them to carry out their obligations under this policy and the Code of Conduct.</p> <p>All staff and volunteers are required to comply with child safe principles and expectations outlined in this policy. Staff and volunteers must not ignore or disregard any actual or potential physical or sexual (including grooming) harm towards children. Staff and volunteers must report any actual or potential harm towards children that is observed by themselves or reported by another person.</p> <p>All TSAA members have a role to play in their own safety and the safety of their children and are responsible for taking reasonable care of their own health and safety, and following the instructions of TSAA staff and volunteers at all times.</p>
<p>Definitions</p>	<p>Definition of key terms used in this policy:</p> <p>Aboriginal refers to both Australian Aboriginal and Torres Strait Islands peoples.</p> <p>Child/Children means a person who is under the age of 18 years.</p> <p>Child abuse means:</p> <ul style="list-style-type: none"> • 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. <p>Child-facing role means a staff or volunteer role that comes into contact with children either in a physical environment (e.g. camps and support group catch-ups), online (via email or Facebook groups) or over the phone. A child-facing role also includes roles with access to the personal and/or sensitive health data of a child.</p> <p>Concerns and complaints:</p> <p>A concern refers to any potential issue that could impact negatively on the safety and wellbeing of children.</p> <p>A complaint is an expression of dissatisfaction with the TSAA related to one or more of the following:</p> <ul style="list-style-type: none"> • our services or dealings with individuals • allegations of abuse or misconduct by a staff member, a volunteer or another individual associated with the TSAA • disclosures of abuse or harm made by a child or young person • the conduct of a child or young person at the TSAA • the inadequate handling of a prior concern • general concerns about the safety of a group of children or activity. <p>Harm means damage to the health, safety or wellbeing of a child or young person, 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</p>

	<p>cumulative, that is, arising as a result of a series of acts or events over a period of time.</p> <p>Working with Children Check (WWC) means the legal provisions in each jurisdiction that ensures that adults who work with, or care for, children are subject to screening processes to protect children from physical and sexual harm.</p> <p>TSAA member means a paid-up member of the TSAA. This can be an individual or family members covered under a family membership.</p>
Relevant legislation and standards	Legislation and standards relating to child safety and wellbeing exist in all Australian jurisdictions. Refer to Appendix 2 for full details.
Related organisational policies and procedures	<p>The following policies, procedures and registers work together to support child safety and wellbeing across all of our operations:</p> <ul style="list-style-type: none"> • Child Safety Code of Conduct • Child Safety and Wellbeing Incidents and Complaints Procedure • Child Safety Incidents and Complaints Register • Work Health and Safety Policy • Safety Risk Register • Child Safety Training and WWC Register • Child Safety and Wellbeing Training <p>The TSAA will develop policies to address child safety and wellbeing in the following areas:</p> <ul style="list-style-type: none"> • Recruitment procedure for recruitment, screening, onboarding and training of staff and volunteers • Disciplinary procedure for action on non-compliance with the code of conduct or this policy • Procurement procedure for the procurement of services (contractors and consultants) that are child-facing • Record keeping, privacy and information sharing procedure • Risk management plans for each of the TSAA's activities
Access to the policy	This policy can be accessed from the Policies section of TSAA website: www.tourette.org.au
Policy status and review	<p>This policy was approved on 12/12/2022 by the Committee.</p> <p>The TSAA Committee will review all child safety procedures and policies at least every two years.</p>

About Tics

Tourette Syndrome (TS) is a neurological disorder, which is characterised by rapid, repetitive and involuntary muscle movements and vocalisations called "tics". Both physical and vocal tics can sometimes appear to be aggressive and/or sexually inappropriate. Whilst acknowledging that the person with TS is doing these tics involuntarily, it is also important to acknowledge that tics can sometimes cause harm to others, both physically and emotionally. At camps and support group catch-ups these tics are usually taken with good humour and understanding amongst attendees, however it is important that all staff, volunteers and contractors take seriously any complaints or

incidents or harm resulting from tics. It is important to note that assault, including sexual assault, is a criminal offence and the perpetrator may be held accountable under the law. This is regardless of the involuntary nature of perpetrator's tics or their disability if they (or their parent/guardian) fails to put mitigations in place to reduce the risk of harm.

There is no single approach for dealing with this issue. Strategies for addressing complaints and incidents regarding tics include:

- Putting distance between the person with the tic and the person being harmed,
- Briefing new attendees at camps and support group catch-ups on the types of tics they may be exposed to and what to do if they feel unsafe,
- Asking anyone with tics that might harm others to speak to the camp coordinator or support group leader about strategies that can be put in place, and
- Requiring that a person with aggressive tics be accompanied by a parent or carer, regardless of age.

If in doubt, a Camp Coordinator or Support Group Leader should speak to a member of the TSAA Committee for advice on how to handle a particular situation.

Meeting Child Safe Standards

The following sections of this policy are based on the Victorian Child Safe Standards. Alignment of these standards to the National Principles for Child Safe organisations is outlined in [Appendix 1](#).

Cultural safety for Aboriginal children
<p>This section outlines how the TSAA will give effect to Child Safe 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.</p>
<p>The TSAA is committed to creating environments where Aboriginal culture is celebrated and Aboriginal children, families and community members are welcomed and included.</p> <p>Strategies to embed cultural safety for Aboriginal children include:</p> <ul style="list-style-type: none"> • Making an Acknowledgement of Country at the annual conference and AGM meetings • Having an Acknowledgement of Country on the TSAA website • Having a Welcome to Country ceremony to open camp • Including Aboriginal place names in the names of support groups and when referring to the location of camps and support group catch-ups • Consulting with families and members of the Aboriginal community to identify opportunities to promote Aboriginal culture and practices at events, on the website and in newsletters and other communications • Providing opportunities for children to share their cultural identity and express their culture, including through activities at camps and support group catch-ups • Supporting children who wish to explore their culture, including consulting with their family and relevant Aboriginal organisations • Providing training for staff and volunteers on the strengths of Aboriginal culture and its importance to the wellbeing and safety of Aboriginal children • Celebrating NAIDOC Week and acknowledging significant events including National Sorry Day and National Reconciliation Week

- Seeking feedback from Aboriginal children, families and communities on their experience with the TSAA, particularly how safe they feel expressing their identity, including their culture.

The TSAA has zero tolerance of racism and other forms of discrimination, and will take action when racism, discrimination or exclusion is identified.

A commitment to child safety and wellbeing

This section outlines how the TSAA will give effect to **Child Safe Standard 2: Child safety and wellbeing is embedded in organisational leadership, governance and culture.**

The TSAA has a "Code of Conduct", which all staff and must comply with at all times. Breaches of the Code of Conduct may result in disciplinary action including termination of a person's involvement with the organisation. All third-party contractors engaged by the TSAA in child-facing roles are also expected to abide by the TSAA Code of Conduct, and will have to sign an agreement to comply with the code, prior to delivering any services.

The TSAA will enforce this policy, the Code of Conduct and any other child safety and wellbeing policies (see list above). Potential breaches by anyone will be investigated and may result in restriction of duties, suspension or termination of employment or engagement or other corrective action. More information can be found in our "Disciplinary Policy".

The TSAA Committee will monitor the implementation and effectiveness of this policy and related child safety processes, including:

- Completion of Child Safety & Wellbeing training
- Complaints and incidents raised
- Feedback from staff, volunteers, members and children
- Outcomes of investigations
- Breaches of the Code of Conduct and/or this policy and disciplinary action taken/required
- Suggestions for improvements

Child Safety and Wellbeing will be a standing item on the TSAA Committee's meeting agenda. The Child Safety Coordinator will provide and update to the Committee on the above items. Urgent issues can be taken to the Committee out of sessions.

Taking child participation and empowerment seriously

This section outlines how the TSAA will give effect to **Child Safe Standard 3: Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.**

The TSAA actively seeks to include children's views and ideas in our organisational planning and delivery of services including advice and advocacy, support group catch-ups, camps and online support.

We want children to develop new friends through TSAA activities and encourage children to be supportive of each other. We do not tolerate bullying or abusive behaviour between children and take action if this occurs.

We respect the rights of children and provide them with information about their rights including the right to be safe when using TSAA services. We actively seek to understand what makes

children feel safe in our organisation. We regularly communicate with children about what they can do if they feel unsafe.

The TSAA values the voices of children and will act on safety concerns raised by children or their families. The TSAA supports children's participation in the following ways:

- Discussions with children at camps including child-led conversations on what makes them feel safe and unsafe.
- A suggestion box for children at camps to make suggestions that are assessed and acted on where appropriate. Children are provided with feedback on their suggestions.
- Collecting feedback from Children at the end of camps.
- Information provided to children and families about TSAA operations, staffing and programs are made suitable for different age groups and diversity of the children.

Information and training is provided to staff and volunteers so they understand the rights of children, are skilled at engaging with children and helping them participate in decision-making and can recognise and act on the signs of child abuse and harm.

Involving families and communities

This section outlines how the TSAA will give effect to **Child Safe Standard 4: Families and communities are informed and involved in promoting child safety and wellbeing.**

The TSAA recognises the important role of families in our operations, and involves parents and carers in our organisation and the services we provide for children. Parents and families are welcome to provide feedback at any time through our contact email address (info@tourettes.org.au) and are encouraged to raise any concerns they have with us.

At the annual general meeting each year, we elect up to ten (10) Committee Members and all TSAA members are invited to nominate and vote on the make-up of the Committee.

The TSAA provides information to members, families and the community about our child safe policies and practices including through:

- publishing this Child Safety and Wellbeing Policy and Code of Conduct on our website
- including information about our child safety approach, our operations, how to engage with us, and the Committee in our regular newsletters.

Respecting equity and diversity

This section outlines how the TSAA will give effect to **Child Safe Standard 5: Equity is upheld and diverse needs respected in policy and practice.**

We value diversity and equity for all children. To achieve this, we:

- provide training for all staff and volunteers on understanding diversity and how to support inclusion and cultural safety
- welcome and support participation of all children, including children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, LGBTIQ children and Aboriginal children and their families
- have zero tolerance of racism and other forms of discrimination and take action when discrimination or exclusion is identified

- strive to reflect the diversity of our community through representation in our staff, volunteers and Committee members
- acknowledge and celebrate important cultural dates in our newsletters
- have a physical and online environment that actively celebrates diversity
- commit to ensuring our services and online activities promote inclusion of children of all abilities.

Ensuring that staff are suitable and supported

This section outlines how the TSAA will give effect to **Child Safe Standard 6: People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.**

The TSAA puts child safety and wellbeing at the centre of recruitment and screening processes for staff and volunteers as outlined in the recruitment procedure. We only recruit staff and volunteers who are appropriate to engage with children.

We require a valid Working with Children Checks for all staff and volunteers who have a child-facing role. We require staff to have appropriate qualifications for their roles and check to make sure these qualifications are valid as well as performing reference checks. Members of the TSAA Committee must also hold a valid Working with Children Check.

The TSAA is committed to ensuring that all leaders, staff and volunteers receive training to ensure they understand their responsibilities in relation to child safety and to support their engagement with children. The TSAA assists its leaders, staff and volunteers to incorporate child safety considerations into decisions and to promote a safe environment where children are empowered to speak up about issues that affect them.

Issues or concerns about behaviour with children will be raised immediately and addressed in line with our Code of Conduct, incidents and complaints and disciplinary procedures.

Any contractors or other providers of services in child-facing roles will always be supervised by a member of staff while working with us to ensure child safety. For this reason, contractors with child-facing roles will be required to have a valid Working with Children Check but will not be required to complete the Child Safety & Wellbeing Training. All Contractors will be required to complete and return the signed Code of Conduct.

Child-focused complaint systems

This section outlines how the TSAA will give effect to **Child Safe Standard 7: Processes for complaints and concerns are child-focused.**

The TSAA has a "Child Safety and Wellbeing Incidents and complaints" that includes information for staff and volunteers about how a complaint or child safety concern will be responded to. An easy-to-understand complaints information sheet will be provided for children, families and the community to know about the complaints process.

All reports of child abuse and child safety concerns will be treated seriously, whether they are made by an adult or a child and whether they are about the conduct of an adult or a child. All complaints and child safety concerns will be responded to promptly and thoroughly.

If a complaint includes an allegation or incident of child abuse or harm, then staff and volunteers at the TSAA must report it in accordance with the incidents and complaints. TSAA staff and volunteers are required to prioritise children's safety in any response and to report all potentially criminal conduct to the Police. Under the complaint procedure, staff and volunteers may be subject to actions to support child safety including:

- being stood down during an investigation or terminated following an investigation
- having their duties altered so they do not engage with children at TSAA events
- not allowing unsupervised contact with children at TSAA events
- removing their access to the TSAA IT system and online platforms

Complaints can be emailed to complaints@tourettes.org.au or you can speak with a Child Safety Officer. **If there is concern for the immediate safety of a child, immediately call 000.**

Child Safety Officers (as defined in the responsibilities section) have responsibility for responding to any child safety related complaints or concerns. Child Safety Officers are introduced to children so they know and understand who the appointed officers are, and how and when they may contact them. Photos and names of the child safety persons are displayed at camps and other large face-to-face events.

If a person does not feel comfortable making a report to a child safety person or via the complaints email, they may report their concern to a member of the TSAA Committee.

The TSAA is committed to making and keeping full and accurate records about all child-related complaints or safety concerns. All child safety complaints, concerns, incidents and near misses will be recorded in the "Child Safety Incidents and Complaints Register".

Records which may assist with the investigation of a complaint or safety concern will be identified and kept as part of the record of an investigation. Records will be kept even if an investigation does not substantiate a complaint. We will record and keep the outcome of any investigations, and the resolution of any complaints. This includes findings made, reasons for decisions and actions taken. Records will be stored securely and kept by the TSAA in accordance with relevant legislation as documented in the "Record keeping, privacy and information sharing guidelines".

The TSAA may share relevant information to promote the safety and wellbeing of children, where it is appropriate and in their best interests. The TSAA will keep information about complaints confidential, except where it is necessary to share information to respond properly to a complaint or to prioritise child safety. We may also need to share information about incidents or complaints with external authorities to comply with the law or to prioritise safety.

Staff knowledge, skills and awareness

This section outlines how the TSAA will give effect to **Child Safe 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.**

All staff and volunteers are required to complete annual "Child Safety and Wellbeing Training". Completion of training will be recorded in the "Child Safety Training and WWC Register" by the Child Safety Co-ordinator.

Staff and volunteers will receive supervision to support their engagement with children and for compliance with our Code of Conduct and Child Safety and Wellbeing Policy.

Failure to complete assigned training may result in disciplinary action, as outlined in the disciplinary procedure.

The Child Safety Co-ordinator will keep the training up-to-date with changes in legislation, TSAA policies and process and child safety and wellbeing resources.

Safe physical and online environments

This section outlines how the TSAA will give effect to **Child Safe Standard 9: Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.**

The TSAA Committee is responsible for the management of safety risks. Risks to children in physical and online environments, including actions to reduce and respond to them, are recorded in the safety risk register. The TSAA will use the safety risk register to develop risk management plans for each of its activities. Risks on the safety risk register will be reviewed, revised and updated by seeking feedback from staff and volunteers, as well as reviewing the outcomes of investigations into any incidents and complaints.

The TSAA will develop and implement nationally consistent procedures to ensure that procurement and contracting of third parties (e.g. for camps) addresses and minimises child safety and wellbeing risks.

The TSAA will develop and implement a record keeping, privacy and information sharing procedure to minimise risks of child abuse and harm without compromising children's right to privacy, access to information, social connections and learning opportunities.

TSAA online forums (where members can communicate) include the TSAA Facebook public page, private Facebook support groups and online conference technology. The TSAA will inform members and their families about appropriate use of the TSAA's online forums, safety tools and how to seek help and report concerns including cyberbullying and online grooming.

The TSAA will provide guidelines and tools to assist moderators and administrators of online forums to respond to online safety incidents. The TSAA uses the Australian eSafety Commissioner's resources to develop our online safety tools and guidelines.

All TSAA members have a role to play in their own safety and the safety of their children. A copy of the Work Health and Safety Policy is available to members on the Policy section of TSAA website and members will be required to agree to comply with it as part of the process to attend camps, join a support group and join Facebook groups.

Review of child safe policies and practices

This section outlines how the TSAA will give effect to **Child Safe Standard 10: Implementation of the Child Safe Standards is regularly reviewed and improved.**

The TSAA Committee recognises the importance of identifying and managing risks of child harm and abuse in the physical and online environments operated by the TSAA.

We conduct regular risk assessments and have a risk management plan to address the risk of child abuse and harm when participating in TSAA services. The risk management plan will be developed in consultation with our staff, volunteers, parent representatives and children. We will ensure that any risk controls put in place balance the need to manage harm with the benefits of participating in TSAA services. The TSAA Committee is responsible for approving the risk management plan.

This policy and related policies and procedures will be reviewed at least every two years. Practices and policies will be reviewed in response to a child safety incident or 'near miss'. Findings from reviews will be reported to the people involved in our organisation and also inform our approach to continuous improvement of our child safety practices. Reviews are overseen by the TSAA Committee and will be informed by consultation with children, families, volunteers and staff. The Child Safety Co-ordinator is responsible for ensuring that documents are reviewed and updated as per this policy.

We also continue to review changes in legislation across all jurisdictions that impact our operations.

Documenting policies and procedures

This section outlines how the TSAA will give effect to **Child Safe Standard 11: Policies and procedures document how the organisation is safe for children and young people.**

The TSAA has developed the following policies, procedures and registers to support child safety and wellbeing across all of our operations:

- Child Safety and Wellbeing Policy
- Code of Conduct
- Child Safety and Wellbeing Incidents and Complaints Procedure
- Child Safety Incidents and Complaints Register
- Work Health and Safety Policy
- Safety Risk Register and risk management plans
- Child Safety Training and WWC Register
- Child Safety and Wellbeing Training

The TSAA is committed to formalising further procedures to address child safety and wellbeing in the following areas:

- Recruitment procedure for recruitment, screening and onboarding of staff and volunteers
- Disciplinary procedure for action on non-compliance with the code of conduct or this policy
- Procurement procedure for the procurement of services (contractors and consultants) that are child-facing
- Record keeping, privacy and information sharing procedure

Reviews of these documents will take into account feedback from staff, volunteers and members, as well as the outcomes of any investigations into complaints or incidents. The Child Safety Co-ordinator is responsible for ensuring that documents are reviewed and updated as per this policy.

All staff and volunteers are required to read these documents and provide confirmation that they have read and understood them. The policy and procedure documents will be made available in the Policies section of the TSAA website. Registers will be made available to those requiring access through a secure shared online document repository.

Risk Management Plans will be provided to all staff and volunteers in child-facing roles. The Committee will regularly review and update the safety risk register with input and feedback from staff and volunteers.

The Child Safety Co-ordinator will use the TSAA newsletter as a communication tool to notify members of various aspects of the Child Safety & Wellbeing policy, including where to find the policy, how to make a complaint, and other aspects of the policy.

Reportable Conduct Schemes

Reportable conduct schemes require organisations involving children to notify authorities of alleged abuse by workers or volunteers in their organisations. Each jurisdiction operates its own scheme. There are currently reportable conduct schemes in New South Wales, Victoria and the ACT. Tasmania and WA are in the process of implementing their scheme. Currently the TSAA is only required to comply with the Victorian scheme.

Victoria

The Victorian reportable conduct scheme is established by the Child Wellbeing and Safety Act 2005 (the Act). The TSAA is in scope of the scheme as an organisation that provides overnight camps for children as part of its primary activity.

The Reportable Conduct Scheme is focussed on the conduct of Victorian staff and volunteers (including reportable allegations related to conduct that occurred in another state or territory and/or outside of the workplace) and how organisations investigate and respond to suspected child abuse. The scheme aims to improve organisational responses to suspected child abuse and to facilitate the identification of individuals who pose a risk of harm to children, but do not have a criminal record. The scheme applies to organisations with a high level of responsibility for children, and sets out specific obligations for the heads of these organisations.

The head of the organisation must ensure that there are systems in place that:

- prevent reportable conduct from being committed
- enable reportable allegations to be made to the head of the organisation
- enable reportable allegations that involve the head of the organisation to be reported to the Commission.

There are five types of 'reportable conduct':

- sexual offences committed against, with or in the presence of a child
- sexual misconduct committed against, with or in the presence of a child
- physical violence against, with or in the presence of a child
- any behaviour that causes significant emotional or psychological harm to a child
- significant neglect of a child.

The Reportable Conduct Scheme does not replace the need to report allegations of child abuse, including criminal conduct and family violence to Victoria Police. Further details of how the TSAA must comply with the reportable conduct scheme are included in the Child Safety and Wellbeing Incidents and Complaints Procedure.

Reference: <https://ccyp.vic.gov.au/reportable-conduct-scheme/>

New South Wales

The reportable conduct scheme in NSW is governed by the Children's Guardian Act 2019 and is administered by the Office of the Children's Guardian. The TSAA is currently not a 'relevant entity' under the Children's Guardian Act 2019, and is not required to comply with the scheme.

Reference: <https://ocg.nsw.gov.au/organisations/reportable-conduct-scheme>

Australian Capital Territory

The ACT Ombudsman has oversight of the reportable conduct scheme through the Ombudsman Act 1989. The TSAA is currently not a 'designated entity' as defined by the scheme.

Reference: <https://www.ombudsman.act.gov.au/improving-the-act/reportable-conduct>

Western Australia

Reportable conduct laws were passed in WA in August 2022. The scheme will be developed by the WA ombudsman, and is expected to commence on 1 January 2023. The TSAA does not appear to be covered by this scheme, however this will need to be confirmed once it has commenced and further information is available.

Reference:

https://www.ombudsman.wa.gov.au/Reportable_Conduct/Reportable_Conduct.htm

Tasmania

Tasmania is in the process of establishing a Child and Youth Safe Organisations Framework. The framework will include a Reportable Conduct Scheme. The Framework will be established by the Child and Youth Safe Organisations Bill, which was tabled in November 2022 and is expected to become law in early 2023. The TSAA may be an organisation that falls under the scheme; however this will need to be confirmed once it has commenced and further information is available.

Reference: <https://www.justice.tas.gov.au/carcru/child-and-youth-safe-organisations-framework/reportable-conduct-scheme>

Reporting Child Abuse and Neglect

Australian state and territory governments are responsible for receiving reports of suspected child abuse and neglect from members of the public. The TSAA is not an organisation required by law to report child abuse and neglect (mandatory reporting), however reporting child abuse and neglect is a community-wide responsibility. Anyone who suspects, on reasonable grounds, that a child or young person has been abused or neglected, or is at risk of being abused or neglected should report it to the reporting authority in their state or territory.

The Australian Institute of Family Studies provides guidelines on what to do if a child or young person has disclosed abuse or neglect, or if parents and other family members disclose concerns about not coping with their parenting responsibilities. The link below provides details of who to contact in each jurisdiction.

A person does not need to be absolutely certain that there has been abuse or neglect of a child or young person to contact the relevant authorities. All serious concerns should be reported by phone rather than online or via email. Serious concerns include when there is a suspicion that a child or young person is in imminent or immediate danger of serious harm, serious injury or chronic neglect.

Reference: <https://aifs.gov.au/resources/resource-sheets/reporting-child-abuse-and-neglect>

Appendix 1 – Comparison of National Principles for Child Safe Organisations and Victorian Child Safe Standards

National Principles for Child Safe Organisations ¹	Victorian Child Safe Standards ²
<i>The first standard in the Victorian Standards is not in the National Principles for Child Safe Organisations.</i>	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.
1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.	2. 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. Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously. <i>The Victorian standards contain additional indicators in Standard 3 around empowering children and young people.</i>
3. Families and communities are informed and involved in promoting child safety and wellbeing.	4. 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. 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. 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. Processes for 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. 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. 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. Implementation of the Child Safe Standards is regularly reviewed and improved.
10. Policies and procedures document how the organisation is safe for children and young people.	11. Policies and procedures document how the organisation is safe for children and young people.

¹ Australia ratified the United Nations Convention on the Rights of the Child (CRC) in 1990. Under the Convention, children, like adults, possess human rights. They also have the right to special protection because of their vulnerability to exploitation and abuse. Under the Convention, a child is defined as every human being below eighteen years of age. As of 1 February 2019, all Australian jurisdictions confirmed their commitment to the National Principles for Child Safe Organisations.

² The Victorian Child Safe Standards closely align with the National Principles for Child Safe, however there are some differences. Organisations such as the TSAA who work nationally or across state borders will need to comply with both sets of Standards.

Appendix 2 – Relevant Legislation and Standards

Commonwealth of Australia:

- *National Principles for Child Safe Organisations (National Principles)*
- *Australian Human Rights Commission Act 1986 (Cth)*

Victoria:

- *Child Wellbeing and Safety Act 2005 (Vic) (including Child Safe Standards)*
- *Children, Youth and Families Act 2005 (Vic)*
- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- *Equal Opportunity Act 2010 (Vic)*
- *Worker Screening Act 2020 (Vic)*
- *Crimes Act 1958 (Vic)*

New South Wales:

- *Children and Young Persons (Care and Protection) Act 1998 (NSW)*
- *Anti-Discrimination Act 1977 (NSW)*
- *Children (Criminal Proceedings) Act 1987 (NSW)*
- *Child Protection (Working with Children) Act 2012 (NSW)*

Australian Capital Territory:

- *Children and Young Persons (Care and Protection) Act 1998 (NSW)*
- *Human Rights Act 2004 (ACT)*
- *Human Rights Commission Act 2005 (ACT)*
- *Working with Vulnerable People (Background Checking) Act 2011 (ACT)*

Queensland:

- *Child Protection Act 1999 (Qld)*
- *Human Rights Act 2019 (Qld)*
- *Working with Children Check (Risk Management and Screening) Act 2000 (Qld)*

Northern Territory:

- *Care and Protection of Children Act 2007 (NT)*
- *Anti-Discrimination Act 1992 (NT)*
- *Care and Protection of Children Act 2007 (NT) Part 3.1: screening for child-related employment*

Western Australia:

- *Children and Community Services Act 2004 (WA)*
- *Equal Opportunity Act 1984 (WA)*
- *Working with Children (Criminal Record Checking) Act 2004 (WA)*

South Australia:

- *Children and Young People (Safety) Act 2017 (SA)*
- *Equal Opportunity Act 1984 (SA)*
- *Disability Inclusion Act 2018 (SA)*
- *Child Safety (Prohibited Persons) Act 2016 (SA)*
- *Children and Young People (Safety) Act 2017 (SA)*

Tasmania:

- *Children, Young Persons and their Families Act 1997 (Tas)*
- *Anti-Discrimination Act 1998 (Tas)*
- *Registration to Work with Vulnerable People Act 2013 (Tas)*

Document History

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