# Creating child safe institutions

As part of its Terms of Reference the Royal Commission is required to inquire into what institutions and governments should do to better protect children against child sexual abuse and related matters in institutional contexts in the future. A key aspect of this task has been to examine what makes institutions 'child safe.'

While the Royal Commission is focused on sexual abuse of children in institutions, most child safe frameworks have a broader application and aim to assist institutions to prevent, identify and improve responses to physical, sexual, emotional/psychological abuse and neglect of children. Stakeholders have told us that a broader approach that seeks to prevent all forms of harm to children in institutions will better address the often co-existing nature of different types of abuse and avoid unintended consequences.

## Identifying the elements of a child safe institution

We have worked to identify specific elements that institutions should adopt in order to be child safe. This work has involved an extensive analysis of available research and evidence, including:

- Child Safe Organisations frameworks, guidelines and standards developed in Australia and internationally
- evaluations of Child Safe Organisations initiatives
- research commissioned by us, and other empirical research and literature, on the characteristics of child sexual abuse
- findings from our case studies
- stakeholder submissions in response to our Child Safe Organisations Issues Paper
- findings and recommendations from previous inquiries.

## Testing the elements of a child safe institution

As a result of this work we identified a preliminary list of elements which we considered were fundamental to the creation of a child safe institution. To test these elements we commissioned the Social Policy Research Centre and Parent Research Centre to undertake a research study. As part of this study, feedback was obtained from a panel of 40 Australian and international independent experts, including academics, children's commissioners and guardians, regulators and other child safe industry experts and practitioners. The expert panel agreed that the elements we had identified were relevant, reliable and achievable.

The research study also asked the experts to provide suggestions regarding the wording of child safe elements and sub-elements. The elements were amended to reflect that feedback as well as

outcomes of consultations with children and young people undertaken on behalf of the Royal Commission.[1]

This research study, titled *Key elements of a child-safe organisation research study, Final Report*, has now been published and can be found at www.childabuseroyalcommission.gov.au/policy-and-research/our-research/prevention.

## Confirming the elements of a child safe institution

We subsequently held a series of private round table meetings with a range of service providers, experts and institutions to further examine the child safe elements. This consultation again confirmed the utility of the elements.

In light of this round table consultation it was decided that an additional element, namely that equity is promoted and diversity respected, should be added to respond to children's diverse experiences and needs. This approach was in response to the mixed findings in the research about whether equity and diversity should comprise a cross-cutting theme or an additional separate element.

## Implementing the elements of a child safe institution

The Royal Commission's final report will include a volume dedicated to making institutions child safe. This will include a more detailed explanation of the proposed child safe elements and our recommendations on the way in which institutions, governments and communities can better protect children within Australian institutions including through:

- implementing the child safe elements
- building the capacity of institutions
- holding institutions to account through independent oversight and monitoring.

However, in advance of its final report, the Royal Commissioners considered it timely to publish this research study and disseminate the proposed child safe elements so that institutions can continue with their ongoing work to strengthen their child safe practices.

Our work on child safe institutions forms part of a broader program of work being undertaken by the Royal Commission and should be considered in this context. More specifically this work includes the already released report on Working With Children Checks and current work in progress in relation to such matters as reportable conduct regimes, complaint and investigation arrangements, community and institutional preventative strategies, information sharing, and related matters.

[1] T Moore, M McArthur, D Nobel-Carr and D Harcourt, *Taking Us Seriously: Children and Young People Talk About Safety and Institutional Responses to Their Safety Concerns,* report prepared for the Royal Commission into Insitutional Responses to Child Sexual Abuse, Sydney, 2015.

## Elements of a Child Safe Institution

The Royal Commission's work on child safe institutions has been guided by the United Nations Convention on the Rights of the Child, which was ratified by Australia in 1990. Consistent with Article 3 of the United Nations Convention on the Rights of the Child, all institutions that directly engage with or provide services to children should act with the best interests of the child as a primary consideration. Institutions need to ensure that this guiding principle, is widely known and understood by all staff and volunteers, appropriately integrated, and consistently applied across all elements outlined below.

Each of the proposed child safe elements are intended to be of equal importance and are inter-related. They are framed in an outcome focused manner and allow institutions flexibility in their application. The ten elements are intended to be dynamic and responsive rather than static and definitive.

1. **Child safety is embedded in institutional leadership, governance and culture.**
    a) the institution publically commits to child safety and leaders champion a child safe culture
    b) child safety is a shared responsibility at all levels of the institution
    c) governance arrangements facilitate the implementation of the child safe elements and accountabilities are set by institutional leaders, at all levels of the institution's governance structures
    d) risk management strategies focus on preventing, identifying and mitigating risks to children
    e) staff and volunteers comply with a code of conduct that sets clear behavioural standards towards children
    f) staff and volunteers understand their obligations on information sharing and record keeping.

2. **Children participate in decisions affecting them and are taken seriously.**
    a) children are able to express their views and opportunities are provided to participate in decisions that affect their lives
    b) the importance of friendships is recognised and support from peers is encouraged, in helping children feel safe and be less isolated
    c) children can access sexual abuse prevention programs and information
    d) staff and volunteers are attuned to signs of harm and facilitate child friendly ways for children to communicate and raise their concerns.

3. **Families and communities are informed and involved.**
    a) families have the primary responsibility for the upbringing and development of their child and participate in decisions affecting their child
    b) the institution engages in open, two- way communication with families and communities about its child safety approach and relevant information is accessible
    c) families and communities have a say in the institution's policies and practices
    d) families and communities are informed about the institution's operations and governance.

4. **Equity is promoted and diversity respected.**
    a) the institution actively anticipates children's diverse circumstances and respond effectively to those with additional vulnerabilities
    b) all children have access to information, support and complaints processes
    c) particular attention is paid to the needs of Aboriginal and Torres Strait Islander children, children with disability, and children from culturally and linguistically diverse backgrounds.

5. **People working with children are suitable and supported.**
    a) recruitment, including advertising and screening, emphasises child safety
    b) relevant staff and volunteers have working with children checks
    c) all staff and volunteers receive an appropriate induction and are aware of their child safety responsibilities, including reporting obligations
    d) supervision and people management has a child safety focus.

6. **Processes to respond to complaints of child sexual abuse are child focussed.**
    a) the institution has a child focussed complaint handling policy which clearly outline roles and responsibilities, approaches to dealing with different types of complaints and obligations to act and report
    b) effective complaint handling processes are understood by children, staff, families and volunteers
    c) complaints are taken seriously, responded to promptly and thoroughly, and reporting, privacy and employment law obligations are met.

7. **Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.**
    a) relevant staff and volunteers receive training on the nature and indicators of child maltreatment, particularly institutional child sexual abuse
    b) staff and volunteers receive training on the institution's child safe practices and child protection
    c) relevant staff and volunteers are supported to develop practical skills in protecting children and responding to disclosures.

8. **Physical and online environments minimise the opportunity for abuse to occur.**
    a) risks in the online and physical environment are identified and mitigated without compromising a child's right to privacy and healthy child development
    b) the online environment is used in accordance with the institution's code of conduct and relevant policies.

9. **Implementation of child safe standards is continuously reviewed and improved.**
    a) the institution regularly reviews and improves child safe practices
    b) complaints and concerns are analysed to identify causes and systemic failures to inform continuous improvement.

10. **Policies and procedures document how the institution is child safe.**
    a) policies and procedures address all child safe organisation elements
    b) policies and procedures are accessible and easy to understand
    c) stakeholder consultation informs the development of policies and procedures
    d) leaders champion and model compliance with policies and procedures
    e) staff and volunteers understand and implement the policies and procedures.

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# Key Elements of Child Safe Organisations – Research Study

## Final Report

Prepared for the Royal Commission into Institutional Responses to Child Sexual Abuse

**June 2016**

Parenting Research Centre
raising children well

SPRC
Social Policy Research Centre

**Project team**

The Royal Commission into Institutional Responses to Child Sexual Abuse commissioned and funded this research project. It was carried out by the following researchers: kylie valentine, Ilan Katz, Ciara Smyth, Cathy Bent, Sophia Rinaldis, Catherine Wade and Bianca Albers

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The views and findings expressed in this report are those of the author(s) and do not necessarily reflect those of the Royal Commission.

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Valentine, l., Katz, I., Smyth, C., Bent, C., Rinaldis, S., Wade, C., & Albers, B., 2016, Key Elements of Child Safe Organisations – Research Study, Royal Commission into Institutional Responses to Child Sexual Abuse, Sydney.
ISBN 978-1-925289-21-3






**Published date**

June 2016

Royal Commission into Institutional Responses to Child Sexual Abuse

## Preface

On Friday 11 January 2013, the Governor-General appointed a six-member Royal Commission to inquire into how institutions with a responsibility for children have managed and responded to allegations and instances of child sexual abuse.

The Royal Commission is tasked with investigating where systems have failed to protect children, and making recommendations on how to improve laws, policies and practices to prevent and better respond to child sexual abuse in institutions.

The Royal Commission has developed a comprehensive research program to support its work and to inform its findings and recommendations. The program focuses on eight themes:

1. Why does child sexual abuse occur in institutions?
2. How can child sexual abuse in institutions be prevented?
3. How can child sexual abuse be better identified?
4. How should institutions respond where child sexual abuse has occurred?
5. How should government and statutory authorities respond?
6. What are the treatment and support needs of victims/survivors and their families?
7. What is the history of particular institutions of interest?
8. How do we ensure the Royal Commission has a positive impact?

This research report falls within theme two.

The research program means the Royal Commission can:

- obtain relevant background information
- fill key evidence gaps
- explore what is known and what works
- develop recommendations that are informed by evidence, can be implemented and respond to contemporary issues.

For more on this program, please visit www.childabuseroyalcommission.gov.au/research

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The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) engaged the Social Policy Research Centre and the Parenting Research Centre to undertake an adapted Delphi Study to obtain advice, opinion and consensus from a panel of independent experts on what should constitute key principles, elements and sub-elements of child safe organisations.

Researchers asked the experts about the importance and general achievability of identified elements of child safe organisations, as well as about the associated costs and risks of implementing certain practices or processes considered important to ensuring child safety.

The research used an adapted Delphi study methodology, designed to elicit the advice, opinions and consensus of the panel on what should constitute the key principles, elements and sub-elements of child safe organisations. The Delphi approach was modified to accommodate the comprehensive elements document drafted by the Royal Commission, and allow the study to be administered over two survey rounds. This report presents findings from both stages of data collection.

The experts were asked to respond to a list of nine proposed key elements of child safe organisations, each with associated sub-elements. The elements included:

- organisational leadership, governance and culture
- human resources management
- child safe policy and procedures
- child-focused complaint process
- education and training
- children's participation and empowerment
- family and community involvement
- physical and online environment
- review and continuous improvement.

These elements were derived from a review of empirical research and existing organisational frameworks and guidelines globally, as well as submissions received in response to issues papers and case studies commissioned by the Royal Commission, and findings and recommendations from previous inquiries.

Thirty-nine experts completed Round 1 of the survey online between September and October 2015. Respondents were asked to rate the relevance, reliability and achievability of the elements, given the following definitions:

- Relevance: the element (and its sub-elements) is a suitable indicator that an organisation is child safe
- Reliability: the element (and its sub-elements) is a consistent indicator of child safety across a range of organisations and over time
- Achievability: the element (and its sub-elements) can be achieved by most organisations with the will to implement them.

The experts generally agreed that overall the proposed elements were relevant, reliable and achievable.

As shown in the table below, a majority of experts agreed that the proposed elements were relevant (94%-100%). Fewer experts agreed that the elements were reliable (77.8%–83.3%) and achievable (61.1%–80.6%). Given the lower ratings given to the reliability and achievability of the elements, which were also reflected in the open-ended responses, the second round of the survey included a focus on implementation.

**Table 1: Elements of a child safe organisation**

| | Relevant (%) | Reliable (%) | Achievable (%) |
|---|---|---|---|
| Organisational leadership, governance and culture | 97.4 | 79.5 | 74.4 |
| Human resources management | 97.2 | 80.6 | 66.7 |
| Child safe policy and procedures | 100.0 | 77.8 | 69.4 |
| Child-focused complaint process | 97.1 | 80.6 | 72.2 |
| Education and training | 97.2 | 80.6 | 69.4 |
| Children's participation and empowerment | 100.0 | 77.8 | 66.7 |
| Family and community involvement | 97.2 | 80.6 | 80.6 |
| Physical and online environment | 94.4 | 83.3 | 61.1 |
| Review and continuous improvement | 100.0 | 83.3 | 77.8 |

Most of the panellists who did not consider various elements relevant, reliable or achievable chose the survey options 'somewhat relevant', 'somewhat reliable' or 'somewhat achievable'.

A very small number of panellists thought that five of the nine elements were unreliable or not achievable. One respondent each thought four of the elements were

unreliable, and two respondents thought one other element was unreliable (Figure 3, Figure 5, Figure 9, Figure 10). One respondent each thought two of the elements were not achievable (Figure 4, Figure 9). No panellists indicated that any of the elements were irrelevant.

The following are some other key findings:

- The most frequently expressed concerns among panellists – and those with the most serious implications – did not relate to the specific content of the elements but to their conceptual underpinnings and implementation risks.
- Panellists' concerns about achievability were reflected in their qualitative responses, as the largest number of comments regarded the operationalisation of elements (i.e. putting them into practice). Many of the open-ended comments related to cross-cutting concerns about the implementation, monitoring and meaningfulness of particular elements rather than relating to any specific element.
- Panellists also suggested how sub-elements could be revised to include or exclude certain practices.
- Panellists' open-ended comments also reflected concerns about how to monitor and evaluate the implementation of elements, and variation in organisational capacity to implement elements.

Round 1 survey findings informed the development of a more succinct Round 2 survey of 32 experts, which was conducted online in November 2015. The second survey further explored areas of concern as well as the use of frameworks for implementing policy.

The following are the key findings from Round 2:

- Opinions varied on whether elements should be changed to meet the needs of different groups of children, especially Aboriginal and Torres Strait Islander children and their families, children with disability, those from culturally and linguistically diverse (CALD) communities, and children and young people in out-of-home care. Thirteen (of 31) respondents thought that the current approach of having a theme cutting across each of the elements was adequate, while 11 suggested each element should have a sub-element to address different groups of children. Seven respondents, including two of the three organisations representing specific communities (CALD, Aboriginal and Torres Strait Islander, and disability) indicated that an additional 10th element was required to draw attention to different groups of children.
- The overwhelming majority of panellists (30 of 31) endorsed the implementation of the elements in a nationally consistent approach.
- Four-fifths of panellists (23 of 29) indicated that the principles should be mandatory standards for all organisations.
- Views on whether the elements should be implemented consistently by all organisations or whether there should be a degree of flexibility in their implementation were fairly evenly split between the two options, with 16 of 30 leaning towards the need for flexibility.
- Those experts who preferred a degree of flexibility for organisations to tailor the elements according to one or more of their characteristics also ranked the

degree of risk and level of responsibility for children as the most important deciding factor.

- Many respondents (22 of 31) thought that monitoring should focus on supporting organisations in continuous improvement, with nine experts in favour of monitoring that focused on measuring outcomes and identifying poor performance.
- Many respondents (23 of 31) thought external, independent agencies should be responsible for monitoring implementation, with eight experts calling for more support so organisations could monitor themselves.
- Around three-fifths of respondents (18 of 31) believed monitoring should focus on individual organisations, with two-fifths indicating that it should focus on systemic or thematic implementation issues across organisations.
- According to the survey results, the most likely unintended consequence – and that likely to have the greatest impact – was 'compliance could become a procedural tick-box process, rather than creating genuine change'. Other unintended consequences included compliance burden overwhelming or threatening the viability of some organisations, the effects of compliance costs on service delivery, and complacency. Suggestions to mitigate these risks included the provision of resources, such as training and support; drawing on lessons from other sectors; and ensuring the participation of children and young people.

The main aim of the research was to gain consensus among experts on the key principles, elements and sub-elements of child safe organisations. The study produced consensus and the surveys showed that a majority of the experts considered the proposed elements to be relevant, achievable and reliable. They also indicated that many respondents held concerns about achievability with respect to how the elements might be implemented, the associated costs (particularly for smaller, voluntary and community organisations), and risks associated with implementation. They also provided suggestions for how the elements could be meaningfully implemented.

# 2 Introduction

This is the final report of a research project using an adapted Delphi study methodology to identify the key elements of child safe organisations.

As part of the Royal Commission's work to identify what can be done to improve the safety of children within organisations, evidence was rigorously mapped to identify the key elements of child safe organisations. This process was informed by the best available research, experiential evidence and contextual evidence, as shown in Figure 1 below.

**Figure 1: Puddy and Wilkins (2011: 4) framework for thinking about evidence as applied to this project**


Researchers relied on eight sources of evidence:

1. Child safe organisation frameworks, guidelines and standards developed in Australia
2. Child safe organisation frameworks, guidelines and standards used internationally
3. Empirical research on the evaluation of child safe organisation initiatives
4. Empirical research and literature on the characteristics of child sexual abuse, including victim, offender and contextual characteristics, and characteristics of child safe organisations
5. Findings of the Royal Commission's case studies (specifically Case Studies 1, 2, 4 and 7)
6. Stakeholder submissions to the Royal Commission in response to Issues Paper 3 on child safe organisations
7. Royal Commission research projects
8. Findings and recommendations from previous inquiries.

The literature on guideline development strongly recommends that draft guidelines should be subject to stakeholder and expert scrutiny via a structured process. In the absence of sound research evidence to support each key element, expert opinion and stakeholder experience can be used to shore up support for, and test the usability of, an approach.

This study is part of a larger research and consultation process to obtain systematic feedback from a panel of independent experts. Subsequent to this study, targeted consultations will further explore options for applying the elements and making organisations child safe to help the Royal Commission to identify possible recommendations.

The Royal Commission engaged the Social Policy Research Centre and the Parenting Research Centre to undertake a structured testing exercise to obtain the consensus of a panel of experts on what constitutes the key elements of child safe organisations. They used nine previously identified elements as a starting point. In particular, the study was an opportunity to collect feedback about the relevance, reliability and achievability of the elements and check for gaps.

This study used a modified Delphi method. The usual process is to first ask participants a series of broad-based questions. Analysis of responses to these questions generates a range of statements that are presented in a second survey, to test the level of consensus on these statements. For this study, nine elements that the Royal Commission had already been identified as characteristics of child safe organisations were presented in the first round of the survey. Respondents were asked to rate the relevance, reliability and achievability of the elements, given the following definitions:

- Relevance: the element (and its sub-elements) is a suitable indicator that an organisation is child safe
- Reliability: the element (and its sub-elements) is a consistent indicator of child safety across a range of organisations and over time
- Achievability: the element (and its sub-elements) can be achieved by most organisations with the will to implement them.

The purpose of the study was to confirm these aspects of the elements and test the degree of consensus on each.

The Round 1 survey indicated a high degree of consensus on these aspects of the elements, and also indicated concerns and areas of tension regarding how these elements could be implemented, monitored and evaluated. The Round 2 survey further explored these areas of concern and also opinions on policy frameworks for implementation.

## 2.1 Method

The Delphi method is a combination of qualitative and quantitative processes that draws mainly on the opinions of identified experts to develop theories and projections for the future. A group of experts is drawn from several disciplines and professions. The goal of this method is to reach a consensus among the group by the end of

multiple questionnaires. Typically, the group is surveyed multiple times over an extended period.

The uniqueness of Delphi lies in its reliability and the fact that it can be administered remotely without direct participant interaction. In consultation with the Royal Commission, researchers decided to limit the number of rounds to two, to minimise the research burden on participants and maximise the response rate while also taking time and resources limitations into account (Hsu and Sandford 2007a, Hsu and Sandford 2007b, Keeney, Hasson and McKenna 2001). The project gained ethics approval through the UNSW Australia Human Research Ethics Committee (approval number: HC 15554).

The sample size for Delphi studies varies. Atkins, Tolson & Cole (2005) note that studies have been carried out with virtually any panel size. However, to our knowledge, this study is unusual in that it not only generated consensus about the elements that constitute a child safe organisation, but also significant qualitative data on putting the elements into practice.

## 2.2 Participants

A key phase in any Delphi study is to identify potential participants. As Delphi studies often involve a small number of participants, engaging those with in-depth knowledge of the issue under investigation will ensure that the data collected is of high quality. The Royal Commission identified 60 independent experts as potential participants for this study, including academics; children's commissioners and guardians, industry experts and practitioners, and other key content experts. Experts were invited to participate in July 2015.

Methodologically, the Delphi approach involves surveying the same group of participants in each round of data collection (Hsu and Sandford 2007a, Keeney, Hasson and McKenna 2001). However, for this project, an additional seven experts who had not completed the Round 1 survey, but who had contributed to the process of identifying the nine elements of child safe organisations, participated in the Round 2 survey. We compared the responses of those who had participated in Round 1 and those who had not, and there do not appear to be substantive differences.

### 2.2.1 Round 1 survey

The draft 'Key elements of a child safe organisation', as identified by the Royal Commission, formed the basis of the Delphi survey instrument for the first round of data collection (see Appendix B).

Sixty national and international experts in the field of child protection were invited to participate in the study, and 42 consented to participate. Between September and October 2015, 39 of the experts from Australia, New Zealand, the US, Canada, the UK and Ireland participated in the survey, although not all completed every question.

### 2.2.2 Round 2 survey

In November 2015, the Round 2 survey was sent to 51 experts, including the 42 experts from the first round and seven additional experts identified by the Royal Commission. 33 individuals participated in the second round, although not all respondents answered all questions (see Appendix D).

**Table 2: Delphi survey participants**

| **Participants** | |
|---|---|
| Invited to participate in Round 1 | 60 |
| Participated in Round 1 Survey | 39[a] |
| Invited to participate in Round 2 | 51 |
| Participated in Round 2 survey | 32 [a] |
| Participated in Round 1 and Round 2 | 25 |
| Total participants in study (see Appendix C) | 46 |

[a] Three people in Round 1 and one person in Round 2 commenced the online survey by consenting to participate, but did not answer any questions.

## 2.3 Caveats and limitations

The Delphi method is a robust way of gathering expert opinion but has limitations. Experts in Delphi studies tend to be identified, as they were in this study, on the basis of their experience rather than any more specific criteria. Participation in the study was voluntary and may have produced a response bias. Attrition is also a significant limitation of many Delphi studies; however, many have a greater attrition rate between the first and second rounds than this study. As with other methods gathering expert opinion, the Delphi method is useful in informing the design and development of evidence, but is not a substitute for empirical evidence.

The survey asked participants to assess the relevance, reliability and achievability of each element. It provided definitions of each of these terms but it is possible that participants could have interpreted them to be a necessary and sufficient condition of achieving a child safe organisation, rather than one aspect of this. We did not seek participants' views on the importance of these categories of relevance, reliability, and achievability: that is, we did not ask if an assessment of an element as relevant, reliable and achievable equates to it being child-safe. However, qualitative data from open-ended questions provides insights on participants' views on these categories.

# 3 Round 1 survey findings

The Round 1 survey explored participants' views on the nine elements of child safe organisations identified by the Royal Commission. The survey comprised open-ended and closed questions based on the evidence review, incorporating both qualitative and quantitative items. The survey aimed to assess the extent to which the identified elements of child safe organisations described in the evidence review were relevant, reliable and achievable; and the comprehensiveness of each element. Participants were invited to comment on whether particular elements may not be relevant, reliable or achievable for particular types of organisations. Through open-ended questions, participants also had the opportunity to provide feedback on whether any elements should be changed or additional elements added.

## 3.1 Summary findings

The Round 1 survey established that there was broad consensus among experts with respect to the relevance and reliability of the nine key elements of child safe organisations, with variation in participants' responses concerning the achievability of the elements.

The quantitative data are presented as raw numbers rather than percentages due to the small sample size.

The open-ended responses generated a sizeable dataset, which we analysed by thematic coding. These themes, and frequency of occurrence, are described below.

Of these themes, *inclusion* and *expression* related to fairly specific suggestions on language use, additional sub-elements for inclusion, and how the elements can be implemented across diverse organisations. A large number of comments were coded under these themes, and most did not represent disagreement between respondents or challenges for implementation.

In contrast, other frequently occurring themes indicated some tension and disagreement between respondents, and conceptual and practical implications for implementation of the elements. These themes are *operationalisation*, *monitoring and accountability*, *compliance burden*, and *participation of children and young people.* Concerns raised in the comments on these areas in the Round 1 survey were investigated further in Round 2.

Themes that occurred less frequently included *direct contact with children*; *types of abuse*; *wellbeing*; *not just harm prevention*; *types of children and young people*; *cultural safety*; and *dealing with false allegations*.

**Table 3: Qualitative themes**

| Theme | Description |
|---|---|
| Operationalisation | Respondents articulated concerns about how organisations put the elements into practice, including considerations such as |

| | |
|---|---|
| | the need for training and whether elements should be varied to account for different types of organisations. There were concerns about how organisations could implement elements in a way that would bring about real improvements without becoming a procedural tick-box exercise.<br><br>This emerged as a significant concern in Round 1 data and was investigated in Round 2. This theme occurred more frequently than others (see Table 2) |
| Inclusions | Participants were asked whether sub-elements relating to each main element should be added or changed. Responses coded here described sub-elements that experts believed should be added and, occasionally, existing sub-elements that should be deleted. Many responses involved specific suggestions for operational policies and procedures. |
| Monitoring and accountability | Respondents were concerned about how implementation of the elements would be monitored, assessed and evaluated. They discussed responsibility for implementation, sanctions and accountability for failure to implement.<br><br>This emerged as a significant concern in Round 1 data and was investigated in Round 2. |
| Compliance burden | Respondents were concerned about the costs and resources involved in implementing the elements, especially for smaller organisations.<br><br>This emerged as a significant concern in Round 1 data and was investigated in Round 2. |
| Expression | Responses coded here related to the order in which elements were presented, the language used, and the need for clarification of terms. |
| Participation of children and young people | Respondents described the importance of child-friendly policies and procedures. They were also concerned with how children and young people might be able to contribute to the formulation of processes designed to keep them safe. |

| | |
|---|---|
| Direct contact with children | Responses coded here were concerned with the relevance and feasibility of implementing the elements in organisations (or parts of organisations) that do not have direct contact with children. |
| Types of abuse | These comments emphasised the importance of ensuring that organisations protect children from all types of abuse. Note that a number of comments reflect an apparent misapprehension that the elements are concerned only with sexual abuse. |
| Wellbeing, not just harm prevention | Respondents were concerned that child safe organisations should focus on children and young people's wellbeing rather than exclusively on harm prevention. |
| Types of children and young people | Respondents described the different needs of some groups of children and young people, such as those with disability, and those from CALD backgrounds. They also highlighted the relevance of age and vulnerability. These comments noted implications for the content of the elements and their implementation. |
| Cultural safety | Respondents noted the importance of organisations being culturally safe. Culturally safe environments are those that do not 'assault, challenge or deny' people's identity and facilitate 'shared respect, shared meaning, shared knowledge and experience' (Williams 1999: 213). |
| Dealing with false allegations | Respondents noted that the implementation of elements should include a protocol for managing the small number of vexatious and false reports of abuse. |

**Table 4: Qualitative themes: frequency of occurrence**

| Theme | Number of references |
|---|---|
| Operationalisation | 83 |
| Inclusions | 58 |
| Monitoring and accountability | 33 |
| Compliance burden | 32 |

| | |
|---|---|
| Expression | 26 |
| Participation of children and young people | 23 |
| Direct contact with children | 19 |
| Types of abuse | 9 |
| Wellbeing, not just harm prevention | 8 |
| Types of children and young people | 8 |
| Cultural safety | 6 |
| Vexatious or false allegations | 3 |

We present thematic summaries of comments against each of the elements in the following sections. Illustrative examples are included in Appendix A.

However, many of the open-ended comments related to cross-cutting concerns about the implementation, monitoring and meaningfulness of the elements, rather than to any specific element.

The most significant concerns – by which we mean those that occurred most frequently and that indicated the most serious implications – did not relate to the specific content of the elements but to their conceptual underpinnings, e.g. assigning responsibility for child safety to particular individuals, and implementation risks.

These concerns and suggestions related to:

- the compliance challenges and costs of implementation, especially for smaller organisations without dedicated human resources personnel
- the applicability of the elements to organisations that have little or no direct contact with children
- the importance of monitoring and accountability mechanisms in ensuring that the elements are implemented meaningfully
- the importance of children's participation in designing and monitoring changes that are intended to ensure organisations are child safe; however, a number of respondents also expressed reservations about requiring children to be involved in organisational governance in this way
- the balance between reducing risk and actively cultivating an organisational culture that is both child safe and child friendly, and between preventing harm and promoting wellbeing; though a number of respondents felt that the draft elements too strongly focused on harm prevention
- the risks of describing an organisation as child safe when this cannot be guaranteed, and similar risks of complacency and specialised responsibility for child safety, rather than ongoing shared responsibility.

Respondents also suggested ways that some of these concerns could be addressed, especially in the area of compliance burden.

**Table 7: Frequently identified risks and suggested mitigation**

| Implementation risk | Proposed mitigation strategy |
|---|---|
| Compliance burden | • access to templates, model policy and practice frameworks, and resources outlining best-practice models<br>• expedited approval processes for low-risk organisations<br>• guidance and support from peak bodies |
| Monitoring and accountability | • learn from other sectors, eg health systems<br>• allocation of resources to organisations and/or independent monitoring bodies |
| Children's participation | • include children in:<br>  ○ staff recruitment and staff appraisal exercises<br>  ○ the development of measures to promote participation<br>  ○ boards and other governance committees<br>• address the differential capacity of children to participate in these processes |
| Promoting child friendly organisational cultures and children's wellbeing | • child friendly report processes, and policies and procedures<br>• child friendly environments, in which children feel welcome<br>• policies and procedures should relate to child wellbeing<br>• nurture the development of trusting relationships (which a risk-averse environment might suppress) |

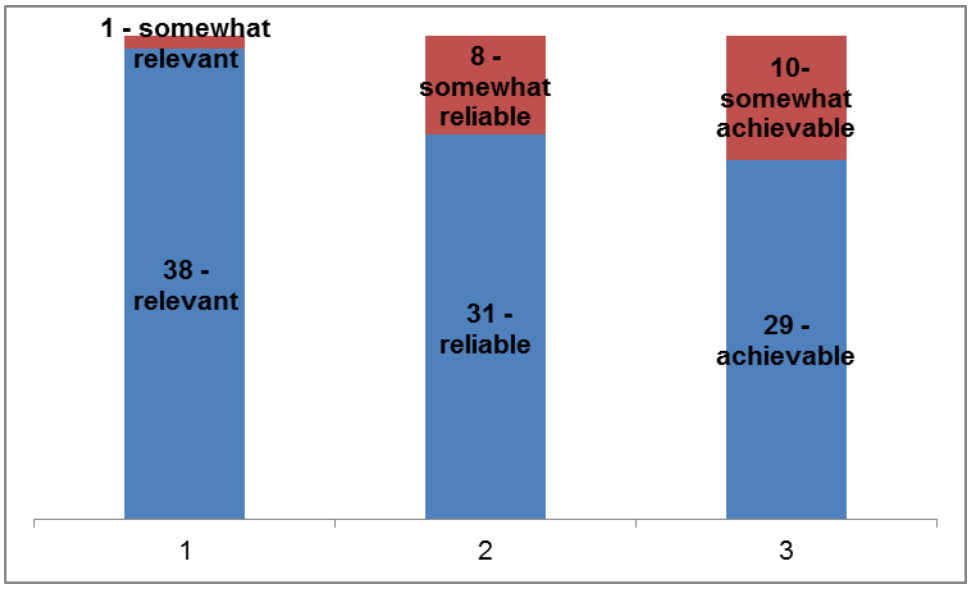
## 3.2 Element 1: organisational leadership, governance and culture

### 3.2.1 Relevance, reliability and achievability of element 1

The first element that participants were asked to rate and comment on was *organisational leadership, governance and culture* (see Appendix B). Almost all participants (38 of 39) felt that this element was relevant, more than three-quarters

(31 of 39) felt it was reliable and three-quarters (29 of 39) felt it was achievable, in relation to child safe organisations.[1]

**Figure 2: Relevance, reliability and achievability of organisational leadership, governance and culture**




Participants were asked whether this element was not relevant, reliable or achievable for any particular types of organisations, with seven of 39 responding in the affirmative. The responses to the question, 'Please comment on which types of organisations and why?' were coded with responses falling under three themes: *direct contact with children*, *compliance burden* and *operationalisation*.

With respect to the theme of *direct contact with children*, there were concerns among respondents that some organisations may face compliance challenges in trying to engage staff with certain issues, particularly where the organisations and their staff members had indirect contact with children. Some sub-elements were seen as unrealistic for organisations that had no direct contact with children, with one respondent commenting that this might 'dissuade them from being a child safe organisation, believing that it is an all-in or nothing model'.

From a *compliance burden* perspective, two respondents made the point that compliance with the elements could be challenging for community-based voluntary organisations with limited resources that may not have the infrastructure to support all the elements.

From an *operationalisation* perspective, one respondent commented that 'the goals seem very process-oriented with a focus on establishing standards […] actually achieving these standards once articulated is the true critical baseline for prompting a safer organisational environment'.

[1] Where numerical totals are given for questions using a rating scale or Likert-type scale (for example, unreliable, somewhat reliable, reliable) the total number of responses will change to reflect the partially completed surveys.

### 3.2.2 Comprehensiveness of element 1

Participants were asked to rate whether the sub-elements of *organisational leadership, governance and culture* were comprehensive and whether any sub-elements should be removed. The majority of respondents (35 of 39) felt that the sub-elements were comprehensive, with four respondents rating the sub-elements as 'not comprehensive enough'. The majority (33) also indicated that no sub-elements should be removed.

### 3.2.3 Recommended changes and additions to element 1

Participants were invited to comment on whether they felt that any sub-elements should be *changed* to be more appropriate, reliable or achievable in relation to monitoring the child safety of a wide range of organisations. Sixteen respondents felt that none of the sub-elements should be changed. However, a further 16 entered comments.

Respondents' comments were coded according to the themes in Table 3. Many of the comments relating to this question do not relate specifically to one element only, but to broader implementation and conceptual questions. Qualitative responses related to the importance of:

- monitoring and accountability – for example, detailed record keeping, data sharing, and attention to sensitive information, confidentiality and privacy. Responses also argued for defined roles and responsibilities, organisational leadership, and mechanisms to ensure accountability, such as regulation and follow-up when breaches occur
- wellbeing and harm prevention, including the importance of a holistic focus on safety and wellbeing, and attention to the diverse needs of different groups of children, rather than narrowly focusing on risk aversion
- operationalisation, with concerns about the feasibility of implementation for smaller organisations, and the need to respond to organisational cultures and staff feedback. A few respondents suggested (here and in response to some of the other elements) that resources such as templates, guides and mentoring/modelling by other organisations could help smaller organisations.

Participants were invited to comment on whether they felt that any sub-elements should be added, either for all organisations or for specific types of organisations, with 22 providing responses. These related to the need for specific resources for organisations working with culturally and linguistically diverse families. Respondents also nominated cultural safety and awareness of the needs of vulnerable children as important for all organisations.

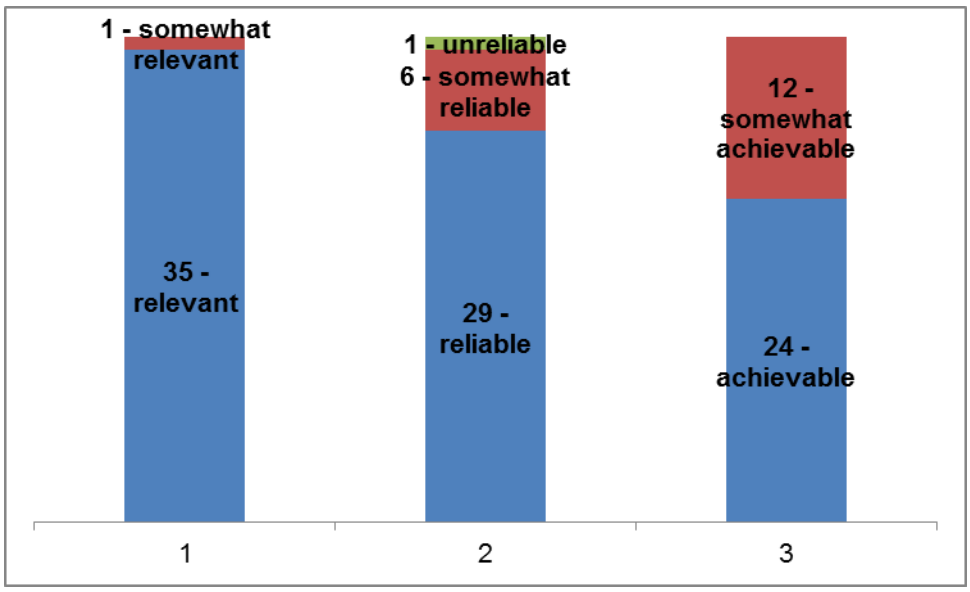
Other suggested sub-elements include the creation of positions and mechanisms specifically to ensure the participation and inclusion of children and their families.

## 3.3 Element 2: human resources management

### 3.3.1 Relevance, reliability and achievability of element 2

The second element that participants were asked to rate and comment on was *human resources management* (see Appendix B). Almost all participants (35 of 36) felt that this element was relevant, three-quarters (29 of 36) felt it was reliable and two-thirds (24 of 36) felt it was achievable, in relation to child safe organisations.

**Figure 3: Relevance, reliability and achievability of human resources management**




Participants were asked whether this element was not relevant, reliable or achievable for any particular types of organisations, with a quarter (n = 8) responding in the affirmative. All added a comment. Comments concerned:

- organisations that have little direct contact with children and the importance of having clear guidelines about how and for what types of organisations these principles should apply
- compliance burdens for organisations that relied on volunteers in addition to paid staff, and whether all should be subject to the same checks. One suggested strategy for accommodating this was allowing organisations some discretion based on the staff member's or volunteer's level of contact with children
- compliance burdens for smaller organisations, including the costs associated with background checks and screening, and organisations with high staff turnover.

The Round 2 survey was designed to further explore these concerns.

### 3.3.2 Comprehensiveness of element 2

Participants were asked to rate whether the sub-elements of the *human resources management* element were comprehensive and whether any sub-elements should be removed.

The majority (31) felt that the sub-elements were comprehensive, while one felt they were 'not comprehensive enough' and one that they were 'too comprehensive'. Three participants did not respond. The majority (31) also indicated that no elements should be removed, while five did not respond. Participants had the option of providing an open-ended comment, with one participant doing so. This comment referred to the importance of alternative mechanisms for ensuring child safety in high-risk and low-risk circumstances, such as a mandatory online training course for lower-risk organisations.

### 3.3.3 Recommended changes and additions to element 2

Participants were invited to comment on whether they felt that any sub-elements should be *changed* to be more appropriate, reliable, or achievable in relation to monitoring the child safety of a wide range of organisations. Twenty-one felt that none of the sub-elements should be changed, with nine respondents entering a comment.

Comments were coded according to the themes in Table 3 The responses suggested that feedback from previous employers should be sought prior to employing personnel, and feedback on performance from children also obtained.

Responses also referred to the importance of not relying on written policies but ensuring the use of other means of meaningful assessment and response. One example of this is mechanisms for assessing individuals who have criminal histories but may be suitable for employment. Another example is the need for interventions for staff members whose performance is of concern but not serious enough to consider termination.

Participants were invited to comment on whether they felt that any sub-elements should be *added*, either for all organisations, or for specific types of organisations, with 15 providing a response.

Additional elements include whistleblower safeguards, specifying that consultants as well as employees are covered, and that induction processes should include children's rights training and complaints handling. The importance of cultural safety and diversity for all organisations was again noted.

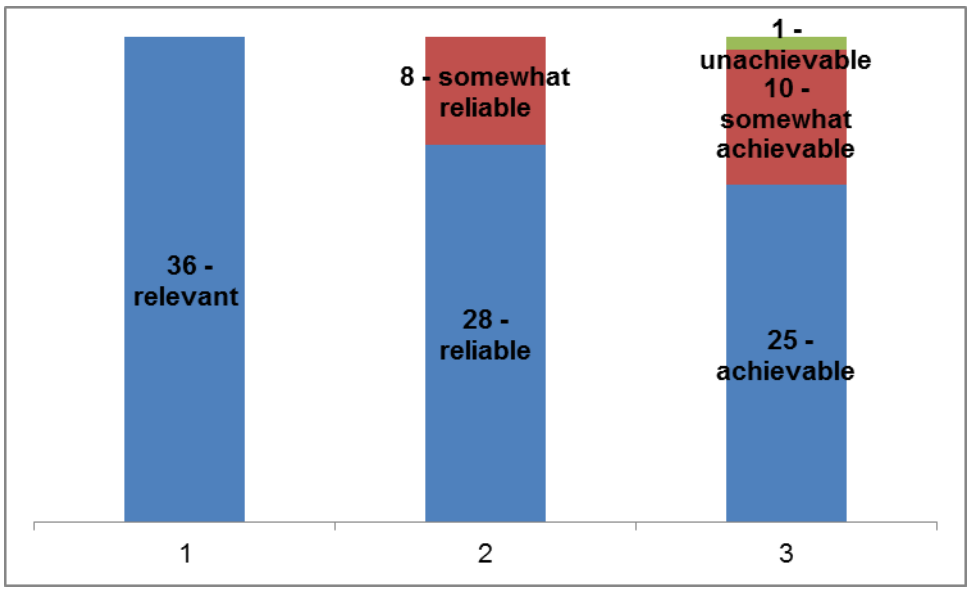
One of the comments related to factors that should be added for specific types of organisations, including those whose clients are primarily children and families from CALD communities, particularly new arrivals to Australia. The respondent commented on the challenge faced by migrant, refugee and multi-faith communities that often recruit from within their communities and are unable to obtain police checks for recently arrived individuals from overseas.

## 3.4 Element 3: child safe policy and procedures

### 3.4.1 Relevance, reliability and achievability of element 3

The third element that participants were asked to rate and comment on was *child safe policy and procedures* (see Appendix B). All felt that this element was relevant, three-quarters (28 of 36) felt it was reliable and two-thirds (25 of 36) felt it was achievable, in relation to child safe organisations.

**Figure 4: Relevance, reliability and achievability of child safe policy and procedures**




Participants were asked whether this element was not relevant, reliable or achievable for particular types of organisations, with three responding in the affirmative and all adding a comment. Comments concerned organisations that have little direct contact with children, and small, community organisations with limited resources.

### 3.4.2 Comprehensiveness of element 3

Participants were asked to rate whether the sub-elements of *child safe policy and procedures* were comprehensive and whether any sub-elements should be removed. The majority of respondents (33 of 36) felt that the sub-elements were comprehensive, with three respondents rating the sub-elements as 'not comprehensive enough'. The majority (31) also indicated that no elements should be removed, with five not responding.

### 3.4.3 Recommended changes and additions to element 3

Participants were invited to comment on whether they felt that any sub-elements should be *changed* to be more appropriate, reliable, or achievable in relation to monitoring the child safety of a wide range of organisations. Sixteen respondents indicated that they felt that none of the sub-elements should be changed, while a further 16 entered a comment.

Comments were coded according to the themes in Table 3. Most of the responses included suggestions to encourage compliance in implementation and ensure the accessibility, useability and appropriateness of policies – for example, providing templates and model policies for organisations to adapt; requiring policies to be displayed on noticeboards and in newsletters; and ensuring policies are accessible to people with different levels of English literacy. There were also suggestions that resources such as model policies and templates be made available to organisations.

A few respondents commented that policies and procedures need to be as succinct as possible. One respondent recommended that policies be made up of prescriptive 'must-do' statements, while another recommended that they be child friendly and include the input of children and their parents. As policies made up of brief must-do statements would have different language, format and implications to those designed for and by children and their parents, these concerns were further explored in the Round 2 survey.

Two respondents expressed concern with a reference to 'staff confidence' because of its subjective nature. Another two responses referred to the scope of the elements: one noted the importance of wellbeing compared to only preserving safety, while another referred to the importance of considering children's overall feelings of safety, as opposed to only situations of harm.

Participants were invited to comment on whether they felt that any sub-elements should be *added*, either for all organisations or for specific types of organisations, with slightly more than half (16 of 36) doing so.

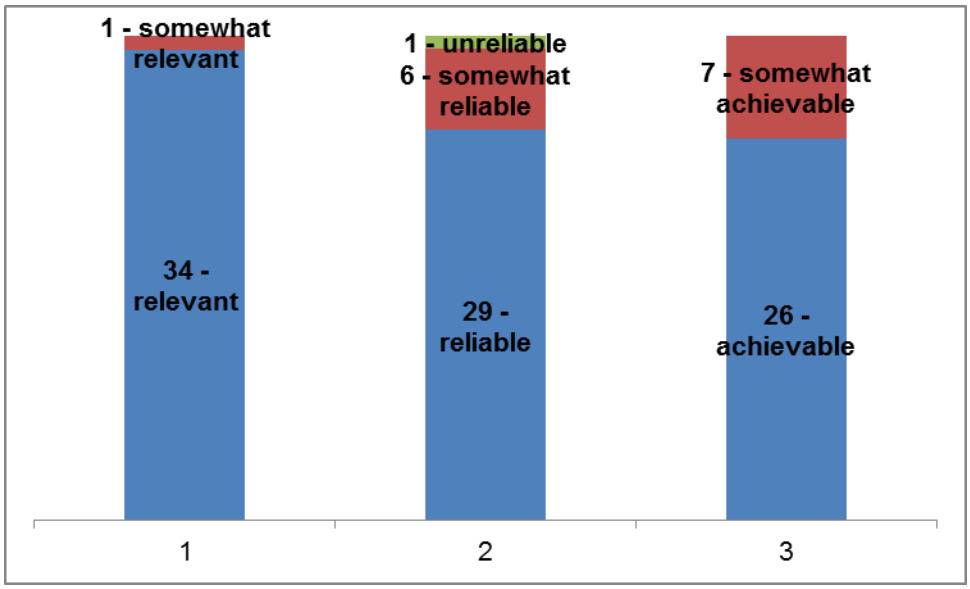
Some responses were the same as those made in relation to other elements, indicating that these suggested additional elements cut across all the elements: with an emphasis on cultural safety, wellbeing and children's participation. Responses that were more specific to this element included ongoing monitoring of staff members' knowledge and understanding of policies and procedures.

## 3.5 Element 4: child-focused complaint process

### 3.5.1 Relevance, reliability and achievability of element 4

The fourth element that participants were asked to rate and comment on was *child-focused complaint process* (see Appendix B). The majority felt that this element was relevant, four-fifths felt it was reliable and three-quarters felt it was achievable, in relation to child safe organisations.

**Figure 5: Relevance, reliability and achievability of child-focused complaint process**




Participants were asked whether this element was not relevant, reliable or achievable for particular types of organisations, with just one response in the affirmative, and only two participants entering a comment. Similar to comments on other elements, these concerned the fact that some organisations have limited contact with children and that some small community groups with limited resources may struggle to implement a child-focused complaint process.

### 3.5.2 Comprehensiveness of element 4

Participants were asked to rate whether the sub-elements of *child-focused complaint process* were comprehensive and whether any sub-elements should be removed. The majority of respondents (32 of 36) felt that the sub-elements were comprehensive, with two rating the sub-elements as 'not comprehensive enough'. Two participants did not provide responses. The majority of participants (30) also indicated that no elements should be removed, with six not providing responses.

### 3.5.3 Recommended changes and additions to element 4

Respondents were invited to comment on whether any sub-elements should be *changed* to be more appropriate, reliable or achievable in relation to monitoring the child safety of a wide range of organisations. Fourteen participants felt that none of the sub-elements should be changed, while 17 commented about changes they felt were required.

Comments were coded according to the themes in Table 3. Responses related to:

- the participation of children and young people, including having access to multiple, readily available complaints mechanisms, such as a national phone number; being empowered and given choices; and having the opportunity to express their views, and to be informed about the progress of their complaint and its outcomes

- expression, including one recommendation for the use of the word ‘allegation’ rather than ‘complaint’, and ‘manipulation’ rather than ‘grooming’
- tracking and record keeping, ensuring that a person in an identified position is responsible for overseeing complaints at any one time and identifying multiple concerns over time
- investigation, including ensuring children are questioned about allegations in a sensitive and discreet way, and that there are processes for detecting false and trivial allegations (expected to be very few)
- the achievability of consulting children on the complaints process (one respondent).

Participants were invited to comment on whether they felt that any sub-elements should be *added*, either for all organisations or for specific types of organisations, with nine of 36 responding.

Two respondents felt that additional specific elements are needed: one on whistleblowing, and one on mechanisms for reporting abuse when the perpetrator is a senior officer in the organisation.

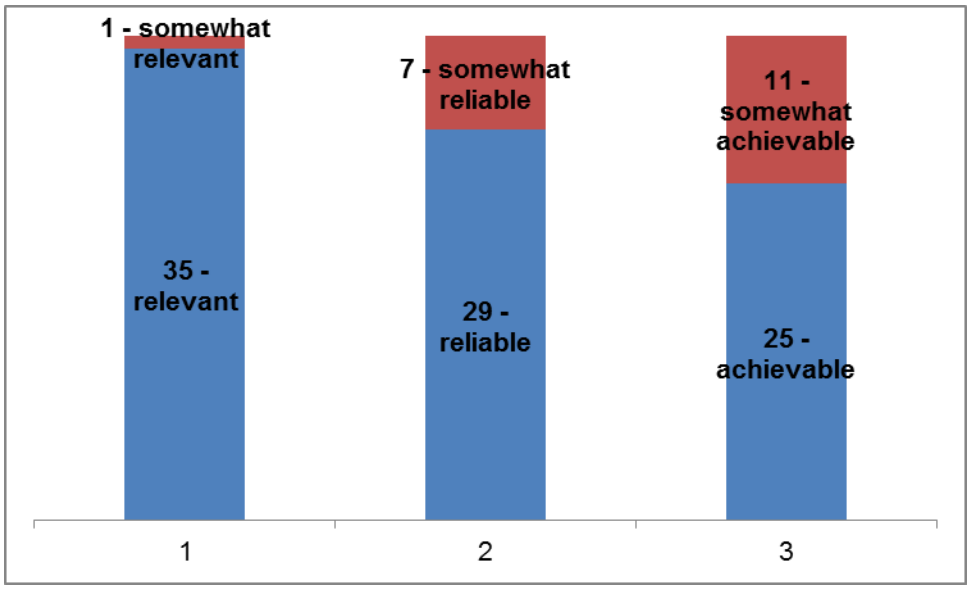
Other comments reiterated the importance of the complaints process being communicated well to children and young people. One response expressed concerns about the potential effectiveness of this element because of a cultural context in which children’s views and complaints are still not taken seriously in many cases.

## 3.6 Element 5: education and training

### 3.6.1 Relevance, reliability and achievability of element 5

The fifth element that participants were asked to rate and comment on was *education and training* (see Appendix B). The majority felt that this element was relevant, four-fifths felt it was reliable and more than two-thirds felt it was achievable, in relation to child safe organisations.

**Figure 6: Relevance, reliability and achievability of education and training**




Participants were asked whether this element was not relevant, reliable or achievable for any particular types of organisations, with six responses in the affirmative and all providing a comment. Similar to comments on other elements, these concerned the fact that some organisations have limited contact with children and the compliance burden for smaller organisations.

### 3.6.2 Comprehensiveness of element 5

Participants were asked to rate whether the sub-elements of *education and training* were comprehensive and whether any sub-elements should be removed. The majority (32 of 36) felt that the sub-elements were comprehensive, while three rated the sub-elements as 'not comprehensive enough'. The majority (30) also indicated that no elements should be removed.

### 3.6.3 Recommended changes and additions to element 5

Respondents were invited to comment on whether they felt that any sub-elements should be *changed* to be more appropriate, reliable or achievable in relation to monitoring the child safety of a wide range of organisations. Eighteen participants felt that none of the sub-elements should be changed, with 10 entering a comment.

Comments were coded according to the themes in Table 3. Responses related to the content of training programs and the expertise of trainers. In terms of content, respondents felt training should include child development and resilience, the nature and prevalence of different types of maltreatment (considering most abuse is perpetrated by a family member), and information and examples of appropriate relationships with children, including appropriate physical contact. In terms of expertise, one respondent argued that some organisations that offer training perpetuate 'unhelpful stereotypes' such as the 'predator' model of offending, and a

model of victimisation that projects the idea that the 'child is destroyed by any type of sexual abuse'.

Responses also reiterated comments made in relation to other elements, including the importance of cultural safety, training and resources tailored to different organisations and different communities (for example, bilingual trainers), and children's participation. One respondent commented on the scope of training, saying consultants and contractors should be subject to the same training requirements as employed staff and volunteers. As with other elements, it was noted that small organisations may not have sufficient resources to engage external experts, so consideration needs to be given to facilitating access to 'creative resources and links to agencies with expertise'.

Respondents were invited to comment on whether they felt that any sub-elements should be *added*, either for all organisations or for specific types of organisations, with 15 respondents providing a comment.

Comments related to the importance of tailoring training to different types of organisations and of conducting training effectively – that is, with an induction and regular refresher training. Other responses related to the content of training, including legislation and reporting obligations, child safe relationships and children's perspectives on safe institutions.

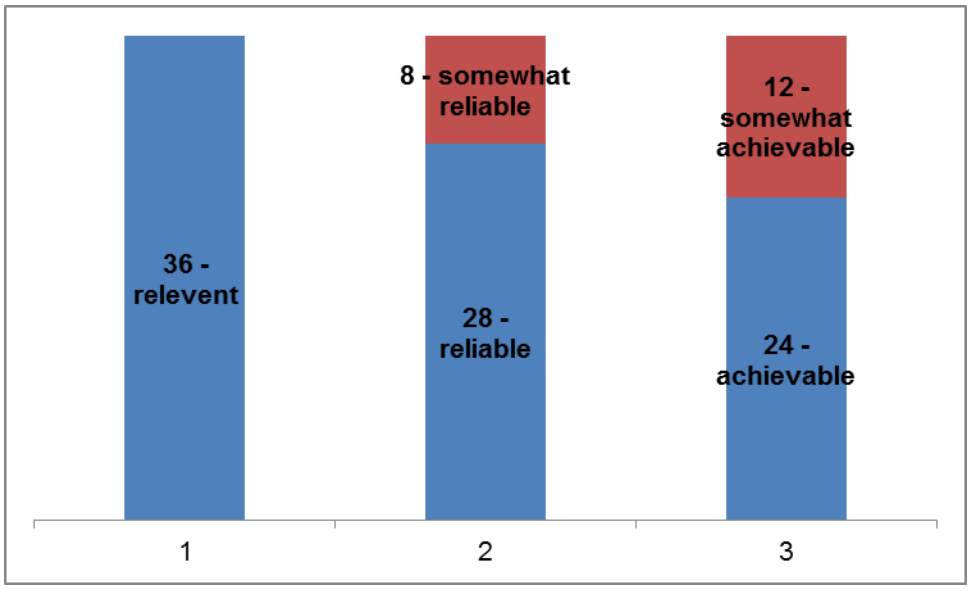
One comment, not directly related to training, referred to children's rights and organisational practices, stating 'no child will speak up if there is no clear policy against yelling at kids or unfair discrimination'. Another comment, also not directly related to training, noted that the implementation of each of the elements requires organisations to have resources and intention.

## 3.7 Element 6: children's participation and empowerment

### 3.7.1 Relevance, reliability and achievability of Element 6

The sixth element that participants were asked to rate and comment on was *children's participation and empowerme*nt (see Appendix B). All felt that this element was relevant, three-quarters felt it was reliable and two-thirds felt it was achievable, in relation to child safe organisations.

**Figure 7: Relevance, reliability and achievability of children's participation and empowerment**




Participants were asked whether this element was not relevant, reliable or achievable for any particular types of organisations, with four responses in the affirmative and all offering comments. Three of these related to the level of direct contact that an organisation had with children and one referred to empowerment.

### 3.7.2 Comprehensiveness of element 6

Participants were asked to rate whether the sub-elements of *children's participation and empowerment* were comprehensive and whether any sub-elements should be removed. The majority (30) felt that the sub-elements were comprehensive, with three rating the sub-elements as 'not comprehensive enough'. The majority (31) also indicated that no elements should be removed, with five not supplying responses.

### 3.7.3 Recommended changes and additions to element 6

Participants were invited to comment on whether they felt that any sub-elements should be *changed* to be more appropriate, reliable or achievable in relation to monitoring the child safety of a wide range of organisations, with six doing so.

Comments were coded according to the themes in Table 3. Most of the comments referred to mechanisms and processes that ensure the participation and feedback of children in organisations, including in the implementation of the elements. A number of the experts clearly felt that the participation and empowerment of children and young people is the key driver of safety in organisations, and this requires mechanisms for ongoing feedback and consultation with children, and the creation of policies and procedures in child-friendly, accessible ways. However, one respondent argued that 'involving children in an organisation's governance is impractical and of little interest to children'. One respondent expressed scepticism about the element, stating: 'It is not clear how these measures lead to empowerment. The section needs

to include consideration of how children and young people are given choice and control, respect and authority and influence.'

One respondent emphasised the diversity of children's backgrounds and needs was emphasised by one respondent. This comment supported other responses relating to this and other elements on tailoring responses for different organisations and communities.

Respondents were invited to comment on whether they felt that any sub-elements should be *added*, either for all organisations or for specific types of organisations, with 19 respondents providing a comment. Most comments were general and did not refer to specific types of organisations.

Some responses reiterated comments made in relation to other elements, notably cultural safety and culturally appropriate opportunities for participation; the need for access to resources such as templates and model policies, as well as resources to enable effective implementation; and training for staff and children. As with other elements, organisational culture and relationships were considered important, such that children with different levels of confidence, vulnerabilities and capacities should be welcomed and respected, and have multiple opportunities to express their views. One respondent noted that out-of-home care is one sector in which children do not have opportunities to provide feedback.

Other responses reflect the importance of this element to some experts. An example: 'This is one of the more important elements and should be placed first and emphasise that most efforts should go into implementing these elements and sub-elements.'

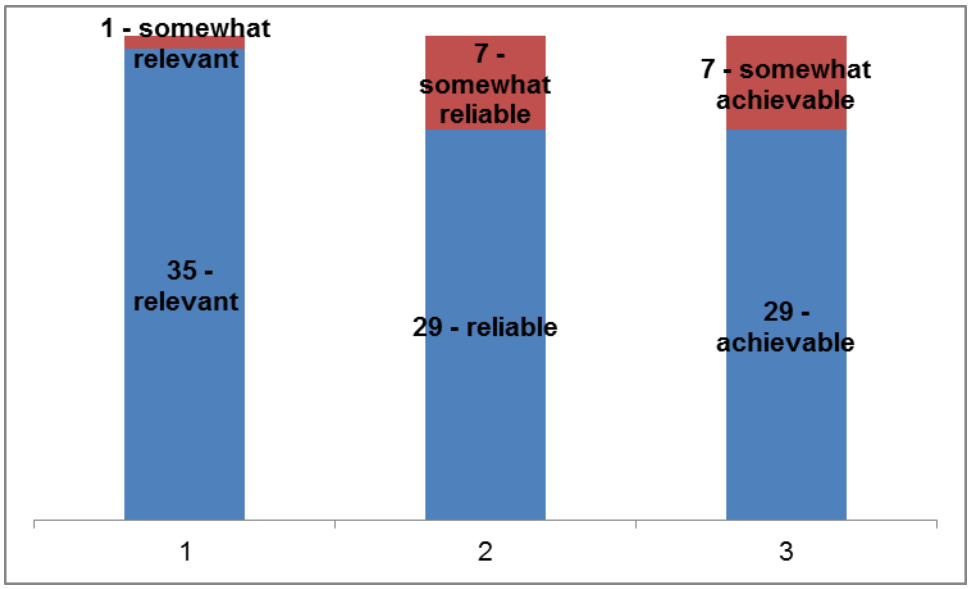
Responses also pointed to the need for distinguishing between empowerment and responsibility in this element. Some concern was expressed that the element could be interpreted as implying that children are responsible for their own safety, and that this should be clarified.

## 3.8 Element 7: family and community involvement

### 3.8.1 Relevance, reliability and achievability of element 7

The seventh element that participants were asked to rate and comment on was *family and community involvement* (see Appendix B). The majority felt that this element was relevant, three-quarters felt it was reliable and three-quarters felt it was achievable, in relation to child safe organisations.

**Figure 8: Relevance, reliability and achievability of family and community involvement**




Participants were asked whether this element was not relevant, reliable or achievable for any particular types of organisations, with four responding in the affirmative. Comments concerned:

- the fact that not all organisations that deal with children have direct contact with children and families, but that some may have occasional contact with representative groups and therefore a 'modified framework might be more relevant' to their implementation processes
- possible challenges in applying this element in settings where there are concerns about the safety of children within their families.

### 3.8.2 Comprehensiveness of Element 7

Participants were asked to rate whether the sub-elements of *family and community involvement* were comprehensive and whether any sub-elements should be removed. The majority (31) felt that the sub-elements were comprehensive, with one respondent rating the sub-elements as 'not comprehensive enough' and one rating them as 'too comprehensive'. Two-thirds (24) felt that no elements should be removed.

### 3.8.3 Recommended changes and additions to element 7

Participants were invited to comment on whether they felt that any sub-elements should be *changed* to be more appropriate, reliable or achievable. Nine respondents commented on changes they felt should be made.

Comments were coded according to the themes in Table 3. Although the element refers to family and community involvement, a number of comments referred to information-sharing, with one stating that the element is primarily concerned with

information-sharing, communication and awareness-raising, not the actual participation of family and community.

Reference was made to families being aware of an organisations' leadership team and their roles. One respondent commented that 'knowing the leadership team of a large organisation can be irrelevant for many families and create a false impression'.

Comments made in response to other elements were reiterated here, including the importance of ensuring communication with families is accessible and meaningful, educating children about child protection, and providing transparent complaints processes.

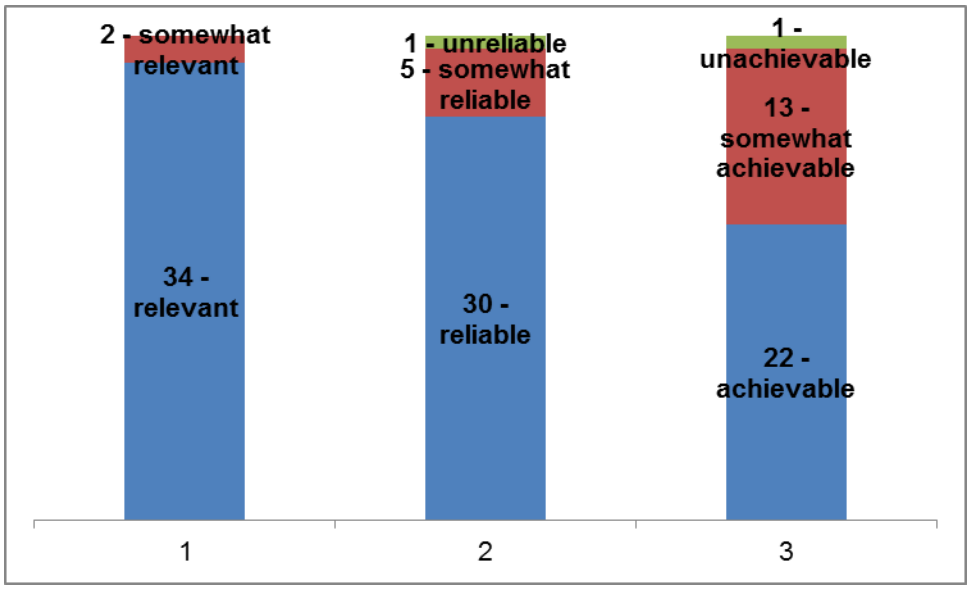
Participants were invited to comment on whether they felt that any sub-elements should be *added*, either for all organisations or for specific types of organisations, with six responses. These were general comments applicable to all types of organisations, and most reiterated points that were made in relation to other elements, including the importance of educating organisations and parents about children's rights, ensuring that children and parents know that initiating complaints will have no adverse consequences for them, and ensuring the participation of children and parents.

## 3.9 Element 8: physical and online environment

### 3.9.1 Relevance, reliability and achievability of element 8

The eighth element that participants were asked to rate and comment on was *physical and online environment* (see Appendix B). The majority (34) felt this element was relevant, most (30) felt it was reliable and around two-thirds (22) felt it was achievable, in relation to child safe organisations.

**Figure 9: Relevance, reliability and achievability of physical and online environment**



Participants were asked whether this element was not relevant, reliable or achievable for any particular types of organisations, with six responses in the affirmative and all providing a comment. Respondents noted that:

- physical environment is important for child safety and where it cannot be modified, it is important to have a risk identification and management strategy in place to mitigate the risks posed by the environment
- physical environment may be difficult to modify
- this element assumes that an organisation's work is place-based, which overlooks the fact that many organisations undertake work with children and young people on an outreach basis in settings that the organisation has no control over and with unmonitored staff members
- in instances where an organisation does not have direct contact with children, a modified framework might be more relevant.

### 3.9.2 Comprehensiveness of Element 8

Participants were asked to rate whether the sub-elements of *physical and online environment* were comprehensive and whether any sub-elements should be removed. Almost all (34) felt that the sub-elements were comprehensive, with two respondents rating the sub-elements as 'not comprehensive enough'. The majority (27) also indicated that no elements should be removed. Participants had the option of providing an open-ended comment concerning any changes required, with seven doing so.

### 3.9.3 Recommended changes and additions to element 8

Respondents were invited to comment on whether they felt that any sub-elements should be *changed* to be more appropriate, reliable, or achievable.

Comments were coded according to the themes in Table 3. For the most part, comments concerned online environments and cybersafety (for example, combatting cyberbullying). In particular, social media and other websites are used by staff, children and volunteers in personal, non-organisational capacities which are nonetheless relevant to the safety of an organisation.

Participants were invited to comment on whether they felt that any sub-elements should be *added*, either for all organisations or for specific types of organisations. Ten provided a comment, though none referred to any specific type of organisation.

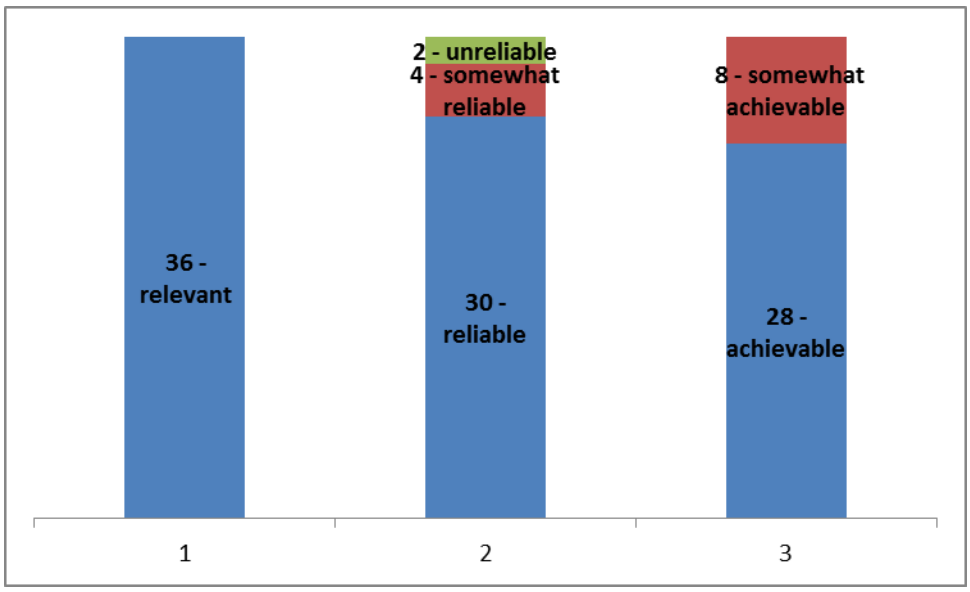
Additional suggested sub-elements related to online environments (for example, child-friendly reporting processes) and to physical environments (for example, always having two staff members present). It was noted that some organisations may not have resources to install CCTV cameras and other surveillance equipment, and that the impact of surveillance equipment should be evaluated and monitored.

## 3.10 Element 9: Review and continuous improvement

### 3.10.1 Relevance, reliability and achievability of element 9

The final element that participants were asked to rate and comment on was *review and continuous improvement* (see Appendix B). All felt that this element was relevant, four-fifths felt it was reliable and three-quarters felt it was achievable, in relation to child safe organisations.

**Figure 10: Relevance, reliability and achievability of review and continuous improvement**




Participants were asked whether this element was not relevant, reliable or achievable for any particular types of organisations, with three responses in the affirmative and all providing a comment. These comments concerned the fact that not all organisations have direct contact with children and that insufficient resources may affect smaller organisations' ability to undertake safety reviews and investigations objectively and to a high standard. One of the comments emphasised the importance of support and guidance from peak bodies on best practice for smaller organisations.

### 3.10.2 Comprehensiveness of element 9

Participants were asked to rate whether the sub-elements of *review and continuous improvement* were comprehensive and whether any sub-elements should be removed. The majority (33) felt that the sub-elements were comprehensive, with three rating them as 'not comprehensive enough'. The majority (31) also indicated that no elements should be removed, with two providing a comment.

One comment concerned expression, with the respondent seeking clarification on the difference between the first two sub-elements – a child safety audit and a child safety review. The respondent suggested that the difference between the two should be made clearer or that perhaps they should be combined into one sub-element. The

second comment referred to the need to go further than an auditing process and rather than focus just on implementation, to also assess the extent to which policy is being translated into practice.

### 3.10.3 Recommended changes and additions to Element 9

Participants were asked to indicate if any of the sub-elements should be *changed* to be more appropriate, reliable or achievable in relation to monitoring child safety and, if so, what changes were required. Eight entered a comment.

Comments were coded according to the themes in Table 3. A number of these were specific to the expression and terms used in the draft paper – for example, 'root cause' and 'audit tool'. Another referred to the challenges of maintaining awareness and ensuring continuous improvements in organisations in which abuse has not occurred or been investigated.

Participants were invited to comment on whether they felt that any sub-elements should be *added*, either for all organisations or for specific types of organisations. Nine did so, providing comments that are relevant to all organisations.

As with other elements, many of the comments related to implementation, and indicate that how these elements are put into practice is of critical importance, and that implementation requires resources to be meaningful. One respondent noted that the implementation process is critical to avoid non-compliance with aspects of elements, and that ongoing monitoring is the hardest to achieve and sustain. Another noted that a 'government-funded watchdog' is necessary for effective monitoring.

## 3.11 Additional comments

The final question in the survey invited additional comments from participant, and 24 responded. Comments were coded according to the themes in Table 3, and reiterate many of the points made regarding individual elements, namely:

- the critical importance of implementation, and the compliance burden of this for some organisations
- the need for placing more importance on cultural safety
- the potential for drawing on lessons from other sectors and industries, and on research done in this area
- the need to ensure the participation of children and young people.

A few comments related to the overall approach of the child safe organisation elements. For example, one recommended that the elements continue to be treated as an integrated approach: 'Each element is somewhat reliable in creating a child safe environment. However, if all those elements are in place, I think that maximises the possibility of creating a child safe environment. That is, it is not one element but the whole set – a 360-degree approach – that has the potential to be truly effective.'

A few comments concerned the terminology of 'child safe organisation'. One argued that greater emphasis should be placed on 'child-*friendly* organisations', and that there needs to be a balance between child safe and child-friendly practice. Another

comment raised a different concern: that the term ‘child safe organisation’ is a poor choice, because it is unachievable. An alternative term is ‘child protective organisation’.

One respondent recommended that the framework focus on critical incident management, case review, identification of practice improvements and emerging trends, and independent advocacy services.

## 3.12 Summary of Round 1 findings

Analysis of the Round 1 survey responses identified general consensus among participants on the relevance and reliability of the nine key elements of child safe organisations. A few additions and amendments to the sub-elements were also suggested. Some concerns were raised regarding the achievability and implementation of the elements, and these were reflected in some of the responses to open-ended questions.

Other responses to the open-ended questions ranged from suggested changes to specific sub-elements and terminology, to broader questions of implementation costs and risks. Given this diversity, it is not possible to summarise these responses, but a number of themes and concerns recurred across each of the elements:

- building organisational cultures where children are welcomed, trusted and respected, to minimise the risks of abuse and ensure children are supported in raising complaints and concerns
- implementation and operationalisation, and monitoring to ensure that the elements are implemented in meaningful, sustainable ways
- the participation of children and their families, and the building of child-friendly cultures
- cultural safety.

Within these themes, there were areas of disagreement and tension in responses, and the Round 2 survey investigated these.

# 4 Round 2 survey findings

The Round 2 survey instrument was based on the analysis of the Round 1 survey findings, which highlighted a strong degree of consensus on the content of the key elements.

The standout finding from the first round was that while respondents supported the elements, they expressed concerns about their achievability and implementation. In particular, a number of concerns recurred across the elements involved:

- vulnerable groups of children
- smaller organisations that would bear a heavy compliance burden
- low-risk organisations
- ensuring the design and implementation of some of the elements was participatory and inclusive of children and families, and in other elements of the need for brief must-do policy statements and a regulatory watchdog
- ensuring an emphasis in some elements on capacity-building and self-monitoring, and in others on external regulation and enforced compliance.

In addition, given the Royal Commission's interest in the policy framework in which the elements could be implemented, the Round 2 survey asked specific questions relevant to this framework, such as whether there should be a national or state-based approach implementing the elements.

The Round 2 survey instrument is included in Appendix C.

## 4.1 Children and families from different communities

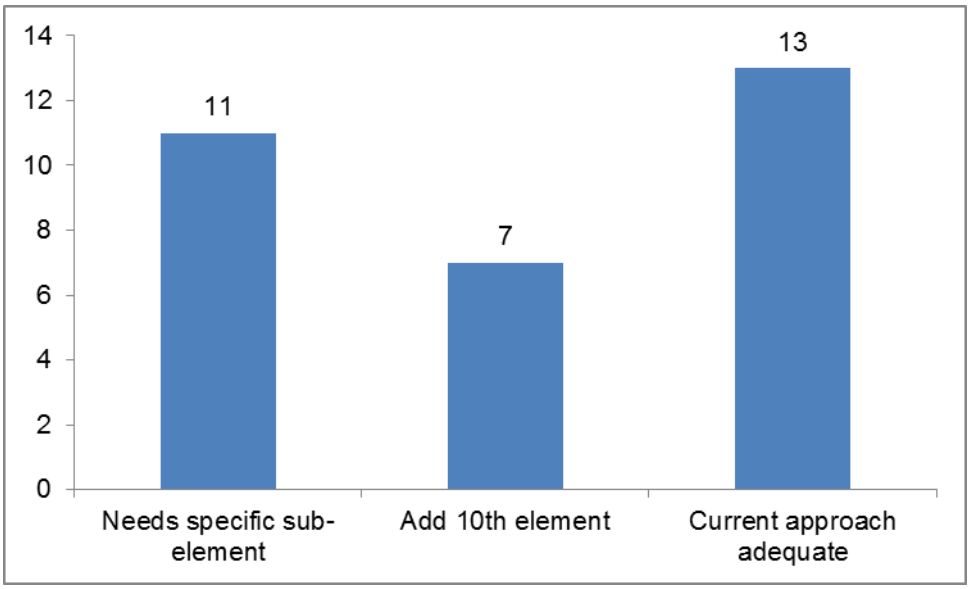
The first round of the survey identified specific needs for organisations that have children and families from different communities and groups as their primary clients, e.g. Aboriginal and Torres Strait Islander children and families, children with disabilities, culturally and linguistically diverse communities, children and young people in out-of-home care. The Round 2 survey asked participants for their opinion on the most appropriate response or approach to ensuring child safety policies and processes met the needs of these children. They were asked to select one response from the following three options:

- Each element needs a specific sub-element to draw attention and tailor action to different groups of children, including more vulnerable children and/or children at greater risk.
- An additional 10th element is needed to draw attention to different groups of children, including more vulnerable children and/or children at greater risk of abuse.
- The current approach is adequate whereby the theme cutting across all of the elements draws attention to different groups of children, including more vulnerable children and/or children at greater risk.

Responses to this question were mixed, with 13 (of 31) participants selecting the third option and 11 the first option. Seven respondents, including two of the three

organisations representing specific communities (such as CALD, Aboriginal and Torres Strait Islander, and disability), chose the second option.

**Figure 11: Modifying elements to incorporate children and families from different communities**



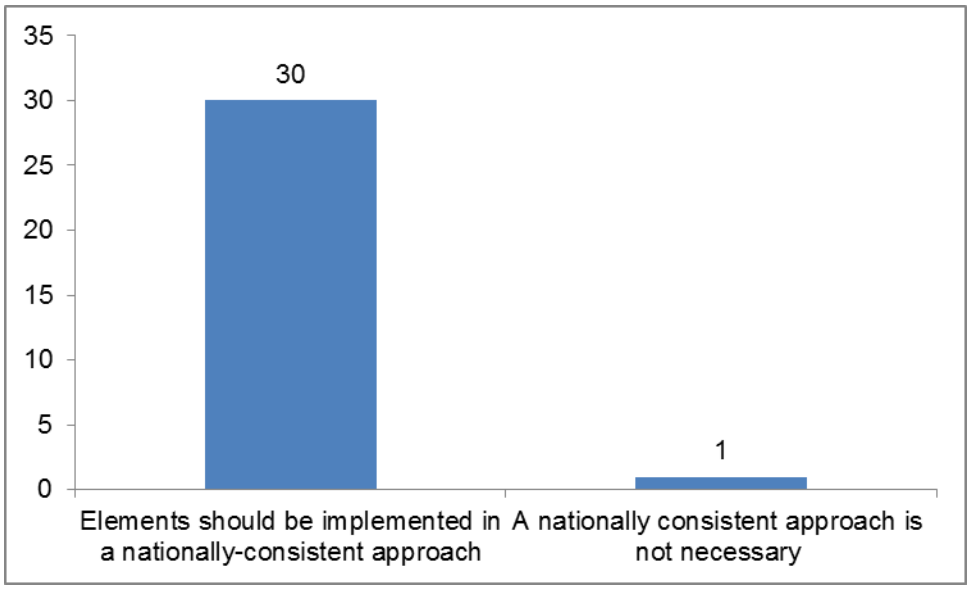

## 4.2 National approach

In recognition of the fact that there are currently different approaches to creating child safe organisations across Australia, and variable implementation in different jurisdictions and by non-government organisations, the survey participants were asked whether they felt a national approach was necessary. They were asked to select from one of two options:

- The elements should be implemented in a nationally consistent approach.
- A nationally consistent approach is not necessary and each state and territory can determine the application of the elements to organisations within that jurisdiction.

The overwhelming majority of respondents endorsed a nationally consistent approach to implementing the elements.

**Figure 12: Implementation via a state-based or national approach**




## 4.3 Scope of application

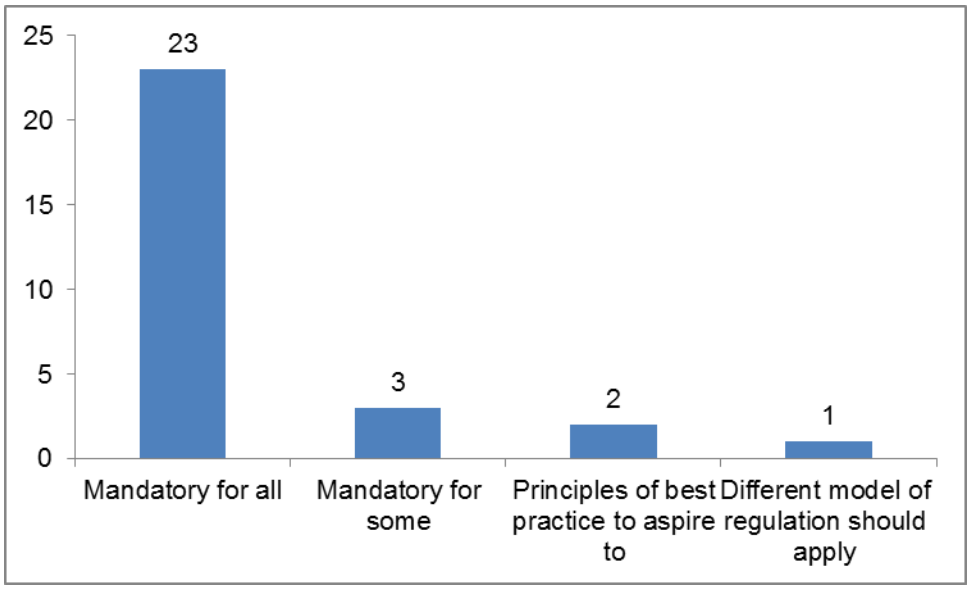
Survey participants were asked about the scope of the application of the elements – specifically whether they should be mandatory for all organisations, mandatory for some, or aspirational principles of best practice. This question was designed to allow further exploration of the challenges of compliance burden and organisational diversity, both of which were strong themes in the first round of the survey.

Participants were asked to select from one of four options:

- These elements, when finalised, should be mandatory standards for all organisations engaging with or providing services to children.
- These elements, when finalised, should be mandatory standards for certain organisations engaging with or providing services to children.
- These elements, when finalised, should be principles of best practice to which all organisations engaging with or providing services to children should aspire. No penalties should apply for non-compliance.
- A different model of regulation should apply (please specify).

The responses indicated a high degree of consensus, with four-fifths of respondents indicating that the principles should be mandatory standards for all organisations.

**Figure 13: Scope of application – organisation type**



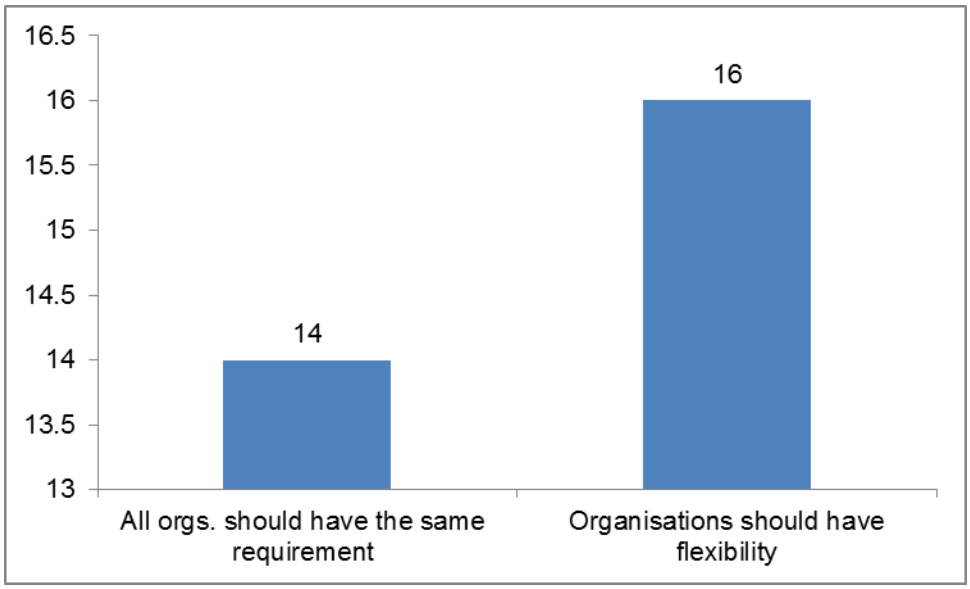

The survey probed participants' views on whether the elements should be implemented consistently by all organisations or whether there should be a degree of flexibility in how organisations implemented them. Participants were invited to choose from one of the two following responses:

- Every organisation engaging with or providing services to children should have the same requirement to implement the elements.
- Organisations should have a degree of flexibility to tailor the elements according to one or more of its characteristics (select all that apply).

The responses were fairly evenly split between the two options, with slightly more leaning towards the need for flexibility.

To assess whether particular groups supported one option, we reviewed the category of respondents and found that there was more support from non-government organisations (NGOs) for the elements to be mandatory for all, and more support from children's commissioners and guardians for flexibility.

**Figure 14: Scope of application – flexibility**

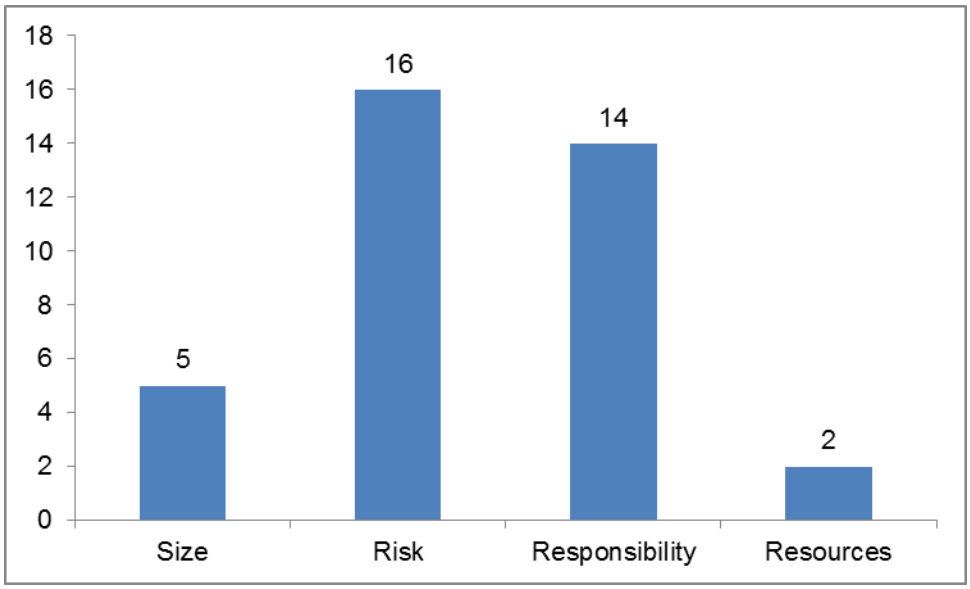



Participants who indicated that organisations should have a degree of flexibility to tailor the elements according to one or more of their characteristics, had the option of specifying which organisational characteristics from the list below they considered relevant:

- size
- the degree of risk due to the amount or type of contact and/or activities with children
- level of responsibility for children
- resources.

The ‘degree of risk due to the amount or type of contact and/or activities with children’ had the highest ranking, followed closely by ‘level of responsibility for children’. A relatively small number (five) felt that an organisation’s size was relevant and only two respondents felt that an organisation’s resources should influence the way organisations might tailor the elements.

**Figure 15: Factors that might influence how organisations implement the elements**



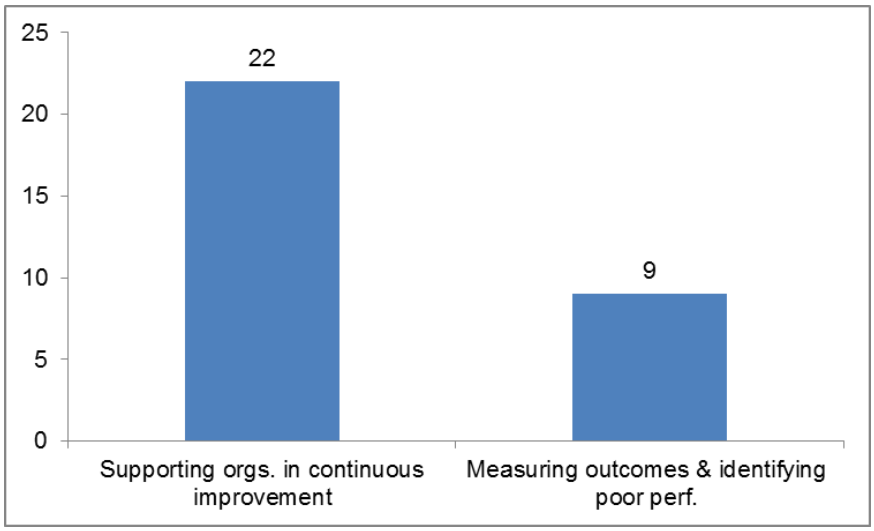

## 4.4 Monitoring

The Round 1 survey identified the importance of monitoring the implementation of the elements. Three questions in the Round 2 survey probed aspects of monitoring, including the focus of monitoring and who has responsibility for this task. Participants were invited to indicate which of the following considerations are the most important for monitoring design:

- Monitoring should focus on supporting organisations in continuous improvement.
- Monitoring should focus on measuring outcomes and identifying poor performance.

Two-thirds of respondents felt that monitoring should focus on supporting organisations in continuous improvement, with one-third in favour of monitoring that focuses on measuring outcomes and identifying poor performance.

**Figure 16: Focus of monitoring**

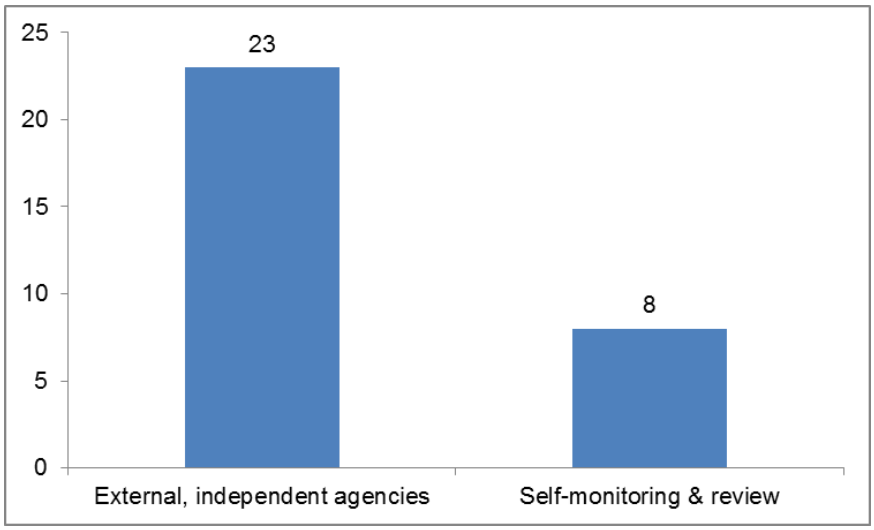



Participants were invited to choose between two options regarding who should take responsibility for monitoring implementation of the elements:

- Monitoring should be conducted by external, independent agencies.
- Organisations should be supported to build their own monitoring and review capacity.

Three-quarters opted for external monitoring and one quarter for internal. Of those that indicated the latter, four were children's commissioners or guardians, two were academics and two were from NGOs, including one of the three organisations representing specific communities (CALD, Aboriginal, disability).

**Figure 17: Responsibility for monitoring**

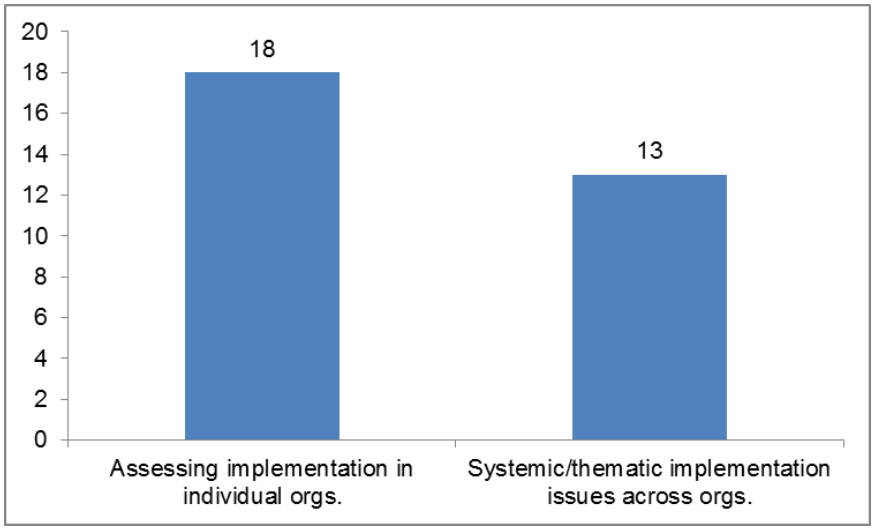


Participants were invited to comment on whether monitoring should focus on individual organisations, or systemic or thematic implementation issues across organisations, with the following two options:

- Monitoring should focus on assessing implementation in individual organisations.
- Monitoring should focus on systemic or thematic implementation issues across organisations.

Around three-fifths choose the first option, and two-fifths the second.

**Figure 18: Scope of monitoring**




Participants were invited to provide comments on monitoring, with 19 respondents choosing to do so.

The comments indicate the critical importance of monitoring, noting that the existence of child safe policies has not prevented abuse. They indicate the need for independent agencies to undertake monitoring, especially for organisations with high-risk contact with children and to ensure the safety of especially vulnerable children. One respondent noted:

> It is very important that monitoring take place through an external body, and that individual organisations are subject to thorough-going scrutiny. However, this monitoring must have a robust understanding of the needs of 'vulnerable' or more marginalised children, such as children with disability. All too often, the implementation of child safety guidelines etc. fall over when it comes to children with disability, mostly because those doing the monitoring assume (along with the organisation) that children with disability can be treated differently.

The comments noted that independent monitoring is costly.

One argument was that organisations should not have a choice between external and internal monitoring, but that both should happen. One respondent noted that the experience of health systems is that:

> 'Developing capacity, especially utilising internal "empowered champions" is more likely to succeed than an external "burdensome/punitive system". Cultural change will be the most effective and efficient driver for safety in the longer term.'

## 4.5 Unintended consequences

The Round 1 survey identified several unintended consequences or impacts that could result from the implementation of the elements. Respondents in Round 2 were invited to rank the *likelihood* and *severity* of these consequences in improving child safety in organisations.

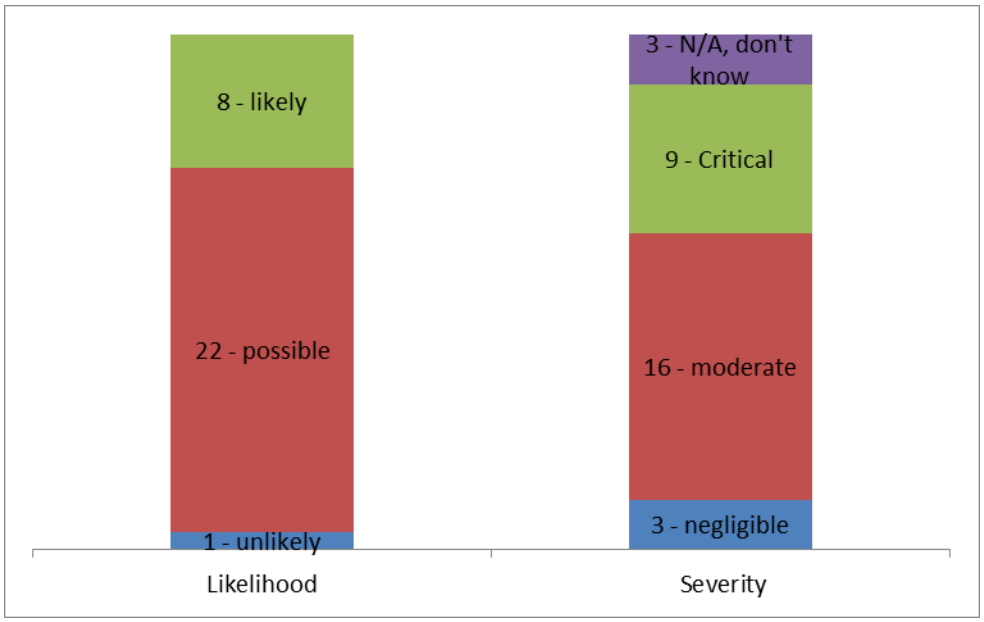
Respondents were asked to consider five unintended consequences:

- The comprehensiveness of the elements may be overwhelming for some organisations and could undermine their compliance efforts.
- An inability to comply with all elements could dissuade organisations from implementing any of them.
- The burden of compliance could put the viability and/or services of some organisations at risk.
- Compliance could become a procedural 'tick-box' process, rather than creating genuine change.

*The comprehensiveness of the elements may be overwhelming for some organisations and could undermine their compliance efforts.*

Two-thirds of respondents felt that this scenario was possible, under a third felt it was likely, and just one respondent considered it unlikely. Half of the respondents felt that the consequences of this scenario were moderate, while a third felt they would be critical.

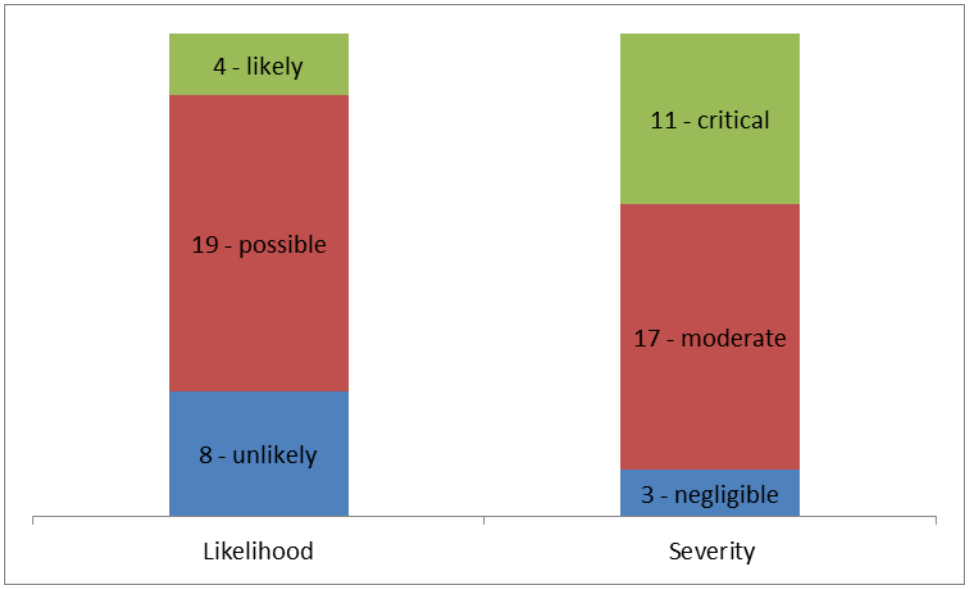
**Figure 19: Unintended consequences, comprehensiveness of the elements**



*An inability to comply with all elements could dissuade organisations from implementing any of them.*

Under two-thirds of respondents felt this scenario was possible, another third felt it was unlikely and four thought it likely. More than half felt that the consequences of this scenario were moderate, and over one-third felt they would be critical.

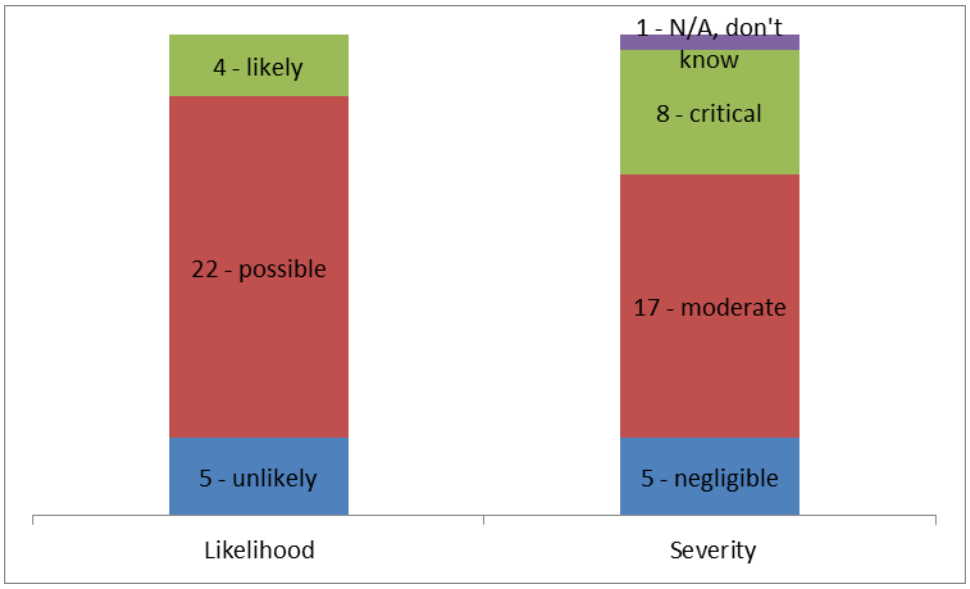
**Figure 20: Unintended consequences, ability to comply**



*The burden of compliance could put the viability and/or services of some organisations at risk.*

More than two-thirds of respondents felt this scenario was possible, with similar numbers of the view that this was as unlikely as it was likely. More than half felt that the consequences of this scenario were moderate, under one-third felt they were critical and five thought they would be negligible.

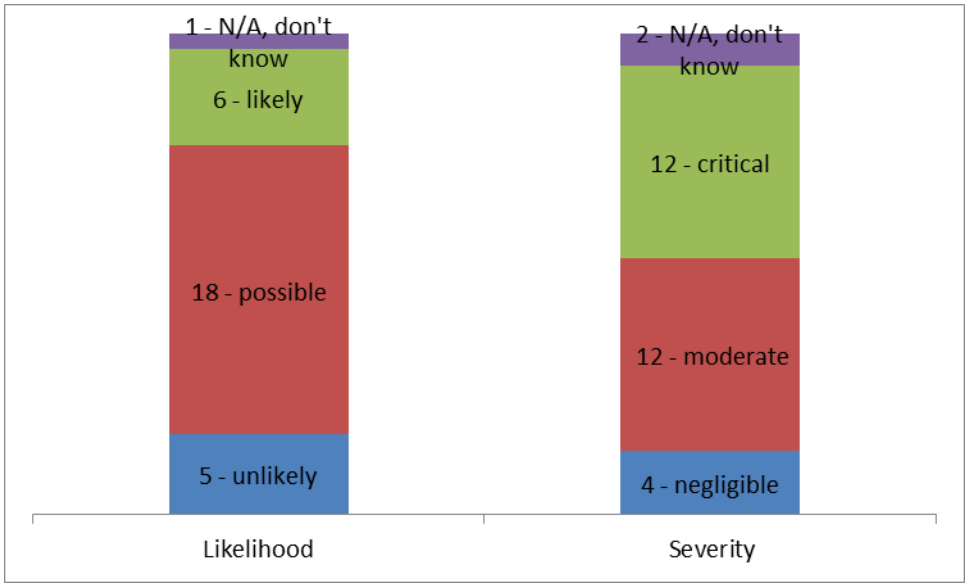
**Figure 21: Unintended consequences, compliance burden**



*Responsibility for child safety may fall to one individual rather than shared throughout the organisation.*

Less than two-thirds of respondents felt that this scenario was possible, with similar numbers of the view that it was as likely as it was unlikely. Equal numbers felt that the consequences of this scenario would be moderate or critical.

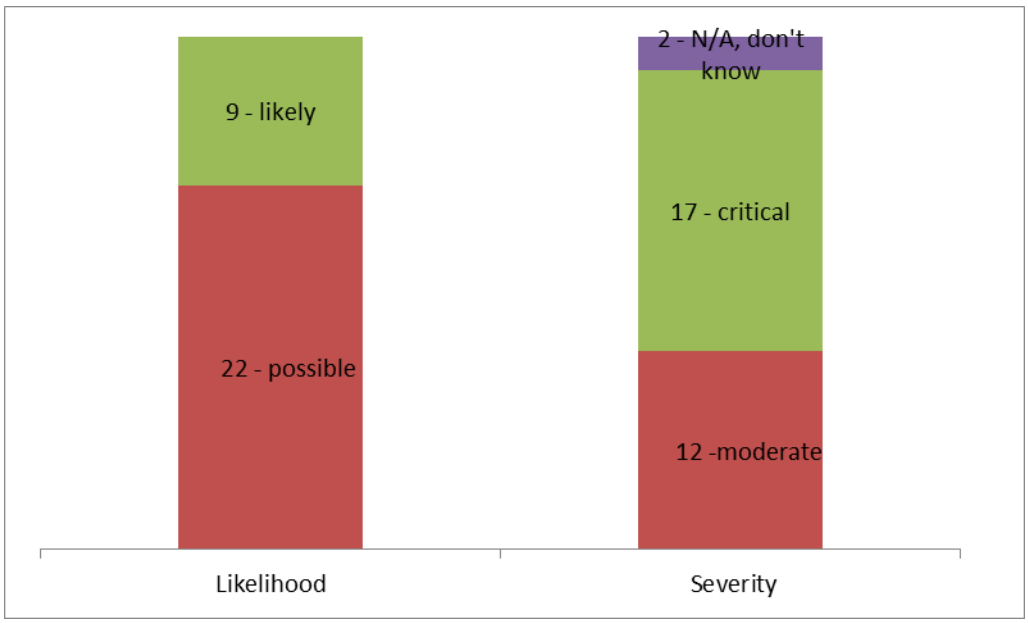
**Figure 22: Unintended consequences, individual or shared responsibility**



*Compliance could become a procedural 'tick-box' process, rather than creating genuine change.*

Two-thirds of respondents felt this scenario was possible, with one-third saying it was likely. More than half felt that the consequences of this scenario would be critical and one-third felt they would be moderate. This consequence was regarded as the most serious, with a higher number of respondents suggesting that it was both likely to happen *and* to have more a critical impact, than the other possible consequences.

**Figure 23: Unintended consequences, genuine change vs 'tick-box' compliance**




Participants had the opportunity to suggest other unintended consequences. Nineteen provided a comment, as summarised in Table 5

**Table 5: Other unintended consequences**

| | |
|---|---|
| **Compliance burden** | • Compliance burden could threaten the viability of smaller organisations.<br>• Compliance burden may skew resources away from providing services for children. |
| **Independent monitoring** | • False reporting is possible if compliance is not monitored by an independent body.<br>• Without external monitoring, there is no incentive to comply. |
| **Other** | • Implementation could be outsourced (for example, consultants writing policies and procedures). |

| | |
|---|---|
| | • A false sense of security may arise due to an organisation's public adherence to a child safe structure.<br>• In addition to unintended consequences, unpredictable consequences may also ensue. |

## 4.6 Mitigating the risks of unintended consequences

Participants were invited to comment on steps that could be taken to mitigate the risks of these unintended consequences. A summary of the 20 responses is provided in Table 6.

**Table 6: Mitigating the risks of unintended consequences**

| | |
|---|---|
| Support and training | • Consult with a broad range of child-related organisations to see how this would impact on them.<br>• Take a staged approach to implementation to reduce any sense of being overwhelmed.<br>• Encourage organisations to develop compliance committees.<br>• Provide ongoing access to tools and training.<br>• Build capacity in individual staff members and across organisational systems and processes.<br>• Offer organisations the option of services to support them in developing child-protection policies.<br>• Make training and other assistance (for example, template policies that can be modified) available on an ongoing basis. |
| Use models provided by other sectors | • The health sector has a multifaceted model that uses data on individual patient outcomes, broader local and population data analysis, critical incident analysis and a philosophy of investment in 'near-miss' analysis rather than 'post-adverse event' review. |

Other comments also reiterated the need for adequately resourcing organisations so they can implement these elements, and the need for children and young people's input. One respondent commented: 'Children will let you know if things have changed, what they think of the current services and what they think should happen.'

## 4.7 Additional participant comments

The final part of the survey invited participants to provide additional comments, with 12 choosing to do so. A summary of comments is presented in Table 7. Most of these emphasise the importance of points made elsewhere: for example, the need to

cater for vulnerable children, and the need to support organisations in sustaining cultural change as well as adopting new policies.

**Table 7: Additional comments in Round 2**

| | |
|---|---|
| Cultural safety | • Representatives of culturally diverse groups should be consulted to help build understanding and capability and ensure organisations meet the needs of all children. |
| Types of children | • The standards need to be specific to particular community groups.<br>• Few organisations that regularly deal with children and young people have adequately skilled personnel who can communicate with and engage children, particularly more vulnerable children.<br>• To ensure child safety, staff must have a basic understanding of intellectual and physical disability. The repetitive reference 'vulnerable children' in the elements gives little guidance on how safety can be achieved for children with disability. |
| Accreditation and governance | • The health system provides good examples of monitoring and compliance.<br>• An option for promoting a national approach to child safe organisations could include implementation committees that have diverse representation.<br>• Any profession that works with children should be registered and monitored through the National Registration and Accreditation Scheme, for example. Benefits of registration include ensuring adequate professional standards and safeguarding the public. |
| Workforce | • It is critical that staff members can understand and implement the elements of child safe organisations.<br>• It is important to acknowledge ethno-specific services and settlement services as key providers to families, children and unaccompanied minors. |
| Training and support | • Taking a child's rights approach and providing exemplars of good practice within different sectors would be the best approach.<br>• The elements should focus on how to develop a preventative regime for achieving a child safe organisation.<br>• It is critical that organisations that have not previously considered many of the issues covered by the elements are supported and trained, or can use consultancy services to support implementation and sustainability. |

- Identifying individuals who are passionate about child protection can help support the culture shift within organisations.
- Although organisations where the potential ‘risk is greater should be subject to more robust monitoring, all organisations must be ready, willing and able to ensure child safety’.

# 5 Conclusion

The principal aim of the research was to gain consensus among experts on the key principles, elements and sub-elements of child safe organisations that the Royal Commission had identified by through multiple sources and methods. A Delphi study established that a majority of the experts considered the proposed elements generally relevant, achievable and reliable. The study benefited from the knowledge of the experts and the time they spent in responding to survey questions.

The quantitative findings from the Round 1 survey identified general consensus among participants on the relevance and reliability of nine key elements of child safe organisations.

The strongest overall consensus was on the relevance of the elements: more than 90 per cent of respondents agreed that all the elements are relevant. Fewer agreed that the elements are reliable and achievable: between 77.8% and 83.3% agreed that each of the elements are reliable, between 61.1% and 80.6% agreed that each of the elements are achievable. These ratings indicating less confidence in reliability and achievability were reflected in the open-ended responses in both surveys.

The Round 1 survey also gave participants the opportunity to provide open-ended responses about each of the elements and sub-elements. Some of these responses were specific to the sub-element in question – for example, querying the choice of particular terminology or the order of sub-elements. However, more responses were related to the elements in general rather than to specific elements. These show that many respondents held concerns about achievability with respect to how the elements might be implemented, the associated costs (particularly for smaller, voluntary and community organisations), and risks associated with implementation. Several were concerned that implementing the elements could become a ‘tick-box’ compliance issue for some organisations and not lead to any genuine change or improvements in child safety.

Monitoring and accountability were other key issues that respondents highlighted as important, with some querying how this could be achieved and others making suggestions about how it should be done. Some participants felt that it was important that children, young people and families were included in organisations’ development of policies and practices designed to keep children safe. Some respondents also identified compliance challenges for organisations that had limited contact with children and consequently might struggle to engage staff in child safe practices. Issues raised less frequently concerned the importance of ensuring that the elements captured a broader understanding of what is meant by ‘child abuse’ and also a need to adopt a more positive focus on child wellbeing.

The Round 2 survey further investigated many of the issues raised by participants in the Round 1 survey. It highlighted clear consensus in some areas, most clearly with respect to the need for:

- national rather than state-based implementation
- principles to be mandatory standards for *all* organisations.

In other areas, responses were fairly evenly split between the need for consistent implementation across all organisations on the one hand and the importance of allowing organisations a degree of flexibility with respect to how they implemented the elements on the other.

Respondents in both rounds had concerns around the costs and risks of implementation, especially for smaller organisations without dedicated human resources infrastructure.

Responses to both rounds of the survey also highlighted the importance of giving special consideration to the needs of particularly vulnerable groups of young people including those from a CALD background, with disability, in out-of-home care and from Aboriginal and Torres Strait Islander backgrounds. The draft elements note that more stringent attention should be paid when children at higher risk of sexual abuse are served by organisations. Responses to both rounds of the survey point out that the implications of this vary for different groups of children. For example, children from CALD communities, and children with disability are both at greater risk of abuse than the general population. However, different organisational responses are needed to ensure the safety of these groups of children.

One respondent noted that safety for children with disability requires knowledge of 'how to respond when a child with autism has a melt-down, or how to recognise and respond to intellectual disability, and how to enable and empower children with physical impairments to take control of their own body'. In relation to children from CALD backgrounds, another respondent emphasised the need for cultural competency, and 'not simply referring people from particular backgrounds to other services or organisations'. Both of these sets of competencies have resourcing implications; and of course some children with disability are also from CALD communities, which requires some organisations to have multiple competencies.

Overall, both rounds of the survey reveal support for the elements if they are implemented well, as well as concerns about the level of resourcing needed for this to happen. They support mandatory and comprehensive implementation, but with the recognition that this requires ongoing resources to ensure that the elements are meaningful, and that some organisations that provide very important services to children and their families – for example, sport and recreation clubs and childcare centres – will in fact be poorly resourced and not able to support implementation themselves.

Additional resources would also be needed for two other key requirements suggested in the comments. The first is building organisational cultures that are both child safe and child-friendly, which should help protect against abuse and ensure that children can speak up if it does occur. The second is external and independent monitoring, not as a substitute for organisations conducting their own internal

monitoring, but to supplement it. Although comments noted the benefits of building the monitoring, training and quality improvement capacity of organisations, they also argued for external monitoring to ensure compliance. One respondent noted that hearings at the Royal Commission have shown that a number of organisations that had failed to keep children safe had policies and protocols in place, but these were not followed.

Survey participants were concerned that poor implementation of the elements could be counterproductive and leave organisations less safe for children, because the implementation could create complacency or false assurances that the organisation is safe. Other risks are that organisations may not be sustainable if the resources required for implementation are more than those available, or that services for children may decline in quality if attention and resources are focused on or diverted to implementing the elements.

Overall, the study found a high degree of consensus among a diverse range of experts about the appropriateness and relevance of the elements. However, a range of concerns were expressed about their implementation. Many of these concerns are speculative and could be resolved empirically. As the draft paper was not derived directly from empirical evidence, an effective way of resolving such concerns would be to test them, by evaluating the processes, costs, and outcomes of implementing the elements in a range of organisations of different types and sizes.

# 6 Appendix A: Illustrative examples of responses to round 1 open-ended questions

**Table 8: Suggested changes to sub-elements of Element 1:** Organisational leadership, governance and culture

| | |
|---|---|
| **Monitoring and accountability** | • the importance of monitoring adherence to record keeping and an audit of actions taken in response to reports<br>• that data should be made available to organisations concerning outcomes of reports to investigating bodies, so that other organisations might learn from the examples;<br>• the importance of defining roles and responsibilities and organisational leadership;<br>  • risk management strategies must be linked to roles & responsibilities and operational practices, review & compliance;<br>  • data collection and record keeping must address dealing with sensitive information, confidentiality & privacy;<br>  • more detail concerning the importance of record keeping in relation to child safety concerning both children & staff and possible responses;<br>  • that there should be mandatory regulations for all frontline professionals to adhere to 'child safe' workplace reporting mechanisms<br>  • that breaches of child safe policies need to be monitored and be acted upon (e.g. termination of employment, training, reporting to Working With Children Check organisations)<br>  • that monitoring and evaluation of compliance requires a three-step process for all nine elements: First, guidelines articulated in organization materials. Second, guidelines communicated to appropriate stakeholders. Third, evidence of implementation of guidelines. |
| **Wellbeing, not just harm prevention** | • that the elements are overly focussed on risk aversion, rather than a more holistic sense of child wellbeing<br>• the importance of including additional factors that may contribute to or detract from children's sense of feeling safe within an organisation, such as 'respect for differences in children from diverse backgrounds and abilities' |

| | |
|---|---|
| | • that the elements need to be broadened beyond child sexual abuse, to focus instead on 'child safety' |
| **Operationalisation** | • a recognition of the fact that culture is dynamic and that the elements should include the need to obtain feedback from staff to gain understanding of what the culture is in reality<br>• that it is difficult to determine whether the element as defined can be improved as it is somewhat nebulous - perhaps through a demonstrated commitment to putting children's best interests first or in being child-centred. Important that organisations do not simply follow procedures mindlessly.<br>• that appointing a Child Protection Co-ordinator may not be feasible for all organisations and may result in the assumption that all responsibility for chid safety rests with the coordinator rather than being a shared responsibility |
| **Expression** | • As no-one can ENSURE the safety of children. Suggest re-word as 'obligations to protect the safety of children'<br>• Important to acknowledge that abuse is multi-dimensional, and therefore that the term 'child abuse' be used rather than the narrower 'child sexual abuse'. |
| **Inclusions** | • The sub-element 'Organisation's culture' refers to 'cultural standards', however it is not defined. |
| **Vexatious or false allegations** | • That a risk management strategy needs to be alert to the possibility of false allegations |
| **Compliance burden** | • The importance of acknowledging how the size and resourcing of an organisation will have an impact on its ability to comply with the required data collection and the importance of providing simple templates to assist with compliance. |

**Table 9: Suggested additions to sub-elements of Element 1: Organisational leadership, governance and culture**

| | |
|---|---|
| **For all organisations***:* | • An emphasis on cultural safety<br>• The appointment of a 'child safe trustee/champion' on the Board |

| | |
|---|---|
| | • An emphasis on child safety as distinct to a focus on sharing information concerning child safety<br>• An emphasis on leadership responsibility for implementation, monitoring & review; for ensuring the participation & inclusion of perspectives of children, young people and their families.<br>• A broadening of focus beyond sexual abuse to include other forms of child abuse<br>• An emphasis on responsibility and accountability for staff below leadership level<br>• Special consideration for vulnerable children who do not have suitably empowered advocates with a personal, long-term interest in the individual child' |
| **For specific types of organisations** | • Culturally responsive education and awareness for multi-faith communities & places of worship to address a possible lack of cultural understanding of 'child safe principles and the variation in mandatory reporting procedures and requirements to have Working With Children Checks in addition' needs to be addressed. |

**Table 10: Suggested change to existing sub-elements of sub-element 2: Human resources management**

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| **Inclusions** | • Adding 'establishes why the applicant is leaving their current job' (from current employer's viewpoint not just applicant's) under 'Recruitment, selection and screening'<br>• Including feedback on staff performance is sought from children under the sub-element 'Supervision, performance management, and review systems' (this overlaps with participation of children and young people below)<br>• Adding that staff do not need to wait to make complaints or raise child safe issues until supervision.<br>• The importance of allowing suitably clinically-informed and knowledgeable Tribunals discretion to consider individuals who might not otherwise be approved to support vulnerable children, e.g. indigenous elders with criminal histories dating back several decades.<br>• Adding a point about performance management of staff where performance is of concern, but not to the point of the need to terminate employment and 'where the appropriate response would be training, extra supervision etc.' |

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| **Operationalisation** | • That national police checks should be sought in instances where it is not possible to apply for state-based Working With Children Checks. |
| **Participation of children and young people** | • That children, young people and families should be included in the selection of employees and in the review process where possible. |

**Table 11: Suggested additional sub-elements to Element 2: Human resources management**

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| **For all organisations** | • An emphasis on cultural diversity in the workforce to increase the likelihood of culturally and linguistically diverse (CALD) children disclosing concerns<br>• Clarification with respect to sanctions in relation to performance management.<br>• Add that the elements are also applicable to consultants working with children and that referees should be made aware of the level of contact that prospective employees will have with children in their role.<br>• That organisations should provide training for staff on identifying red flags during the recruitment process.<br>• That induction should cover how complaints are handled to give staff & volunteers confidence in the process and that this should be offered to all staff regardless of their level of contact with children<br>• This section should include reference to whistleblower safeguards<br>• Reference to the importance of all staff adhering to high standards of safety and consideration for everyone and a system for identifying, reporting and responding 'to 'drift' away from a healthy and safe environment.'<br>• Induction should include children's rights training under the Convention on the Rights of the Child.<br>• Clarification with respect to how children and young people can provide input into how recruitment processes can keep them safe. |

**Table 12: Suggested change to existing sub-element 3: Child safe policy and procedures**

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| **Operationalisation** | • The importance of displaying policies in multiple prominent locations in addition to online (e.g. on noticeboards, newsletters to children/parents)<br>• The need to include discussion of responsiveness to the child's concerns, not just focus on reporting.<br>• To increase compliance, 'model policies' developed with stakeholder input should be made available online, however this will be difficult if each |

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| | organisation is expected to engage in stakeholder consultation.<br>• A 'child safe policy' needs to be brief and succinct and contain 'must do' requirements.<br>• Templates should be made available and regularly revised to assist compliance by organisations with limited resources.<br>• Policies need to be accessible to individuals with low levels of literacy. |
| **Inclusions** | • That the element should outline the process to be followed if abuse of a child by a staff member is suspected<br>• That the element should emphasise staff participation in training instead of asking about their 'confidence' as this is very subjective.<br>• That multiple versions of policies may be required for children and for families. |
| **Participation of children and young people** | • The importance of ensuring that policies and procedures are child-friendly and that children and families contribute to their development. |
| **Expression** | • Concern that the expression 'Staff feeling confident that they could deal with a case' could lead to an underestimation of the task due to the challenges associated with assessing whether a colleague's behaviour warrants reporting. |
| **Monitoring and accountability** | • The need for regular review and updating of the policy. |
| **Types of abuse** | • Clarification sought with respect to whether the policy applies solely to concerns a child is being harmed or whether it also applies more broadly to children's concerns that impact on how safe they feel in an organisation. |
| **Wellbeing and harm prevention** | • The importance of focussing on wellbeing more broadly rather than only on keeping children safe. |

**Table 13: Suggested additional sub-elements to Element 3: Child safe policy and procedures**

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| **For all organisations** | • An emphasis on cultural safety<br>• The importance of acknowledging the emotions that the issue arouses. |

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| | • The importance of regularly monitoring staff's knowledge and understanding of policies and procedures, including staff supervision<br>• An emphasis on child wellbeing rather than simply reporting issues of concern<br>• That child safe education and training should be mandatory for all staff and volunteers on entry and that ongoing professional development and training opportunities should be available.<br>• The importance of emphasizing children and young people's involvement in the development of policies and procedures. |
| **For specific types of organisations** | • The need for an emphasis on training and inducting foster carers in child safety principles.<br>• |

**Table 14: Suggested additional changes to element 4: Child focused complaint process**

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| **For all organisations** | • Appoint a number of child safe focal points in the organisation that children, families, staff and volunteers can contact to raise any concerns. |
| | • An emphasis on the fact that nobody will be penalised or suffer any adverse consequences from making a complaint. |
| | • Whistleblowing needs to be addressed - what it is, it's important, how to do it, support and protection for whistleblowing staff. |
| | • This element is inextricably linked to Element 6 Children's Participation and Empowerment to inform appropriate practice. |
| | • Need to add element or at least language within existing elements regarding the need to establish mechanism for reporting outside of the organization for cases where one of the senior administrators is the abuser. |
| | • We would like to see the children and young people more up front in this listing and also that there is an element for feedback and resolution for the complaint - a common theme we hear is that people do not know the outcome of their complaint. |

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| | • In schools and other services for children which currently have many or all aspects of this element there are still major issues arising from inability to consider situations from the child's perspective, even when the concerns have been brought to the attention of those in positions of authority. Similarly they will discount parents' concerns. These people have been given instruction and training but still hold conventional views of the capacities and reliability of children as historians and witnesses.<br>• Important to clarify what happens when complaints concerning child abuse/safety are dismissed by police due to a lack of evidence – what happens with that information and how can systems be better integrated to ensure that 'child safety is everyone's business'. |

**Table 15: Suggested change to sub-element 5: Education and training**

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| **Operationalisation** | • The designated child safety officer should have advanced child protection training.<br>• Consideration be given to creative ways of implementing training, to minimise costs.<br>• Scrutiny of the conceptual approach of training organisations.<br>• Training should be provided/delivered with bi-lingual or bi-cultural workers alongside trainers.<br>• Training materials should be available online for rural, regional remote communities. |
| **Inclusions** | • Training needs to consider children's wishes or use of advocates.<br>• A child is most likely to be harmed by someone in their family and training should include guidance on disclosure.<br>• Training comprehensiveness needs to refer to the skills required for facilitating the participation of children and young people.<br>• That training should cover child development, child resilience and establishing self-efficacy.<br>• Training should be accessible to all staff and regularly refreshed.<br>• All training should be conducted under a Brief, Train and Sustain model.<br>• The training sub-elements should also refer to supervision, particularly at times of uncertainty. |

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| | • The training should include information and examples of appropriate relationships with children including appropriate physical contact. |
| **Participation of children and young people** | • It is important for children and parents to receive training on child abuse and exploitation and on their right to speak out.<br>• Training programs should be informed by children's and young people's expressed needs. |
| **Cultural safety** | • The need for training to be culturally-responsive to the needs of indigenous, migrant, refugee and multi-faith communities and to the needs of people with disability. |
| **Expression** | • The order of the sub-elements should be changed with the last three dot points placed first. |
| **Types of abuse** | • That it is important to look at others types of abuse in addition to sexual abuse. |

**Table 16: Suggested additional elements to element 5: education and training**

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| **For all organisations** | • Culturally-appropriate training approaches.<br>• Implementing all of these elements is only achievable if organisations have the will and the resources to do so.<br>• A standardized package of resources should be made available to all organizations, with specific resources for different types of organizations. For example, a really good DVD can cover a lot of material quickly, which can assist facilitators who may not have training skills.<br>• All staff should undertake induction training and regular refresher training.<br>• The focus of training for different organisations needs to be significantly different for different organisations involving children - different emphases for different types of staff, but all with the same child safety/child protection message.<br>• Training should include children's perspectives on what a safe institution looks like and what they think would keep them safe.<br>• Without a commitment to children's rights and giving children the opportunity to have a voice concerning how things are run, policies and procedures will have |

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| | limited impact on keeping them safe. For example, no child will speak up if there is no clear policy against yelling at kids or unfair discrimination (see for example, the *Play by the Rules* resources by the Australian Sports Commission as a more holistic approach to keeping kids safe and WELL.<br>• Training needs to cover child-safe relationships, including how to establish trust & build rapport, discuss sensitive issues and respond to disclosures including meeting mandatory reporting responsibilities).<br>• The focus on sexual abuse is too narrow as most child abuse in organisations is actually neglect and emotional abuse.<br>• Resource constraints must be considered, but these should not influence the comprehensiveness of the elements. |

**Table 17: Suggested change to existing sub-element 6: Children's participation and empowerment**

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| **Inclusions** | • That involving children in an organisation's governance is impractical and of little interest to children.<br>• That the nine elements should be re-ordered with element 6 - *Children's Participation and Empowerment* – becoming element 2 so that 'the considered and active participation and empowerment of children should be a key driving element influencing all other elements and sub elements.'<br>• That this element should also emphasise diversity of backgrounds, needs and vulnerability of children, which should inform all of the other elements.<br>• An additional sub-element should be added - Information sharing and the dot points under Element 7 – Information sharing parents/carers - are equally applicable here and should be adapted using child-friendly language.<br>• Add 'Feedback from children is sought regularly, listened to and children are advised how their feedback has been used and what if any changes have been made'.<br>• 'It is not clear how these measures lead to empowerment. The section needs to include consideration of how children & young people are given choice and control, respect and authority and influence. Clear policies need to be in place that |

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| | articulate children's participation rights and reflect the [UN Convention on the Rights of the Child]'s expectation that when children & young people are competent they are both the primary client and have the right to make decisions in their own right. We could be more specific about the opportunities to directly involve children in education about what being safe means, and how they can act to be and feel safe.' |
| **Monitoring and accountability** | • From the CCYP WA 2015 consultation, children said they wanted to know what the rules of behaviour for all people - children and staff/volunteers - were and that these behaviours and rules were monitored.<br>• Ongoing review of participation standards 'to ensure a balanced approach to the level of participation'. |
| **Operationalisation** | • The need to consult with children and young people in order to refine the element. |

**Table 18: Suggested additional elements to element 6: Children's participation and empowerment**

| | |
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| **For all organisations** | • Adequate funding and skilled professionals (e.g. accredited social workers) are critical for implementing this element.<br>• Leaders, managers and staff need to have a clear understanding of the reasons for and importance of participation.<br>• Children and young people need to have representation on the decision making/governing bodies that oversee services.<br>• Children's rights in the Convention are all mutually reinforcing such that children's right to participate can only be upheld if other rights are understood and upheld. Children and adults should be made aware of the Convention's articles and Australia's commitment.<br>• Children should feel welcome.<br>• Trust between children and adults should be promoted in the organisation.<br>• Children should be involved in the development of any measure to promote their participation.<br>• Given the challenges of enacting inclusive policy and practice for child participation, it would be essential to have access to resources outlining best practice models that have been successfully implemented and evaluated. |

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| | • That the element could refer to the development of their own code of conduct or charter of how they should be cared for and protected and how they agree to treat each other.<br>• That this is one of the more important elements and should be placed first and emphasise that most efforts should go into implementing these elements and sub-elements.<br>• That it is important that the element does not read as though children are responsible for their own safety and that revisiting the language used in this element would be helpful.<br>• Participation should be prioritised over empowerment.<br>• Recognising that not all children and young people may be confident or articulate enough to participate and that organisations should anticipate the need to address any imbalances. |

**Table 19: Suggested change to existing sub-element 7: Family and community involvement**

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| **Expressions** | • That knowing the leadership team of a large organisation can be irrelevant for many families and create a false impression concerning who deals with issues.<br>• With respect to the statement 'Where a complaint is made, families/communities are kept informed of progress, actions…', it needs to be made clear at what point information is shared and with whom.<br>• The section is not framed in terms of participation of family and community but rather on information sharing, communication and awareness-raising. |
| **Inclusions** | • Needs to acknowledge that there are legal restrictions on information sharing.<br>• With respect to participation, there is no specific mention of how participation for families and community will be achieved, for example as representatives on boards or on staff recruitment panels or how parents can facilitate children's participation.<br>• Add: 'Access and referral to child protection education for children' and how parents can be involved in educating their children and discussing safety at home. |

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| | • Feedback should be sought from parents on their experience of participation and links to complaints/grievances, monitoring and review. |
| **Operationalisation** | • Communication with families needs to be in written and oral or other formats to ensure understanding across the community. |

**Table 20; Suggested additional sub-elements to Element 7: Family and community involvement**

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| **For all organisations** | • That parents' and children's capacity to participate in regular reviews of the safety and friendliness of the organisation should be emphasized.<br>• A challenge to overcome is the belief that adults represent a threat to children which prevents many adults from being available to children and which can result in children remaining in vulnerable situations for longer.<br>• If greater emphasis were placed on noticing, acknowledging and supporting families, it would make children safer. |

**Table 21: Suggested change to existing sub-element 8: Physical and online environment**

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| **Inclusions** | • There is no mention of policies concerning the use of mobile phones/smartphones for example or the non-organisational use of social media.<br>• In addition to child consultations, it might be worth adding consultation with parents and young adults who have been in that environment in the past.<br>• Codes of conduct should also address the personal online environment of staff and volunteers.<br>• The technical security of the online environment needs to meet industry standards. Education must include why cyber security is critical to avoid a compliance only mindset.<br>• Include cyber safety for young people.<br>• How to address cyber bullying that occurs on forums external to the organisation (e.g. Facebook), but that can trigger physical abuse. |
| **Expressions** | • The term 'good natural surveillance' needs to be qualified as many activities will not meet this standard, including toilets which should be private without being |

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| | labelled ‘out of the way’ locations. Surveillance must be balanced with children’s right to privacy. |
| **Cultural safety** | • That the child’s environment needs to be culturally safe. |

**Table 22: Suggested change to existing sub-element 9: Review and continuous improvement**

| | |
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| **Expression** | • The term ‘root cause’ implies a primary cause, re-word 'to understand what contributed to the problem'.<br>• Unclear whether improvement is monitored internally or whether there is a requirement for external, independent monitoring.<br>• The term ‘child safety audit’ is the first mention of the potential use of the elements as a self-audit tool and that both an internal self-audit and an external independent audit is preferred as opposed to one or the other. Also, that this should be included under Element 1 ‘Leaders are responsible for audits/external reviews occurring and actions being addressed.’<br>• Unclear whether, ‘child safety review’ applies to all complaints or concerns a child /young person, staff member, family, volunteer raises or just those where a concern involves harm to a child. |
| **Operationalisation** | • The challenges of maintaining a ‘culture of awareness’ and therefore the importance of monitoring awareness, particularly if no abuse has been reported for some time.<br>• ‘Continuous improvement’ should be consistent and ongoing rather than episodic in order to address risk.<br>• Care is needed when selecting ‘experts’ to assist with reviews. |
| **Participation of children and young people** | • That audits and reviews need to be based on children's safety needs, facilitate their inclusion and participation, be driven and informed by children. |

**Table 23: Suggested additional sub-elements to Element 9: Review and continuous improvement**

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| **For all organisations** | • That each element needs to incorporate ‘a carefully worded evaluation/monitoring’ component.<br>• Add an additional element concerning evidence about how the policy is communicated and understood (as well as implemented).<br>• Reference to the need for group analysis where there has been more than one complaint. |

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| | • Without a government-funded watchdog, it will be difficult to monitor compliance if organisations are expected to self-regulate.<br>• Frequency of review needs to be established and enforced.<br>• The need to include a requirement for reporting to external agencies and penalties for non-compliance.<br>• That government funding should be conditional upon organisational compliance with child safety elements.<br>• The importance of providing standardised tools and templates to facilitate implementation and compliance by more poorly-resourced organisations. |

**Table 24: Additional comments, round 1**

| Additional comments round 1 | |
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| *Operationalisation* | • Adequate and recurrent funding needs to be provided to ensure that trained, ethical and professional workplaces can implement and sustain child safe improvements.<br>• That it is important to ensure that the introduction of these elements 'does not become a 'tick box' compliant requirement over time.<br>• That greater emphasis should be placed on 'child-friendly' organisations. There needs to be a balance between child-safe and child-friendly practice.' |
| *Inclusions* | • The lack of attention to children feeling culturally safe is a serious omission.<br>• That what constitutes peer abuse should be clarified and strengthened and that the organisation's duty to protect children in these situations should be acknowledged.<br>• That is important not to consider child safety in isolation, but to think of it in terms of child safety in the home and community.<br>• The framework would benefit from a focus on critical incident management, case review, identification of practice improvements and emerging trends and independent advocacy services. |

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| *Expression* | • That in emphasising low versus high risk, there is a danger that people may interpret low risk as meaning no risk and therefore they may be less inclined to act than might otherwise be the case.<br>• That organization type is less important than the type of contact with children.<br>• That the term 'child safe organisation' is a poor choice, because it is unachievable and that 'a child protective organisation' would be a preferable term. |
| *Types of abuse* | • Child safe standards should not be limited to child sexual abuse but to all child abuse and neglect. |
| *Support for the elements* | • Very comprehensive approach to ensuring organisations delivering services to children and families proactively ensure the safety and well-being of children.<br>• It is very encouraging to have this comprehensive consideration of child safety and protection finally happening. |

# 7 Appendix B: Round 1 survey instrument

## PARTICIPANT INFORMATION STATEMENT

You are invited to take part in this research study because of your knowledge and expertise regarding child safe organisations

The Delphi method is aimed at achieving consensus around specific issues by systematically analysing the opinions of identified experts. The goal of this method is to reach a consensus among the group by the end of this multiple-round questionnaire process.

The aim of the research is to obtain advice, opinion and consensus from a panel of independent experts on what should constitute key principles, elements and sub-elements of a child safe organisation

Participation in this research study is voluntary. A decision not to participate will not impact your relationship with The University of New South Wales or the Royal Commission

What does participation in this research require, and are there any risks involved?

Participation in the study will involve the completion of two short online questionnaires. The first will involve a response to a discussion paper previously compiled by the Royal Commission (Attachment 3) to assess these elements according to their adequacy, reliability, usability and relevance. The second round will involve refining the key elements and components. It is also possible that there will be a third round of the study. We expect this activity to take up to 30 minutes per questionnaire and 10 minutes for reading the briefing documents. Aside from this, we do not expect that there will be any risks or costs associated with taking part in this study.

In line with Delphi study methodology your identity will be kept confidential from other participants. With your permission, your name will be included in an appendix to the final report. Individual responses to the surveys will NOT be published nor will any response or statement be identifiable.

We expect that the Royal Commission will publish a report containing findings from the Delphi study. We will send you a link to the final report.

You can withdraw your responses if you change your mind about having them included in the study, up to the point that we have analysed and published the results.

If you have any complaints about any aspect of the project, the way it is being conducted, then you may contact:

**Complaints Contact**

| | |
|---|---|
| Position | Human Research Ethics Coordinator |

| | |
|---|---|
| Telephone | + 61 2 9385 6222 |
| Email | humanethics@unsw.edu.au |
| HC Reference Number | HC 15554 |

**Delphi Study Background Brief on Child Safe Organisations**

Introduction

In line with its terms of reference, the Royal Commission is required to examine institutional responses to child sexual abuse and identify how children can be protected more effectively against such abuse.

A key aspect of this task is to examine what makes organisations 'child safe'. While the Royal Commission is focused on sexual abuse of children in institutions, the majority of Australian child safe frameworks aim to assist organisations to prevent and respond to physical, sexual, emotional or psychological, abuse and neglect of children.

The Australian Children's Commissioners and Guardians ('ACCG') broadly define a 'child safe organisation' as one which consciously and systematically:

- creates conditions that reduce the likelihood of harm occurring to children and young people
- creates conditions that increase the likelihood of any harm being discovered, and
- responds appropriately to any disclosures, allegations or suspicions of harm.[2]

As part of its work to identify what can be done to improve the safety of children within organisations, the Royal Commission analysed all available materials and evidence to identify the key elements of a child safe organisation, as a basis for the consideration of a spectrum of policy options, to enhance the safety of children in institutions.

Evidence base of the Key Elements of Child Safe Organisations

A rigorous evidence mapping exercise was undertaken to identify the key elements of a child safe organisations. This process was informed by the best available research, experiential evidence and contextual evidence.[3] Eight sources of evidence were relied upon:

[2] Australian Children's Commissioners and Guardians submission to the Royal Commission into Institutional Response to Child Sexual Abuse, Issues Paper 3, Page 2.
[3] An evidence framework was utilised developed by public health researchers, Puddy, R.W., & Wilkins, N. (2011). Understanding evidence part 1: Best available research evidence. A guide to the continuum of evidence of effectiveness. Atlanta, GA: Centers for Disease Control and Prevention (National Center for Injury Prevention and Control, Division of Violence Prevention). Retrieved 20 November 2014 from http://www.cdc.gov/violenceprevention/pdf/understanding_evidence-a.pdf

9. Child safe organisation frameworks, guidelines and standards developed in Australia
10. Child safe organisation frameworks, guidelines and standards used internationally
11. Empirical research on the evaluation of child safe organisation initiatives
12. Empirical research and literature on the characteristics of child sexual abuse including victim, offender and contextual characteristics, and characteristics of child safe organisations
13. Findings of the Royal Commission's Case Studies (specifically Case Studies 1, 2, 4, 7)
14. Stakeholder submissions to the Royal Commission in response to Issues Paper 3 on child safe organisations
15. Royal Commission research projects
16. Findings and recommendations from previous Inquiries.

The Key Elements of Child Safe Organisations

Analysis of the evidence sources outlined above, led to the identification of nine key elements of Child Safe Organisations and two themes common across all elements.

Key elements of Child Safe Organisations:

1. Organisational leadership, governance and culture
2. Human resources management
3. Child safe policy and procedures
4. Child friendly complaint processes
5. Education and training
6. Children's participation and empowerment
7. Family and community involvement
8. Physical and online environment
9. Review and continuous improvement

Themes common across all elements:

1. Children who are at greater risk of child sexual abuse
2. Different types of organisations with varying organisational risk

Children who are at greater risk of child sexual abuse include:

- Aboriginal and Torres Strait Islander children
- children in residential out of home care
- children with mental health issues or disabilities
- children who have suffered from sexual and or other forms of abuse
- children and young people in contact with the law, or in detention (including immigration detention), or in adult correctional institutions
- children from culturally and linguistically diverse and or remote communities
- homeless youth and children, and those in crisis accommodation

Consultation process

The literature on guideline development strongly recommends that draft guidelines are subject to stakeholder and expert scrutiny via a structured process. In the absence of sound research evidence to support each key element, expert opinion and stakeholder experience can be used to sure up support for, and test usability of the approach.

As part of the research and consultation process, a Delphi study is being conducted to obtain systematic feedback from a panel of independent experts who respond to a series of questions, such as the **adequacy**, **reliability**, **usability** and **relevance** of the key elements of child safe organisations. The Delphi study will also involve qualitative questioning to illicit more detailed views and feedback.

After the Delphi Study is completed, targeted and appropriate consultations will be conducted with specific stakeholders, such as children and young people, as well as with jurisdictions and specific institution types. The broader consultations will discuss the key principles and elements of Child Safe Organisations derived from the Delphi Study and explore options on how best to apply the elements and ensure organisations are child safe, to assist the Royal Commission in identifying possible recommendations.

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ELEMENT 1: Organisational Leadership, Governance, and Culture

Commitment to good governance, which is accountable, transparent, follows the rule of law, is responsive, open, equitable and inclusive, fair and just, effective and efficient, and participatory. Leaders establish and maintain an organisational culture where the prevention of child abuse is the responsibility of all staff.

Commitment to being a child safe organisation:

- Explains, in publicly available information, how commitment to being a child safe organisation will be met.
- Addresses child safety in duty statements and performance agreements for all staff, including senior leaders and board members.
- Raises staff awareness about obligations to ensure the safety and well-being of children.
- Lists child safety as a standing meeting agenda item (as per Workplace Health and Safety).

Roles and responsibilities:

- Duty statements identify roles and responsibilities (including child safety) for all positions.
- An organisational chart shows lines of authority, reporting, and accountability for each position.

The organisation’s leaders:

- Model and foster a commitment to child safe practices.

- Set accountabilities for child safe principles at all levels of the organisation's governance structure.
- Understand the problem of child sexual abuse.
- Foster a culture that supports anyone to disclose safely their concerns about harm to children.
- Appoint a Child Protection Co-ordinator that reports to executive about the organisation's child safety performance.

The organisation's risk management strategy:

- Is developed from a clear, evidence-informed concept of potential intentional and unintentional risks to children in an organisation's specific setting. For sexual abuse, it requires knowing the characteristics of abusers and victims, and how, when and where abuse tends to occur.
- Has a prevention focus that addresses child safety.
- Has appropriate controls to eliminate or mitigate identified risks
- Considers any increased risk with specific activities, and particularly vulnerable children, but does not discourage positive relationships between adults and children, and healthy child development.

The organisation's code of conduct:

- Applies to all staff and volunteers including senior leaders and board members.
- Clearly describes acceptable and unacceptable behaviour of employees and volunteers towards children (e.g. via relevant examples).
- Requires signed acknowledgement by all staff and volunteers.
- Is published, accessible to everyone within the organisation (including clients) and communicated throughout the organisation via a range of mechanisms.
- If breached, there are clearly documented response mechanisms.

Data collection and record keeping:

- Staff are aware of and understand their obligations on information sharing and record keeping.

The organisation's culture:

- Cultural standards are detailed in the organisation's child safety policy.
- Information is freely available and staff, volunteers, children and families are encouraged to raise issues safely, without fear of retribution.
- Staff, volunteers, children, families report that they know that child safety is everyone's responsibility and they feel empowered to have a say in and influence decisions about child safety.

1) To what extent is this proposed element relevant in relation to child safe organisations:

By relevant, we mean that this element (and its sub-elements) is suitable to be used to indicate child safe organisations.

( ) Irrelevant ( ) Somewhat relevant ( ) Relevant

2) To what extent is this proposed element reliable in relation to child safe organisations:
By reliable, we mean that this element (and its sub-elements) is a consistent indication of child safety across a range of organisations and over time.

( ) Unreliable ( ) Somewhat reliable ( ) Reliable

3) To what extent is this proposed element achievable in relation to child safe organisations:
By achievable, we mean that this element (and its sub-elements) can be achieved by most organisations, given the will to implement them.

( ) Unachievable ( ) Somewhat achievable ( ) Achievable

4) Are there particular types of organisations for which this element is not relevant, reliable, or achievable?

( ) Yes

( ) No

5) If so, please comment on which types of organisations and why.

6) With regards to the sub-elements, what is your view about the comprehensiveness of the list of sub-elements.
By comprehensive, we mean that the list of sub-elements contains everything that is required, and nothing excessive, redundant, or unnecessary.

( ) Not comprehensive enough ( ) Comprehensive ( ) Too comprehensive

7) Please indicate which, if any, sub-elements should be removed.

[ ] Commitment to being a child safe organisation

[ ] Roles and responsibilities

[ ] The organisation's leaders

[ ] The organisation's risk management strategy

[ ] The organisation's code of conduct

[ ] Data collection and record keeping

[ ] The organisation's culture

[ ] No sub-elements should be removed

8) Please comment on why these sub-elements should be removed.

9) Please indicate which, if any, sub-elements should be changed to be more appropriate, reliable, or achievable in relation to monitoring the child safety of a wide range of organisations.

[ ] Commitment to being a child safe organisation

[ ] Roles and responsibilities

[ ] The organisation's leaders

[ ] The organisation's risk management strategy

[ ] The organisation's code of conduct

[ ] Data collection and record keeping

[ ] The organisation's culture

[ ] No sub-elements should be changed

10) Please comment on the changes required.

11) Are there any sub-elements which should be added, either for all organisations, or for specific types of organisations?

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ELEMENT 2: Human Resources Management

This element incorporates the extent to which the organisation engages only the most suitable people to work with children, identifies and excludes known offenders or persons who pose a risk to children, and prioritises child safety in employment advertising, recruitment, screening, selection and management of staff and volunteers.

Employment advertising including job descriptions/duty statements:

- Include a statement about commitment to being a child safe organisation in their job advertisements.
- Provide applicants with their code of conduct and child safe policy and procedures.
- Include selection criteria concerning child safety to which applicants must respond.
- Address child safety in the duty statements of all staff
- Regularly review job descriptions /duty statements as part of ongoing performance management.

Recruitment, selection, and screening including working with children check (WWCC) procedures:

- Show clearly documented organisational and individual recruitment procedures and processes.
- Verify applicants' identity, qualifications, and professional registration.
- Undertake screening procedures including criminal history checks to assess a person's fitness as specified in law (e.g. WWCCs). Build in allowance for revalidation (e.g., WWCC).
- Conduct thorough structured interviews that:
    - provide clear information to applicants about organisational commitment to child safety
    - assess the values, motives and attitudes of job applicants who will work directly with children
    - establishes why the applicant is leaving their current job
    - ascertain candidates' professional experience, qualifications and competence to work with children.
- Conduct stringent and careful reference checks that
    - involve direct conversations with at least two professional referees.
    - include the applicant's current or most recent employer
    - ascertain where possible the applicant's attitudes and behaviours in previous child-related roles.
    - ascertain whether the applicant has ever been involved in any complaint processes.
- Check that staff have formal qualifications commensurate to their role and responsibilities, or be expected to engage and qualify in relevant study.
- These procedures are followed by recruitment agencies, labour suppliers, contractors, and volunteers

The organisation's induction for new staff and volunteers includes:

- A documented induction process and register for new staff and volunteers.
- Induction immediately after appointment, and ideally before work with children begins.
    - A probationary employment period, to allow time to assess suitability to the position
    - Induction materials for new staff and volunteers cover:
    - The code of conduct and child safe policies and procedures.
    - Strategies that identify, assess, and minimise risk.

- How to respond to a disclosure from a child.
- How to respond to a complaint about behaviour towards children.
- Reporting obligations (including mandatory reporting), procedures for reporting, report format and content, destinations for reports

Supervision, performance management, and review systems have focus on child safety:

- Staff report that their work performance is regularly reviewed with adhering to code of conduct and child safe policies and procedures seen as integral to their performance.
- Staff and supervisors, including senior management know and understand that supervision is an opportunity to formally or informally raise concerns about harm or risk of harm to children.

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12) To what extent is this proposed element relevant in relation to child safe organisations:
By relevant, we mean that this element (and its sub-elements) is suitable to be used to indicate child safe organisations.

( ) Irrelevant ( ) Somewhat relevant ( ) Relevant

13) To what extent is this proposed element reliable in relation to child safe organisations:
By reliable, we mean that this element (and its sub-elements) is a consistent indication of child safety across a range of organisations and over time.

( ) Unreliable ( ) Somewhat reliable ( ) Reliable

14) To what extent is this proposed element achievable in relation to child safe organisations:
By achievable, we mean that this element (and its sub-elements) can be achieved by most organisations, given the will to implement them.

( ) Unachievable ( ) Somewhat achievable ( ) Achievable

15) Are there particular types of organisations for which this element is not relevant, reliable, or achievable?

( ) Yes

( ) No

16) If so, please comment on which types of organisations and why.

17) With regards to the sub-elements, what is your view about the comprehensiveness of the list of sub-elements.

By comprehensive, we mean that the list of sub-elements contains everything that is required, and nothing excessive, redundant, or unnecessary.

( ) Not comprehensive enough ( ) Comprehensive ( ) Too comprehensive

18) Please indicate which, if any, sub-elements should be removed.

[ ] Employment advertising

[ ] Recruitment, selection and screening (including working with children check)

[ ] Organisation induction

[ ] Supervision, performance review and review systems

[ ] No sub-elements should be removed

19) Please comment on why these sub-elements should be removed.

20) Please indicate which, if any, sub-elements should be changed to be more appropriate, reliable, or achievable in relation to monitoring the child safety of a wide range of organisations.

[ ] Employment advertisement

[ ] Recruitment, selection and screening (including working with children check)

[ ] Organisation induction

[ ] Supervision, performance management, and review systems

[ ] No sub-elements should be changed

21) Please comment on the changes required.

22) Are there any sub-elements which should be added, either for all organisations, or for specific types of organisations?

ELEMENT 3: Child Safe Policy and Procedures

This element incorporates the extent to which child safe policies and procedures broadly aim to help organisations; reduce the likelihood of abuse occurring to children and young people; increase the likelihood of any abuse being discovered; and respond appropriately to disclosures, allegations, and complaints regarding abuse.

Child safe policy and procedures are:

- Readily publicly accessible (e.g. there is a link to it from the organisation's homepage that is no more than 3 clicks from the organisation's homepage).
- Downloadable as a single Word or PDF document.
- Developed in consultation with stakeholders.
- Provided to staff and volunteers at induction, and communicated further via education and training.

Specific administrative details appear on the policy and procedures document, including:

- The effective date, review date, author(s), executive approval information.
- A list of related documents or policies that must be read in conjunction with the child safe policies and procedures (including relevant legislation, regulations).

Policies and procedures document contains the following content (but is not limited to this):

- Statement of underlying organisational child safety values or principles.
- Defines terms used in the policy.
- Specifies to whom the policy applies and the responsibilities of staff and volunteers.
- Defines the different types of child maltreatment covered by the policy.
- Specifies legal reporting obligations for staff and volunteers.
- Has a diagram that shows reporting chains (e.g. a decision tree).
- Reporting procedures clearly identify when reports are to be made, and the relevant authority to whom reports should be made (including reporting of child sexual abuse to the police).
- Child safe education and training requirements (including frequency) for staff and volunteers.

Implementation

- Staff report that they are aware of, understand, and intend to follow the child safe / child protection policies and procedures and can provide examples in which they have done this.
- Staff report that they receive adequate training and education regarding the policies and procedures and how to implement them.
- Staff report that they are confident they could deal with a case
- Staff report that they know that they are required to comply with reporting obligations concerning suspected or known child sexual abuse

23) To what extent is this proposed element relevant in relation to child safe organisations:
By relevant, we mean that this element (and its sub-elements) is suitable to be used to indicate child safe organisations.

( ) Irrelevant ( ) Somewhat relevant ( ) Relevant

24) To what extent is this proposed element reliable in relation to child safe organisations:
By reliable, we mean that this element (and its sub-elements) is a consistent indication of child safety across a range of organisations and over time.

( ) Unreliable ( ) Somewhat reliable ( ) Reliable

25) To what extent is this proposed element achievable in relation to child safe organisations:
By achievable, we mean that this element (and its sub-elements) can be achieved by most organisations, given the will to implement them.

( ) Unachievable ( ) Somewhat achievable ( ) Achievable

26) Are there particular types of organisations for which this element is not relevant, reliable, or achievable?

( ) Yes

( ) No

27) If so, please comment on which types of organisations and why.

28) With regards to the sub-elements, what is your view about the comprehensiveness of the list of sub-elements.
By comprehensive, we mean that the list of sub-elements contains everything that is required, and nothing excessive, redundant, or unnecessary.

( ) Not comprehensive enough ( ) Comprehensive ( ) Too comprehensive

29) Please indicate which, if any, sub-elements should be removed.

[ ] Policy and procedures

[ ] Administration details in policy and procedures

[ ] Content of policies and procedures document

[ ] Implementation

[ ] No sub-elements should be removed

30) Please comment on why these sub-elements should be removed.

31) Please indicate which, if any, sub-elements should be changed to be more appropriate, reliable, or achievable in relation to monitoring the child safety of a wide range of organisations.

[ ] Policy and procedures

[ ] Administration details in policy and procedures

[ ] Content of policy and procedures document

[ ] Implementation

[ ] No sub-elements should be changed

32) Please comment on the changes required.

33) Are there any sub-elements which should be added, either for all organisations, or for specific types of organisations?

## ELEMENT 4: Child Focused Complaint Process

This element incorporates clear and detailed policy and procedures about how to respond to complaints including concerns, suspicions, disclosures, allegations and breaches. Staff and volunteers are aware of their reporting obligations and responsibilities, and the importance of prompt action. All complaint processes must ensure procedural fairness for all involved, have review mechanisms, and disciplinary action taken must withstand external scrutiny in accordance with relevant employment law and other employer responsibilities.

Complaint handling policy and procedures:

- Specify approaches to dealing with different types of complaints including concerns, suspicions, disclosures, allegations and breaches.

- Link to the code of conduct and define various forms of abuse; including sexual abuse and grooming.
- Detail actions to be taken where the suspected perpetrator is a staff member, volunteer, parent, or person otherwise associated with the organisation.
- Provide detailed guidance on how organisational members (including senior management, supervisors, staff and volunteers) are to respond to allegations.
- Detail communication, referral, and support mechanisms for staff, volunteers, children and their families.
- Address situations in which a child may cause serious abuse-related harm to another child.
- State that failing to report concerns, suspicions, disclosures, allegations and breaches of abuse is viewed as serious misconduct and possible grounds for dismissal.

Effective complaint handling systems can be demonstrated by organisations:

- Providing information about their complaints handling process, including how to make a complaint and what to expect.
- Providing information in an accessible and meaningful format to children and families who use the service.
- Having clear procedures for listening to, and responding to, all types of complaints.

When a complaint is made, the organisation can show that:

- Children are consulted and have input into the complaint process and access to a support person at all times.
- Responses are made quickly and people are kept informed of the progress of the complaint.
- Concerns reported are taken seriously and persons who voice concerns are acknowledged and informed about actions taken.
- Cooperation occurs with investigating authorities including police.
- Personal information arising from complaints is treated in accordance with the law.
- Effective record keeping practices are used in accordance with the law.

Children, families, staff and volunteers report that they:

- Know who to talk with if they are worried or are feeling unsafe.
- Know their complaints will be taken seriously and appropriate responses made.
- Believe the organisation has an open culture that supports safe disclosure of risks of harm to children.

34) To what extent is this proposed element relevant in relation to child safe organisations:
By relevant, we mean that this element (and its sub-elements) is suitable to be used to indicate child safe organisations.

( ) Irrelevant ( ) Somewhat relevant ( ) Relevant

35) To what extent is this proposed element reliable in relation to child safe organisations:
By reliable, we mean that this element (and its sub-elements) is a consistent indication of child safety across a range of organisations and over time.

( ) Unreliable ( ) Somewhat reliable ( ) Reliable

36) To what extent is this proposed element achievable in relation to child safe organisations:
By achievable, we mean that this element (and its sub-elements) can be achieved by most organisations, given the will to implement them.

( ) Unachievable ( ) Somewhat achievable ( ) Achievable

37) Are there particular types of organisations for which this element is not relevant, reliable, or achievable?

( ) Yes

( ) No

38) If so, please comment on which types of organisations and why.

39) With regards to the sub-elements, what is your view about the comprehensiveness of the list of sub-elements.
By comprehensive, we mean that the list of sub-elements contains everything that is required, and nothing excessive, redundant, or unnecessary.

( ) Not comprehensive enough ( ) Comprehensive ( ) Too comprehensive

40) Please indicate which, if any, sub-elements should be removed.

[ ] Complaint handling policy and procedures

[ ] Effective complaint handling systems

[ ] Child focussed complaint process

[ ] Child focussed complaint process reported by children, families, staff, and volunteers

[ ] No sub-elements should be removed

41) Please comment on why these sub-elements should be removed.

42) Please indicate which, if any, sub-elements should be changed to be more appropriate, reliable, or achievable in relation to monitoring the child safety of a wide range of organisations.

[ ] Complaint handling policy and procedures

[ ] Effective complaint handling systems

[ ] Child focussed complaint process

[ ] Child focussed complaint process reported by children, families, staff and volunteers

[ ] No sub-elements should be changed

43) Please comment on the changes required.

44) Are there any sub-elements which should be added, either for all organisations, or for specific types of organisations?

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ELEMENT 5: Education and Training

This element incorporates the extent to which an organisation has an underlying ethos and vision of itself as a 'learning organisation' in which staff at all levels are continually building their capacity. Promotes and provides regular ongoing staff development, via education and training.

Training comprehensiveness

- Employees and volunteers partake in comprehensive education and training in child safe practices / child protection. Such training should at a minimum, cover:
    - The indicators of child sexual abuse.
    - The characteristics of victims, offenders, and risky environments and situations.
    - Combatting stereotypes of both victims and offenders,
    - Discussion on serious abuse-related harm to a child by another child.
    - How to respond to children who disclose via a variety of mechanisms.

- Organisational risk management, code of conduct, child safe policies and procedures including specific information on reporting obligations, mechanisms, and protections.
- Empowering staff with the knowledge and competencies to identify risks, prevent sexual abuse, report concerns, and respond.
- Definitions and examples of child sexual abuse and grooming
- Examples of where, when, how, to whom, and by whom, child sexual abuse can occur in institutional settings.

Training type and frequency

- Induction training and regular refresher training (e.g. annually) is implemented.
- Senior leaders and supervisors have access to and attend advanced training.
- Records are kept of all personnel attending training sessions.

Training personnel

- Child safe /child protection education and training should ideally be provided by expert trainers relevant to the organisational context.

Training for recruitment personnel (overlap with human resources management)

- Senior leaders, supervisors and staff engaged in recruitment processes are trained to be alert to signs of unusual attitudes towards children (e.g. if applicants: profess to have 'special relationships' with children; disagree with the need for rules about child protection; have a desire to work with children that seems focused on meeting their own psychological or emotional needs).

Training resources

- Training resources and tools are simple, accessible and easy to use.
- Multiple methods used in training include presentation of information, interactive discussion, values clarification, worked examples, role play, and feedback.
- Materials are tailored to meet the needs of the particular organisation.

Training review

- Training programs are regularly reviewed (e.g. in response to the emerging evidence base).

45) To what extent is this proposed element relevant in relation to child safe organisations:
By relevant, we mean that this element (and its sub-elements) is suitable to be used to indicate child safe organisations.

( ) Irrelevant ( ) Somewhat relevant ( ) Relevant

46) To what extent is this proposed element reliable in relation to child safe organisations:
By reliable, we mean that this element (and its sub-elements) is a consistent indication of child safety across a range of organisations and over time.

( ) Unreliable ( ) Somewhat reliable ( ) Reliable

47) To what extent is this proposed element achievable in relation to child safe organisations:
By achievable, we mean that this element (and its sub-elements) can be achieved by most organisations, given the will to implement them.

( ) Unachievable ( ) Somewhat achievable ( ) Achievable

48) Are there particular types of organisations for which this element is not relevant, reliable, or achievable?

( ) Yes

( ) No

49) If so, please comment on which types of organisations and why.

50) With regards to the sub-elements, what is your view about the comprehensiveness of the list of sub-elements.
By comprehensive, we mean that the list of sub-elements contains everything that is required, and nothing excessive, redundant, or unnecessary.

( ) Not comprehensive enough ( ) Comprehensive ( ) Too comprehensive

51) Please indicate which, if any, sub-elements should be removed.

[ ] Training comprehensiveness

[ ] Training type and frequency

[ ] Training personnel

[ ] Training for recruitment personnel

[ ] Training resources

[ ] Training review

[ ] No sub-elements should be removed

52) Please comment on why these sub-elements should be removed.

53) Please indicate which, if any, sub-elements should be changed to be more appropriate, reliable, or achievable in relation to monitoring the child safety of a wide range of organisations.

[ ] Training comprehensiveness

[ ] Training type and frequency

[ ] Training personnel

[ ] Training for recruitment personnel

[ ] Training resources

[ ] Training review

[ ] No sub-elements should be changed

54) Please comment on the changes required.

55) Are there any sub-elements which should be added, either for all organisations, or for specific types of organisations?

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ELEMENT 6: Children's Participation and Empowerment

This element encapsulates the extent to which the organisation observes Article 12 of the United Nations Convention on the Rights of the Child on the right of children to express their views and participate in decisions that affect their lives; recognises that children have rights: to be heard, listened to, and taken seriously. Taking account of their age, maturity, understanding and abilities.

Participation
The organisation can provide examples of:

- Matching participation methods to the age, capabilities and background of the children, and the type of organisation.
- Creating opportunities for children to be involved in organisational governance while also being honest with children about the extent of their involvement, and giving feedback on how their views have been actioned.
- Planning formal and informal times and activities for information sharing and discussion with children about broad organisational issues and/or decisions.
- Establishing mechanisms which enable children to raise any concerns safely.
- Providing staff with resources and /or training opportunities to support children’s participation.

Empowerment
A child safe organisation is to provide examples that it empowers children by:

- Providing access and referral to child protection education appropriate to their age and level of understanding.
- Openly displaying child help line telephone numbers and explaining their use.
- Requiring staff to be vigilant to signs of harm and routinely check to see if children are 'OK'.
- Arranging appropriate referral or support for children.
- Providing child-focused and inclusive complaints processes.

56) To what extent is this proposed element relevant in relation to child safe organisations:
By relevant, we mean that this element (and its sub-elements) is suitable to be used to indicate child safe organisations.

( ) Irrelevant ( ) Somewhat relevant ( ) Relevant

57) To what extent is this proposed element reliable in relation to child safe organisations:
By reliable, we mean that this element (and its sub-elements) is a consistent indication of child safety across a range of organisations and over time.

( ) Unreliable ( ) Somewhat reliable ( ) Reliable

58) To what extent is this proposed element achievable in relation to child safe organisations:
By achievable, we mean that this element (and its sub-elements) can be achieved by most organisations, given the will to implement them.

( ) Unachievable ( ) Somewhat achievable ( ) Achievable

59) Are there particular types of organisations for which this element is not relevant, reliable, or achievable?

( ) Yes

( ) No

60) If so, please comment on which types of organisations and why.

61) With regards to the sub-elements, what is your view about the comprehensiveness of the list of sub-elements.

By comprehensive, we mean that the list of sub-elements contains everything that is required, and nothing excessive, redundant, or unnecessary.

( ) Not comprehensive enough ( ) Comprehensive ( ) Too comprehensive

62) Please indicate which, if any, sub-elements should be removed.

[ ] Participation

[ ] Empowerment

[ ] No sub-elements should be removed

63) Please comment on why these sub-elements should be removed.

64) Please indicate which, if any, sub-elements should be changed to be more appropriate, reliable, or achievable in relation to monitoring the child safety of a wide range of organisations.

[ ] Participation

[ ] Empowerment

[ ] No sub-elements should be changed

65) Please comment on the changes required.

66) Are there any sub-elements which should be added, either for all organisations, or for specific types of organisations?

ELEMENT 7: Family and Community Involvement

This element encapsulates the extent to which the organisation observes Article 18 of the United Nations Convention on the Rights of the Child which states that parents/carers or significant others with caring responsibilities have the primary responsibility for the upbringing and development of their child. This includes: being informed about the organisation's operations and their children's progress, and being involved in decisions affecting their children.

Information sharing
Parents/carers report that they:

- Have seen/read information stating the organisation's commitment to child safety and detailing actions it will take to meet this commitment.
- Know where to find the organisation's code of conduct and child safe policies and procedures (these may be translated in fact sheets, information sessions, or apps).
- Know how, when, and to whom complaints should be made.
- Are aware of the organisation's leadership team and their roles.
- Are aware of the roles and responsibilities of the staff delivering services directly to their children.
- Have been consulted on the development of organisational policies and practices.

Two-way communication processes with families and communities:

- Uses strategies for communicating organisational policies and activities (these should be publicly available, current, clear, timely and delivered in multiple modes as appropriate to the stakeholder audience).
- Where a complaint is made, families/communities are kept informed of progress, actions, and appropriate steps are taken to discuss matters with families and carers in accordance with the law.
- Organisations identify roles and responsibilities of parents and carers to ensure the safe participation of children in the organisation's services.

Awareness raising

- Organisations with specific expertise may take a role in raising community awareness of child sexual abuse in institutional contexts.

67) To what extent is this proposed element relevant in relation to child safe organisations:
By relevant, we mean that this element (and its sub-elements) is suitable to be used to indicate child safe organisations.

( ) Irrelevant ( ) Somewhat relevant ( ) Relevant

68) To what extent is this proposed element reliable in relation to child safe organisations:
By reliable, we mean that this element (and its sub-elements) is a consistent indication of child safety across a range of organisations and over time.

( ) Unreliable ( ) Somewhat reliable ( ) Reliable

69) To what extent is this proposed element achievable in relation to child safe organisations:

By achievable, we mean that this element (and its sub-elements) can be achieved by most organisations, given the will to implement them.

( ) Unachievable ( ) Somewhat achievable ( ) Achievable

70) Are there particular types of organisations for which this element is not relevant, reliable, or achievable?

( ) Yes

( ) No

71) If so, please comment on which types of organisations and why.

72) With regards to the sub-elements, what is your view about the comprehensiveness of the list of sub-elements.
By comprehensive, we mean that the list of sub-elements contains everything that is required, and nothing excessive, redundant, or unnecessary.

( ) Not comprehensive enough ( ) Comprehensive ( ) Too comprehensive

73) Please indicate which, if any, sub-elements should be removed.

[ ] Information sharing

[ ] Two-way communication processes with families and communities

[ ] Awareness raising

[ ] No sub-elements should be removed

74) Please comment on why these sub-elements should be removed.

75) Please indicate which, if any, sub-elements should be changed to be more appropriate, reliable, or achievable in relation to monitoring the child safety of a wide range of organisations.

[ ] Information sharing

[ ] Two-way communication processes with families and communities

[ ] Awareness raising

[ ] No sub-elements should be changed

76) Please comment on the changes required.

77) Are there any sub-elements which should be added, either for all organisations, or for specific types of organisations?

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ELEMENT 8: Physical and Online Environment

This element refers to well-designed physical environments that minimises opportunity for abuse to occur without compromising the need for healthy child development; strikes a balance between visibility and natural surveillance, and the need to preserve children's privacy and capacity to engage in creative play and other activities; addresses risks to children in online environments.

An organisation's physical environment (e.g. inside and outside spaces) has:

- Good natural surveillance, with few out-of-the- way places.
- Routine movements of responsible adults to provide in/formal line-of-sight supervision.
- Rooms with large, unobstructed windows or observation panels (including for sensitive places such as principals', chaplains' or counsellors' rooms).
- Surveillance equipment (e.g. CCTV) installed in high risk environments where natural surveillance is not feasible (taking into account children's right to privacy).

The organisation:

- Consults children about physical environments and what makes them feel safe.
- Considers the age, gender mix and vulnerabilities of children within the setting, and staff roles.
- Does random checks of obstructed and out of the way locations (e.g. dressing or first-aid rooms, or sporting grounds away from main buildings).

An organisation's online environment (e.g. official website, email, social media) is:

- Used in accordance with the organisation's code of conduct and child safe / child protection policies.
- Routinely monitored with breaches to the code of conduct or child safe policies reported in accordance with the organisation's complaints processes.
- Serious offences are reported to police in accordance with the law.

- Has a strong prevention and awareness focus - educating children, staff and its stakeholder community about cyber-safety and online security.
- Education and training about the online environment are linked to the organisation's code of conduct, child safe / child protection policies, and other relevant policies.

78) To what extent is this proposed element relevant in relation to child safe organisations:
By relevant, we mean that this element (and its sub-elements) is suitable to be used to indicate child safe organisations.

( ) Irrelevant ( ) Somewhat relevant ( ) Relevant

79) To what extent is this proposed element reliable in relation to child safe organisations:
By reliable, we mean that this element (and its sub-elements) is a consistent indication of child safety across a range of organisations and over time.

( ) Unreliable ( ) Somewhat reliable ( ) Reliable

80) To what extent is this proposed element achievable in relation to child safe organisations:
By achievable, we mean that this element (and its sub-elements) can be achieved by most organisations, given the will to implement them.

( ) Unachievable ( ) Somewhat achievable ( ) Achievable

81) Are there particular types of organisations for which this element is not relevant, reliable, or achievable?

( ) Yes

( ) No

82) If so, please comment on which types of organisations and why.

83) With regards to the sub-elements, what is your view about the comprehensiveness of the list of sub-elements.
By comprehensive, we mean that the list of sub-elements contains everything that is required, and nothing excessive, redundant, or unnecessary.

( ) Not comprehensive enough ( ) Comprehensive ( ) Too comprehensive

84) Please indicate which, if any, sub-elements should be removed.

[ ] An organisation's physical environment

[ ] Child consultation, consideration of specific characteristics and random checks

[ ] An organisation's online environment

[ ] No sub-elements should be removed

85) Please comment on why these sub-elements should be removed.

86) Please indicate which, if any, sub-elements should be changed to be more appropriate, reliable, or achievable in relation to monitoring the child safety of a wide range of organisations.

[ ] An organisation's physical environment

[ ] Child consultation, consideration of specific child characteristics and random checks

[ ] An organisation's online environment

[ ] No sub-elements should be changed

87) Please comment on the changes required.

88) Are there any sub-elements which should be added, either for all organisations, or for specific types of organisations?

---

ELEMENT 9: Review and Continuous Improvement

This element incorporates whether the organisation has mechanisms to regularly review, update and refine its policies and practices in relation to child safety.

Child safety audit

- Mechanisms and schedules for regular review of key elements of child safe organisations are established and records of reviews are kept.

- All nine key elements are regularly reviewed (i.e. organisational leadership, governance and culture; child safe policies and procedures; human resources management; child friendly complaint process; physical and online environments; education and training; child participation and empowerment; family and community involvement).
- Regular organisational audits may include (i) an internal self-audit, using the finalised version of this tool; or (ii) an external independent audit by a specialist agency.
- A culture of awareness is maintained to ensure that policies and practices are implemented and routinely reviewed - even though staffing may change.

Child safety review

- When a complaint has occurred, and then again when it is finalised, organisations must undertake a careful and thorough review of the case at the earliest opportunity to identify the root cause of the problem, identify any systemic issues (including failures), identify remaining organisational risks, improve organisational policies and practices, and implement changes required.
- Organisations may consider utilising an external expert /agency to offer an independent review.
- A review should be underpinned by:
    - a preventative, proactive and participatory approach ensuring everyone understands and has confidence in, the organisation's child safety approach.
    - accountability for maintaining child safe policies and practices that are understood and accepted at all levels of the organisation.

Continuous improvement

- When the need for improvement is identified, the organisation is able to show the ways in which policies and practices have changed

89) To what extent is this proposed element relevant in relation to child safe organisations:
By relevant, we mean that this element (and its sub-elements) is suitable to be used to indicate child safe organisations.

( ) Irrelevant ( ) Neither relevant nor irrelevant ( ) Relevant

90) To what extent is this proposed element reliable in relation to child safe organisations:
By reliable, we mean that this element (and its sub-elements) is a consistent indication of child safety across a range of organisations and over time.

( ) Unreliable ( ) Somewhat reliable ( ) Reliable

91) To what extent is this proposed element achievable in relation to child safe organisations:
By achievable, we mean that this element (and its sub-elements) can be achieved by most organisations, given the will to implement them.

( ) Unachievable ( ) Somewhat achievable ( ) Achievable

92) Are there particular types of organisations for which this element is not relevant, reliable, or achievable?

( ) Yes

( ) No

93) If so, please comment on which types of organisations and why.

94) With regards to the sub-elements, what is your view about the comprehensiveness of the list of sub-elements.
By comprehensive, we mean that the list of sub-elements contains everything that is required, and nothing excessive, redundant, or unnecessary.

( ) Not comprehensive enough ( ) Comprehensive ( ) Too comprehensive

95) Please indicate which, if any, sub-elements should be removed.

[ ] Child safety audit

[ ] Child safety review

[ ] Continuous improvement

[ ] No sub-elements should be removed

96) Please comment on why these sub-elements should be removed.

97) Please indicate which, if any, sub-elements should be changed to be more appropriate, reliable, or achievable in relation to monitoring the child safety of a wide range of organisations.

[ ] Child safety audit

[ ] Child safety review

[ ] Continuous improvement

[ ] No sub-elements should be changed

98) Please comment on the changes required.

99) Are there any sub-elements which should be added, either for all organisations, or for specific types of organisations?

100) Do you have any further comments about the key elements of child safe organisations not addressed in the survey?

101) If you wish to provide additional comments or relevant documents please attach these files.

# 8 Appendix C: Round 2 survey instrument

**Introduction**

Round one of this Delphi Study closed in early October. The results showed general consensus from participants on the relevance and reliability of the nine key elements of child safe organisations. A few additions and amendments to the sub-elements were also suggested. The first round raised some issues regarding the achievability and implementation of the elements, as well as the need to consider particularly vulnerable groups of children and different organisation types. This second and final round of the study focusses on these issues.

1. Children & families from different communities

The first round of the survey identified specific needs for organisations that have children and families from different communities and groups as their primary clients, e.g. Aboriginal and Torres Strait Islander children and families, children with disabilities, culturally and linguistically diverse communities, children and young people in out-of-home care. Please select one of the following options:

□ Each element needs a specific sub-element to draw attention and tailor action to different groups of children, including more vulnerable children and/or children at greater risk.

□ An additional 10th element is needed to draw attention to different groups of children, including more vulnerable children and/or children at greater risk.

□ The current approach is adequate whereby there is a theme cutting across all of the elements to draw attention to different groups of children, including more vulnerable children and/or children at greater risk.

2. National approach

There are currently different approaches to Child Safe Organisations across Australia, with variable implementation in different jurisdictions and by non-government organisations. For the best protection of children in organisations:

□ the elements should be implemented in a nationally consistent approach

□ a nationally consistent approach is not necessary and each state and territory can determine the application of the elements to organisations within that jurisdiction.

3. Scope of application:

a. Please select one of the following options

□ These elements, when finalised, should be mandatory standards for all organisations engaging with or providing services to children

□ These elements, when finalised, should be mandatory standards for certain organisations engaging with or providing services to children

Organisations engaging with or providing services to children:

- arts and cultural activities
- accommodation and residential services (including homelessness shelters, youth accommodation)
- childcare, early learning or other education and care services (including long day care, family day care, preschool, vacation care, outside school hours care)
- coaching or tuition services for children (including language schools)
- commercial services for children (including entertainment or party services, gym or play facilities, photography services, and talent or beauty competitions)
- health services (including psychiatric and drug and alcohol services)
- justice and detention facilities (including immigration detention facilities)
- non-residential social support (including child protection services, disability support and family support)
- out-of-home care providers (including foster care, kinship care and residential care)
- religious instruction, activities or services and places of worship
- schools and other educational services
- sport or recreational activities (including Scouts)
- transport services for children (including school crossing services and community transport)
- other organisations that involve contact with children that is a usual part of, and more than incidental to, the work (please specify)

□ These elements, when finalised, should be principles of best practice to which all organisations engaging with or providing services to children should aspire. No penalties should apply for non-compliance.

□ A different model of regulation should apply (please specify)

b. Please pick one response from below:

□ Every organisation engaging with or providing services to children should have the same requirement to implement the elements

□ Organisations should have a degree of flexibility to tailor the elements according to one or more of its characteristics (select all that apply).

-size

-risk due to the amount or type of contact and/or activities with children

-level of responsibility for children

-resources

4. The first round of the survey identified the importance of monitoring the implementation of the elements. Please indicate which of the following considerations are the most important for monitoring design. We recognise that these are not mutually exclusive but would like you to prioritise which are most important.

a.

□Monitoring should focus on supporting organisations in continuous improvement

□Monitoring should focus on measuring outcomes and identifying poor performance

b.

□Monitoring should be conducted by external, independent agencies

□Organisations should be supported to build their own monitoring and review capacity

c.

□ Monitoring should focus on assessing implementation in individual organisations

□ Monitoring should focus on systemic or thematic implementation issues across organisations

d. Do you have any other comments on monitoring?

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5. The first round of the survey identified unintended consequences or impacts that could result from the implementation of these elements. For each of the following, please rank the *likelihood* and *severity* of these consequences on improving child safety in organisations.

□The comprehensiveness of the elements may be overwhelming for some organisations and could undermine their compliance efforts

Likelihood

1 Unlikely 2 Possible 3Likely 0N/A, don't know

Severity

1 Negligible 2Moderate 3Critical 0 N/A, don't know

□An inability to comply with all elements could dissuade organisations from implementing any of them

Likelihood

1 Unlikely 2 Possible 3Likely 0N/A, don't know

Severity

1 Negligible 2Moderate 3Critical 0 N/A, don't know

□The burden of compliance could put the viability and/or services of some organisations at risk

Likelihood

1 Unlikely 2 Possible 3Likely 0N/A, don't know

Severity

1 Negligible 2Moderate 3Critical 0 N/A, don't know

□Responsibility for child safety may fall to one individual rather than shared throughout the organisation

Likelihood

1 Unlikely 2 Possible 3Likely 0N/A, don't know

Severity

1 Negligible 2Moderate 3Critical 0 N/A, don't know

□Compliance could become a procedural ‘tick-box’ process, rather than creating genuine change

Likelihood

1 Unlikely 2 Possible 3Likely 0N/A, don’t know

Severity

1 Negligible 2Moderate 3Critical 0 N/A, don’t know

□Other unintended consequences (please specify)

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What steps can be taken to mitigate the risks of these unintended consequences?

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6. Do you have any further comments?

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7. Do you have any comments on the summary report from the first round of the survey?

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Thank you very much for participating in this study. We greatly appreciate your time and the sharing of your expertise and knowledge to help us with our deliberations. If you wish to discuss or provide additional information to the Royal Commission, please contact Lara Scott at lara.scott@childabuseroyalcommission.gov.au

# 9 Appendix D : Survey participants

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|---|---|
| Glenys Wilkinson | Australian Association of Social Workers (AASW) |
| Professor Morag McArthur | Institute of Child Protection Studies, Australian Catholic University |
| Dr Tim Moore | Institute of Child Protection Studies, Australian Catholic University |
| Dr Joe Tucci | Australian Childhood Foundation |
| Rhonda Livingstone | Australian Children's Education and Care Quality Authority |
| Megan Mitchell | National Children's Commissioner, Australian Human Rights Commission |
| Carol Ronken | Bravehearts |
| Dr Sally Robinson | Centre for Children and Young People, Southern Cross University |
| Mick Naughton | Centre for Excellence in Child and Family Welfare |
| Amanda Meynell | Child Matters, New Zealand |
| Alasdair Roy | Children and Young People Commissioner, Australian Capital Territory |
| Jenni Perkins | Children and Young People Commission, Western Australia |
| Colleen Gwynne | Children's Commissioner, Northern Territory |
| Steve Betinsky | Childwise |
| Bernie Geary | Commissioner for Children and Young People, Victoria |
| Noelle Hudson | CREATE Foundation |
| Michelle Rennie | Education Services Australia |
| Kate Hillman | Ernst & Young |
| Jatinder Kaur | JK Diversity Consultants |
| Professor Stephen Smallbone | Griffith Criminology Institute |

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|---|---|
| Professor Eileen Munro | The London School of Economics and Political Science |
| Dr Sue Packer AM | NAPCAN ,United Kingdom |
| Chris Newlin | National Children's Advocacy Center, United States of America |
| Marcus Erooga | Independent Safeguarding Consultant, United Kingdom |
| Jon Brown | NSPCC, United Kingdom |
| Professor Keith L Kaufman | Portland State University |
| Associate Professor Richard Roylance | School of Medicine, Griffith University |
| Judith Cross and Virginia Leeuwenburg | Relationships Australia (South Australia) |
| Professor Leah Bromfield | Royal Commission |
| Dr Robyn Miller | Royal Commission |
| Julie Blyth | Royal Commission |
| Michael Dwyer | Sano Task Force/Child Exploitation Task Forces/ Crime Command - Victoria Police |
| Fiona Williams | Save the Children Australia |
| Dr Ethel Quayle | School of Health in Social Science, University of Edinburgh |
| Dr Helen Buckley | Social Work and Social Policy, Trinity College Dublin, Ireland |
| Dr Karen Zwi | Sydney Children's Hospitals Network and University of New South Wales |
| Professor Marie Connolly | The University of Melbourne |
| Karen Menzies | The Wollotuka Institute |
| Professor Sandy Wurtele | Department of Psychology, University of Colorado |
| Connie Salamone | Victorian Aboriginal Child Care Agency (VACCA) |
| Fiona Boorman | Queensland Family and Child Commission |
| Kerryn Boland | Children's Guardian, New South Wales |

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| Maria Dimopolous | Myriad International Consulting Services |
| Matthew Bowden | People With Disability Australia |
| Brenda Boland | Commission for Children and Young People, Victoria |
| Pam Simmons | Guardian for Children, South Australia |
| Mark Morrissey | Commissioner for Children, Tasmania |

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