

Inquiry into the quality and safety of Australia's early childhood education and care system

Submission to the Senate Education and
Employment References Committee

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**Australian
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Overview

1. The Australian Human Rights Commission (Commission) has consistently advocated for better protection of children's right to safety and for the right of children to have their best interests made a primary consideration in all actions that concern them. The work of the National Children's Commissioner (NCC) on child safety is particularly relevant to the Terms of Reference of this inquiry, including the development of the National Principles for Child Safe Organisations¹ and numerous consultations by the NCC and Commission with children and young people, families and stakeholders on child safety and wellbeing.²
2. This submission will primarily focus on the following Terms of Reference for this inquiry: a) the health and safety of children in childcare services across the country, and b) the effectiveness of Australia's childcare regulatory system for ensuring child safety.

Summary

3. Children's safety, rights and wellbeing cannot be compromised in the provision of early childhood education and care. The Australian Government has a responsibility to protect the rights and wellbeing of children in early childhood education and care (ECEC), including their right to be kept safe from violence, abuse and maltreatment.
4. Recent media reports of harms to infants and young children in childcare have exposed the gaps in our systems designed to protect children from maltreatment and our failure to put the safety and best interests of children first. The NCC has commented on these failings in media statements, calling for urgent national leadership and action to address these concerns.³
5. The Commission welcomes recent commitments by all governments to make child safety and wellbeing a priority in ECEC. These include a National Educator Register; a ban on personal devices; mandatory national child safety training; more unannounced spot checks of services; improved transparency for parents; a national CCTV assessment in up to 300 services; funding for joint regulatory action; tougher penalties under the *Education and Care Services National Law Act 2010* (Cth) (National Law), and Regulation for ECEC; improved supervision rules; and regular assessment and rating visits.⁴ Governments have also agreed to a range of legislative reforms including making the safety, rights and best interests of children a paramount consideration under the National Law, and national coordination and consistency in working with children checks (WWCC), including working towards implementing mutual national recognition of negative WWCC decisions by the end of 2025.⁵

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6. However, the risks to child safety in child-related organisations have been known for decades, and there have been many inquiries and recommendations for better protection of children in our systems and services,⁶ most notably the Royal Commission into Institutional Responses to Child Sexual Abuse. There has been a lack of urgency and prioritisation in implementing these recommendations.
7. There is a need for ongoing leadership by the Australian Government to ensure national consistency and collaboration on the key child safety requirements in child-related work across Australia.

Recommendations

8. The Commission makes the following recommendations:
 1. The Australian Government should make the safety, rights and best interests of the child the paramount consideration in all actions that affect children in early childhood education and care, including by:
 - a. amending the National Law to clarify the responsibilities of staff, providers, those who own and fund services, and regulators, to ensure that the best interests of children is the paramount consideration in their decision-making
 - b. producing guidance for decision makers on how to implement the best interests consideration across all the different operating levels in ECEC.
 2. Australian governments should conduct Child Rights Impact Assessments on all laws and policies that affect children, including in early childhood education.
 3. The Australian Government should incorporate the *UN Convention on the Rights of the Child* into Australian law through a national Children's Act as well as a national Human Rights Act.
 4. The Australian Government should appoint a Cabinet Minister for Children, with responsibility for the human rights and wellbeing of children in Australia.
 5. Under Australian Government leadership, all states and territories should amend their Working With Children Check laws to:
 - a. be nationally consistent
 - b. mutually recognise negative decisions from other jurisdictions
 - c. enable Working With Children Checks from other jurisdictions to be recognised and accepted.

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6. All jurisdictions should implement nationally consistent reportable conduct schemes.
7. All states and territories should implement the National Principles for Child Safe Organisations, or equivalent child safe standards.
8. All child-related organisations should provide mandatory training to board members, managers, educators, and volunteers, on child safety and children's rights, including how to:
 - a. identify risks to child safety, including grooming of children, parents and carers, and educators
 - b. respond effectively to disclosures by children
 - c. comply with mandatory reporting, working with children checks, reportable conduct, and child safe standards requirements
 - d. create a 'child safe' organisational culture that prioritises child safety and wellbeing in all aspects of an organisation's operations.

1 Protecting children's rights

This section describes the key children's rights relevant to ensuring the safety and quality of early childhood education and care, as set out in the UN Convention on the Rights of the Child:

- protection from violence, abuse and maltreatment (Article 19)
- the best interests of the child (Article 3).

It also describes how children's rights are not adequately protected in Australia and recommends policy and legislative change to ensure children's human rights are made a priority.

Protecting children from violence, abuse and maltreatment

9. The United Nations *Convention on the Rights of the Child* (CRC) is the main international human rights treaty on children's rights, ratified by Australia in December 1990. The CRC incorporates all the general rights set out in other international human rights treaties that apply to everyone, as well as the special rights that apply to children.
10. Article 19 of the CRC requires Australia to:

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take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.⁷

11. While the provision and regulation of ECEC services is largely the responsibility of states and territories, the Australian Government, along with state and territory governments, are obliged to ensure legislative and policy measures are fully compliant with international human rights obligations.⁸ By agreeing to the CRC, Australian Governments must take all appropriate measures to protect children from violence and abuse, no matter the location or setting.
12. The United Nations Committee on the Rights of the Child (the UN Committee) publishes guidance, known as General Comments, to help people and States Parties understand the rights set out in the CRC.
13. *General Comment No 7 on Implementing Child Rights in Early Childhood*⁹ (General Comment 7) sets out States Parties' obligations to monitor and regulate the quality of early childhood education to ensure children's best interests are served:

States parties have a key role to play in providing a legislative framework for the provision of quality, adequately resourced services, and for ensuring that standards are tailored to the circumstances of particular groups and individuals and to the developmental priorities of particular age groups, from infancy through to transition into school. They are encouraged to construct high-quality, developmentally appropriate and culturally relevant programmes and to achieve this by working with local communities rather than by imposing a standardized approach to early childhood care and education.¹⁰

14. The UN Committee further calls on all non-State service providers ('for profit' as well as 'non-profit' providers) to respect the principles and provisions of the CRC and reminds States Parties of their primary obligation to ensure its implementation:

Early childhood professionals - in both the State and non-State sectors - should be provided with thorough preparation, ongoing training and adequate remuneration. In this context, States parties are responsible for service provision for early childhood development. The role of civil society should be

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complementary to - not a substitute for - the role of the State. Where non-State services play a major role, the Committee reminds States parties that they have an obligation to monitor and regulate the quality of provision to ensure that children's rights are protected, and their best interests served.¹¹

Ensuring the best interests of the child is the paramount consideration

15. Article 3 of the CRC sets out the principle that the best interests of the child should be a primary consideration in all actions concerning children. By virtue of their age, children rely on responsible authorities to assess and represent their rights and best interests in relation to decisions and actions that affect their safety and well-being.

16. *General Comment 14 on the right of the child to have his or her best interests taken as a primary consideration* (General Comment 14) explains the legal obligation on States Parties of the 'best interests' principle:

The best interests of a child shall be a primary consideration in the adoption of all measures of implementation. The words 'shall be' place a strong legal obligation on States and mean that States may not exercise discretion as to whether children's best interests are to be assessed and ascribed the proper weight as a primary consideration in any action undertaken. The expression 'primary consideration' means that the child's best interests may not be considered on the same level as all other considerations. This strong position is justified by the special situation of the child: dependency, maturity, legal status and, often, voicelessness. Children have less possibility than adults to make a strong case for their own interests and those involved in decisions affecting them must be explicitly aware of their interests. If the interests of children are not highlighted, they tend to be overlooked.¹²

17. With respect to some issues, such as adoption, the UN Committee considers that the best interests of a child should be **the** paramount consideration, rather than simply **a** primary consideration. That is, their best interests should be the determinative factor.¹³ In Australia, the best interests of the child as a paramount consideration is already included in several laws where children are clearly most impacted, for example in family law and in education.¹⁴
18. In the National Law, the 'rights and best interests of the child are paramount'.¹⁵ However, despite the inclusion of this principle, the Commission is concerned that decisions have been made in the regulation of the sector that have not put children's best interests first, especially with regard to keeping them safe.
19. The Rapid Child Safety Review in August 2025, commissioned by the government of Victoria, highlighted:

tensions in the system that lead some providers to prioritise other things, including profit in some instances. The current mix of legislative and regulatory

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obligations for providers can create potential conflicts between the best interests of children and other duties.¹⁶

20. The Review concluded that the safety, rights and best interests of children must underpin all decision making in the ECEC system as governed by the National Law, from staff on the floor, right up-to the boardrooms of service providers.¹⁷
21. The Review of Early Childhood Education and Care Regulation in NSW (the 'Wheeler Review'), commissioned by the Government of NSW in May 2025, recognised similar issues, arguing that the principle of best interests in the National Law is 'effectively lost', and that it placed no statutory decision-making obligation on the management and staff of providers and services.¹⁸
22. In September 2025, the Government of NSW introduced amendments to the *Children (Education and Care Services National Law Application) Act 2010* (NSW), that applies the National Law. The amendments strengthen the principle of best interests by explicitly stating that the 'protection of the rights and best interests of children must be the paramount consideration', and clarifying that these rights and interests prevail over the interests of approved providers and any other duties owed by persons with management or control of education and care services.¹⁹ The Bill also provides legal and operational mechanisms to enforce this priority.
23. The Commission welcomes the agreement by all Education Ministers on 22 August 2025 to reform the National Law to make the safety, rights and best interests of children the paramount consideration.²⁰
24. We recommend that the National Law be amended to clarify the responsibilities of staff, providers, those who own and fund services and regulators to ensure that the best interests of children are the paramount consideration in their decision-making.
25. The need for guidance on how to apply the best interests principle was raised in Victoria's Rapid Child Safety Review. The Review recommended that:

governments should produce guidance to make it clear how this paramount consideration should operate in practice for different decision makers in ECEC—from senior managers in head office through to educators in the room—and how to manage conflicts of interest.²¹

Recommendation 1: The Australian Government should make the safety, rights and best interests of the child the paramount consideration in all actions that affect children in early childhood education and care, including by:

- a. **amending the National Law to clarify that the best interests of children is the paramount consideration in decision-making of staff in services, providers, those who own and fund services, and**

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regulators to ensure that the best interests of children is the paramount consideration in their decision-making.

b. producing guidance for decision makers on how to implement the best interests consideration across all the different operating levels in ECEC.

26. General Comment 14 provides some guidance on applying best interests principle in all matters concerning children, including the elements to be taken into account when assessing children's best interests and balancing these elements. These include protection and safety, but also the views of the child, children's identity, preservation of the family and maintaining relations, care, the child's situation of vulnerability, the right to education, and the right to healthcare.²²
27. General Comment 14 also instructs on how governments should put in place formal processes, with strict procedural safeguards, designed to assess and determine the child's best interests for decisions affecting the child, including mechanisms for evaluating the results. One key safeguard for legislation and policy development consideration is using Child Rights Impact Assessments:

With regard to implementation measures, ensuring that the best interests of the child are a primary consideration in legislation and policy development and delivery at all levels of Government demands a continuous process of child rights impact assessment (CRIA) to predict the impact of any proposed law, policy or budgetary allocation on children and the enjoyment of their rights, and child rights impact evaluation to evaluate the actual impact of implementation.²³
28. The UN Committee has called for the Australian Government to ensure that the government assesses the impacts of all legislation on child rights.²⁴
29. The Commission has developed a Child Rights Impact Assessment (CRIA) tool to help governments and service providers assess how children's rights and wellbeing are affected by new laws and policies. The tool is an 18-question checklist which can be used to measure the impact of any new laws or policies on the wellbeing of children and families, and to determine whether the proposed laws and policies support their best interests.²⁵
30. Another procedural safeguard recommended by the UN Committee for ensuring children's best interests is to seek the views of children and take those views into account in the assessment. Children's right to be heard is a Guiding Principle of the CRC, set out in Article 12.
31. Article 12 is not only about seeking the views of a child about their individual situation but includes hearing the views of groups of children on law and policy.

When the interests of a large number of children are at stake, Government institutions must find ways to hear the views of a representative sample of children and give due consideration to their opinions when planning measures or

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making legislative decisions which directly or indirectly concern the group, in order to ensure that all categories of children are covered.

32. This is the case even in early childhood. In General Comment No. 7, the UN Committee emphasises that all children, even the very young, are entitled to express their views, which should be 'given due weight in accordance with the age and maturity of the child'.²⁶ The UN Committee points out that young children make choices and communicate their feelings, ideas and wishes in numerous ways, long before they are able to communicate through the conventions of spoken or written language.²⁷ The UN Committee asks States Parties to promote the active involvement of parents and carers in creating opportunities for young children to express their views.
33. Seeking the views of children is also an important step in the conduct of CRIA's.

Recommendation 2: Australian governments should conduct Child Rights Impact Assessments on all laws and policies that affect children, including in early childhood education.

Taking national action to protect children's rights in Australia

34. While harms to children in childcare centres are currently being reported in the media, child safety and wellbeing is not just an issue for the ECEC sector. The failure to prioritise child safety and wellbeing and implement child safeguarding measures affects all children everywhere: in schools, after-school care, out-of-home care, youth detention, sporting clubs and holiday programs, as well as in the home.
35. The findings from the 2023 Australian Child Maltreatment Study show that nearly two thirds of people in Australia have suffered child maltreatment, and that the majority have suffered multiple types of maltreatment including domestic and family violence.²⁸ These figures demonstrate that child maltreatment is a widespread and significant social problem requiring serious reconsideration of the current service systems and how the rights, safety and wellbeing of children can be protected.
36. Evidence from children and families themselves shows that Australia's basic public service systems, especially across health, mental health, education and social services, are uncoordinated, fragmented and not fit for purpose for families living with poverty, disadvantage and complex needs.²⁹
37. The NCC's *Help Way Earlier!* Report, tabled in Parliament in August 2024, highlighted how systems have failed to protect the safety, rights and wellbeing of the most vulnerable children in Australia.³⁰ The report showed how, for many children involved in these systems, poverty, violence and abuse, intergenerational trauma, racism, homelessness and lack of adequate

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healthcare are drivers of their contact with the justice system. Children's rights to health, safety, participation, adequate standard of living, non-discrimination and education are not being fulfilled.

38. However, despite Australia ratifying the CRC and other international human rights treaties, there is currently no federal legislation that directly and adequately incorporates the full spectrum of child rights, and that can effectively hold the Australian Government to account for protecting child rights across the nation. Policy affecting children is uncoordinated, widely spread across portfolios, and there is a lack of monitoring and accountability for reform.
39. Australia does not have a federal Human Rights Act, and international law is not binding in domestic courts. Only three jurisdictions in Australia (Australian Capital Territory, Victoria and Queensland) have human rights acts or charters.³¹
40. The UN Committee recommended that the Australian Government enact comprehensive national human rights legislation that fully incorporates the CRC and provides clear guidelines for its consistent and direct application throughout the states and territories.³²

Recommendation 3: The Australian Government should incorporate the *UN Convention on the Rights of the Child* into Australian law through a national Children's Act as well as a national Human Rights Act.

41. While states and territories are primarily responsible for many of the systems that ensure the safety and wellbeing of our children, including in early childhood education and care, schooling, and child protection, national leadership is required in order to ensure child safety and wellbeing is a national priority and that there is accountability to implement evidence-based actions for policy reform. This was demonstrated recently by the strong leadership shown by the Australian Government to enable urgent action on long-overdue reforms in ECEC and collaboration by governments across the federation.
42. A Minister for Children in Cabinet (similar to the Minister for Women) would provide national leadership and accountability for Australia's obligations for ensuring the rights and wellbeing of all children in Australia.

Recommendation 4: The Australian Government should appoint a Cabinet Minister for Children, with responsibility for the human rights and wellbeing of children in Australia.

2 Child safety regulation

Children's safety, rights and wellbeing cannot be compromised in the provision of early childhood education and care. This section highlights some of the key child safety regulatory requirements that were recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse:

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- nationally consistent Working With Children Checks
- nationally consistent reportable conduct schemes
- Child Safe Standards for organisations, based on the National Principles for Child Safe Organisations.

While there has been some progress on these recommendations, the pace has been slow and Australian Government leadership is needed to close gaps impeding their effective implementation.

Children's safety, rights and wellbeing should be the priority for ECEC regulation

43. The Australian Government has committed to charting the course for universal, affordable early education, announcing a \$1 billion *Building Early Education Fund* and a guaranteed eligibility for 3 days a week of subsidised early education for children who need it.³³
44. The Commission strongly supports universal and affordable early childhood education care. Research in Australia demonstrates that quality ECEC is beneficial for healthy early childhood development.³⁴ Each day in Australia, about 1.4 million children aged 0–12 years attend some form of ECEC at 19,000 services across the country.³⁵ Children experiencing disadvantage stand to benefit most from attending high-quality ECEC services. However, this benefit is predicated on the quality and safety of that provision, and what it can achieve in terms of developmental outcomes, that are also tied closely to health and safety.
45. While addressing affordability and availability barriers should be a priority for any reforms by the Australian Government in its plans for universal access to early education and care,³⁶ children's rights and safety cannot be compromised in favour of reducing costs or other 'regulatory burdens' on providers or governments. Regulatory reform consistent with the principles in the CRC is the best practical way to ensure positive outcomes for children, and for the success of government policy objectives for a universal childcare system, including public confidence in the system.

Implementing Royal Commission recommendations

46. There has been some welcome progress on child safety since 2017, including the development of the *National Strategy to Prevent and Respond to Child Sexual Abuse*. However, other key recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse are incomplete and inconsistently implemented across the jurisdictions. These include the National Standards for WWCC, reportable conduct schemes, and Child Safe Standards. While many jurisdictions have started implementing these recommendations, there are

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others that lag behind. Further, these systems differ by jurisdiction, meaning that the protections afforded to children differ according to where they live.

Nationally consistent Working With Children Checks (WWCCs)

47. In 2015, the Royal Commission published a report about WWCCs (WWCC report) that recommended the development of National WWCC Standards and a national model for WWCCs including a centralised, national database and consistent terminology for recording WWCC decisions in the national database.³⁷ It recommended that, once the standards set out in the report are implemented in each jurisdiction, all state and territory governments amend their WWCC laws to enable WWCCs from other jurisdictions to be recognised and accepted.³⁸
48. The Royal Commission set a 12-month timeframe from publication of the WWCC report for state and territory implementation of the Standards, and an 18-month timeframe from publication of the WWCC report for state and territories to amend their laws to enable clearances from other jurisdictions to be recognised and accepted.³⁹
49. It also recommended that the Australian Government should, within 12 months of the publication of the WWCC report, establish a centralised database, operated by CrimTrac, that is readily accessible to all jurisdictions to record WWCC decisions. While not fully operational as a national database of all WWCC decisions, a National Reference System has been established, operated by the Australian Criminal Intelligence Commission, which allows screening agencies in each state and territory to share key negative decisions for applicants who have applied for a Working with Children registration.⁴⁰
50. Following the Royal Commission's Final Report in 2017, the state, territory and Australian governments together developed National Standards for WWCCs (National WWCC Standards), which were endorsed by all governments in November 2019. The National WWCC Standards consist of 36 minimum criteria for the screening of persons who propose to engage in child-related work.⁴¹
51. However, despite having these standards, there continue to be different jurisdictional approaches to WWCC schemes. For example, there are differences in whether a person who is not required to have a WWCC under the law can still apply for one, and differences in whether a person who has applied for a WWCC, but has not been approved, is able to work with children while their application is pending. Additionally, the list of people exempt from needing a WWCC differs between the states and territories.
52. These functional differences between the state and territory WWCC schemes create barriers in achieving a unified and nationalised approach to WWCCs and undermine the portability. This, combined with the varied pace that each state and territory is willing to progress changes to their WWCC schemes, is of

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concern. Despite the recommendations from the Royal Commission, a national system of WWCCs has not yet been achieved.

53. The NCC welcomes the recent commitment by all governments to ensure national coordination and consistency in WWCCs, including working towards implementing mutual national recognition of negative WWCC decisions by the end of 2025 (i.e. banned in one, banned in all),⁴² and making legislative changes to require approved WWCCs prior to commencing any work in ECEC services.⁴³

Recommendation 5: Under Australian Government leadership, all states and territories should amend their Working With Children Check laws to:

- a. be nationally consistent**
- b. mutually recognise negative decisions from other jurisdictions**
- c. enable Working With Children Checks from other jurisdictions to be recognised and accepted.**

A national reportable conduct scheme system

54. A reportable conduct scheme is a legislated scheme that requires reporting, investigation and oversight of child protection-related concerns that arise in certain government and non-government institutions providing services to, or engaging with, children. Under such a scheme, the head of an institution must notify an oversight body of any reportable allegation, conduct or conviction involving the institution's employees and volunteers. The oversight body then monitors and scrutinises the institution's handling and investigation of the complaint.⁴⁴
55. Similar to WWCC schemes, reportable conduct schemes are the responsibility of states and territories. During the period of the Royal Commission's inquiry, NSW was the only jurisdiction with a reportable conduct scheme in full operation, although Victoria and ACT schemes began shortly after in July 2017.⁴⁵
56. The Royal Commission considered reportable conduct schemes as a best practice model for cross-sector oversight of institutional handling of employee-related child protection matters. It recommended that nationally consistent legislative schemes be established in each state and territory, based on the approach adopted in NSW, which oblige heads of institutions to notify an oversight body of any reportable allegation, conduct or conviction involving any of the institution's employees.⁴⁶
57. It also recommended that certain elements of reportable conduct schemes should be consistent across all jurisdictions for the schemes to operate effectively, including the scope and function of reportable conduct schemes and the need for periodic review of the operation of the schemes.⁴⁷
58. In October 2024, states and territories collectively recognised 'the benefits of nationally consistent legislative reportable conduct schemes, which oblige heads

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of institutions to notify an oversight body of any reportable allegation, conduct or conviction involving any of the institution's employees. They also agreed to recognise the Royal Commission reportable conduct scheme recommendations (7.10–7.12) as the national model.⁴⁸

59. As at 2025, there are reportable conduct schemes in all states and territories except for South Australia and the Northern Territory.⁴⁹ While similar, there are some differences between jurisdictions in terms of definitions, thresholds and reporting timelines.

Recommendation 6: All jurisdictions should implement nationally consistent reportable conduct schemes.

Implementing the National Principles for Child Safe Organisations

60. While WWCCs and reportable conduct schemes are an important part of ensuring child safety in institutions such as childcare, a holistic and comprehensive approach should be taken to ensuring child safety within the sector. Over-reliance on WWCCs risks missing the signs of abuse and maltreatment that can occur regardless of whether a person working in an organisation has been charged or convicted of child sexual abuse. It is especially important to ensure that an organisation takes a holistic and comprehensive approach to ensuring child safety, given that young children are either non-verbal or have limited ability to speak up about harms they experience. Recruitment practices should be strengthened, including with multiple referee checks, as the WWCC is not an assessment of suitability to care for children.
61. The Royal Commission found that to ensure children are kept safe, institutions need to create cultures, adopt strategies and take action to prevent harm to children, including child sexual abuse. A child safe institution is described as one that 'consciously and systematically creates conditions that reduce the likelihood of harm to children, creates conditions that increase the likelihood of identifying and reporting harm, and responds appropriately to disclosures, allegations or suspicions of harm'.⁵⁰ The Royal Commission recommendations on child safety are about creating an environment where institutional child sexual abuse is prevented, and where present, identified, reported and responded to.
62. The Royal Commission identified 10 Child Safe Standards that all institutions should implement to create this child safe culture. These Standards were to be adopted as National Principles, endorsed by all Australian Governments. It recommended that state and territory governments introduce legislative requirements for all institutions in their jurisdictions that engage in child-related work to meet these Standards.⁵¹
63. In 2017 the Australian Government asked the NCC to lead the development of National Principles for Child Safe Organisations. These reflect the 10 Child Safe

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Standards recommended by the Royal Commission, but with a broader scope that goes beyond child sexual abuse to cover other forms of harm to children and young people.⁵²

64. The National Principles are:
1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
 2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
 3. Families and communities are informed and involved in promoting child safety and wellbeing.
 4. Equity is upheld and diverse needs respected in policy and practice.
 5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
 6. Processes to respond to complaints and concerns are child focused.
 7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
 8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
 9. Implementation of the national child safe principles is regularly reviewed and improved.
 10. Policies and procedures document how the organisation is safe for children and young people.
65. In February 2019, the National Principles were endorsed by members of the Council of Australian Governments, including the Prime Minister and state and territory First Ministers.⁵³
66. To date, all states and territories, with the exception of Western Australia and the Northern Territory, have either introduced, or are in the process of introducing, regulatory frameworks to implement child safe standards, aligned with the National Principles. While these standards are consistent with the National Principles, Victoria and Queensland each have an additional standard relating to creating a culturally safe environment for Aboriginal children and young people.⁵⁴

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67. The Commission has developed practical tools and resources to help organisations implement the National Principles for Child Safe Organisations. These include an introductory self-assessment tool, a Charter of Commitment to Children and Young People, a Child Safety and Wellbeing Policy template, an example Child Safe Code of Conduct for staff, and a checklist for online safety. We have also developed a suite of free e-learning modules to help organisations increase their knowledge and understanding of the National Principles and identify steps they need to take as they work towards implementing them.⁵⁵
68. The Commission welcomes the announcement by the Australian Government of new mandatory national child safety training for all ECEC staff, to be developed by the Australian Centre for Child Protection.⁵⁶
69. National Principle 7 emphasises the importance for child safety of ongoing education and training of staff and volunteers. Staff need to be able to identify indicators of child harm, including grooming, and respond effectively, and in culturally safe ways, to children who disclose. They also need to know how to comply with child safety requirements in their organisation, such as mandatory reporting and reportable conduct laws, as well as recordkeeping.
70. The Commission strongly supports the Australian Government playing a central role in supporting all jurisdictions to implement the National Principles, and to monitor and evaluate the implementation of the Principles so that organisations nationally become child safe.

Recommendation 7: All states and territories should implement the National Principles for Child Safe Organisations, or equivalent child safe standards.

Recommendation 8: All child-related organisations should provide mandatory training to board members, managers, educators, and volunteers, on child safety and children's rights, including how to:

- a. identify risks to child safety, including grooming of children, parents and carers, and educators
- b. respond effectively to disclosures by children
- c. comply with mandatory reporting, working with children checks, reportable conduct, and child safe standards requirements
- d. create a 'child safe' organisational culture that prioritises child safety and wellbeing in all aspects of an organisation's operations.

Endnotes

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