



Queensland
Family & Child
Commission

Policy Submission

Consultation Regulatory Impact Statement (CRIS)

Growing Child Safe Organisations in
Queensland

September 2023

Contents

Contents	2
Executive Summary	3
1. Introduction	4
2. QFCC Position and Summary of Key Points	5
3. Child Safe Standards	6
4. Reportable Conduct and Working with Children Check	9
5. Implementation	14

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Executive Summary

The Queensland Family and Child Commission (QFCC) is pleased to contribute to the implementation of a regulatory scheme to support child safe standards and the design of a reportable conduct scheme in Queensland.

The *Family and Child Commission Act 2014* gives the QFCC responsibility for “promoting the safety, wellbeing and best interests of children and young people”.¹ This includes “oversight of the child protection system”² and “to provide leadership and give expert advice to relevant agencies about laws, policies, practices and services”.

Implementation of the National Principles for Child Safe Organisations as the framework for child safe standards and the introduction of a reportable conduct scheme will better protect Queensland’s children from known threats. It will broaden our current approach which is one dimensional and over reliant on working with children checks/blue cards.

The QFCC acknowledges the work undertaken by the Department of Child Safety, Seniors and Disability Service and the Department of Justice and Attorney General to analyse and develop the Consultation Regulatory Impact Statement (CRIS); however, five years has passed since the *Royal Commission into Institutional Responses to Sexual Exploitation of Children* recommended these schemes, and Queensland has fallen behind other Australian states and territories in establishing these protections.

In Queensland, we do not have a coordinated system that oversees the people who pose a risk to children nor a system that advocates for prompt and united action to build systems that protect children. Our Blue Card scheme is only effective against people who have been caught. In New South Wales (NSW), the Office of the Children’s Guardian responded to 1,531³ complaints about individuals in 2021–22. In Victoria the number of allegations reported to the Commission for Children and Young People was 2,898.⁴ It is likely that there is a commensurate number of concerning cases in Queensland that warrant our attention.

It is time for Queensland to commence implementing both schemes, and there is no reason why they cannot be fully legislated within the current term of Parliament.

As a key body for children and young people, the QFCC would welcome a role in the implementation of child safe standards and a reportable conduct scheme in Queensland.⁵

Luke Twyford

Principal Commissioner

Queensland Family and Child Commission

¹ *Family and Child Commission Act 2014* (Qld), S4

² *Family and Child Commission Act 2014* (Qld), S9 (1)(a)

³ https://ocg.nsw.gov.au/sites/default/files/2022-10/R_OCG_2021-22AnnualReport.pdf

⁴ <https://ccyp.vic.gov.au/assets/corporate-documents/CCYP-AR-21-22-Final-Web.pdf>

⁵ <https://cabinet.qld.gov.au/documents/2017/Feb/RepCond/Attachments/Paper.pdf>

1. Introduction

Over its five-year inquiry, from 2012 to 2017, the *Royal Commission into Institutional Responses to Child Sexual Abuse* (Royal Commission) explored the devastating impacts of child abuse in organisations and recommended a wide range of measures designed to keep children and young people safe.

In December 2017, the Royal Commission recommended that all States implement child safe standards (Child Safe Standards) and establish a nationally consistent reportable conduct schemes (Reportable Conduct Scheme). The Queensland Government accepted these recommendations.

In its fourth report titled 'Queensland Government fourth annual progress report Royal Commission into Institutional Responses to Child Sexual Abuse', released in December 2021, the Queensland Government stated:

This year, we continued to focus on the Royal Commission's 10 child safe standards. Queensland Government agencies are incorporating the child safe standards into our work with children, and we have made good progress with our project to identify options for regulation and oversight. Thank you to everyone who participated in the Growing child safe organisations in Queensland consultation process earlier in the year. Your feedback and views are continuing to inform this work.

and

The views of stakeholders are informing the development of options for potential regulation and oversight of child safe standards across Queensland, as well as options for a Queensland reportable conduct scheme. We are continuing to scope these options to determine the best way forward for Queensland.

and

During 2021, we consulted government and non-government stakeholders to assess sector readiness, and the potential cost and resource implications of a reportable conduct scheme.

Five years after the recommendations were made, and following this earlier consultation, the Queensland Government released a [Consultation Regulatory Impact Statement \(CRIS\)](#) to explore options for how the Queensland Government could implement Child Safe Standards and establish a Queensland Reportable Conduct Scheme. This submission:

1. responds to concepts and questions proposed within CRIS, including those that align with the QFCC's legislative responsibilities ⁶
2. focuses on considerations toward implementing these schemes in line with the best interests of children in Queensland
3. provides key activities that should be conducted to identify and address existing gaps within these systems.

⁶ *Family and Child Commission Act 2014* (Qld), s10 (g)

2. QFCC Position and Summary of Key Points

The QFCC looks forward to continuing our partnerships with stakeholders to make sure child safe standards and a reportable conduct scheme provide effective safeguards for children and young people. The Queensland Government has indicated that:

Our preferred approach is to establish an integrated child safe organisations system that requires, and supports, organisations to implement the CSS and provides oversight of institutional child abuse complaints and allegations through an RCS. It is proposed that both functions of CSS and an RCS are integrated into the role of a single oversight body.”

Through its 2023-24 Budget the Queensland Government has also provided:

“funding of \$746,000 over 3 years to continue project implementation work and \$10 million per annum ongoing from 2023-24, held centrally, to support establishment of a Reportable Conduct Scheme and support implementation of the Child Safe Standards by non-government institutions”.

The QFCC supports the need for urgent and united action to improve the safety and wellbeing of children in Queensland. Action towards growing child safe organisations requires a coordinated whole-of-government and regulatory response that promote effective changes to legislation and support organisations build safer cultures for children.

With the government’s funding provision of \$10 million to establish these schemes from 2023–24, there is an opportunity to establish the schemes ahead of enacting legislation. An immediate priority for the Queensland Government and organisations should now be in supporting consistent and effective awareness, management, accountability, reporting and oversight of their organisations implementation, compliance, competency and culture. This work can commence now and will enable successful implementation of the legislative scheme. Capacity building now will assist Queensland to introduce consistent and effective management of allegations, a process that is currently siloed and does not prioritise the safety, wellbeing and welfare of children in our organisations.

The Victorian Child Safe Standards and Reportable Conduct Schemes were introduced and legislated between March 2016 to July 2017 (18 months) under the administration of the Commission for Children and Young People. This provides an indication these schemes and associated functions can and should be quickly consolidated and introduced.

The QFCC supports the move towards national consistency by using the National Principles for Child Safe Organisations as the framework for the Child Safe Standards for Queensland. The QFCC notes the broad scope of Queensland organisations already required to have a Child and Youth Risk Management Strategy and believes the future scheme should build upon this as part of the implementation of the scope of the child safe standards.

The QFCC endorses the Queensland Government’s proposal to implement and regulate the Child Safe Standards and Reportable Conduct Scheme through an independent oversight body, reinforcing the position made in 2021 that *‘Child Safe Standards and the Reportable Conduct Scheme should be hosted by a single independent, child-focused agency.’*

Key points of the submission are summarised below with further detail provided in the relevant sections.

- Child Safe Standards
- Reportable Conduct
- Implementation

3. Child Safe Standards

Position Statement 1: Child Safe Standards

The QFCC recommends the use of the National Principles for Child Safe Organisations as the framework for the Child Safe Standards for Queensland.

The QFCC recognises the importance of a nationally consistent approach to child safe organisations. The 10 *National Principles for Child Safe Organisations* (the National Principles), which draw on the child safe standards recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission), have been endorsed by the former Council of Australian Governments.⁷

The QFCC is confident that the extensive evidence base, consultation and research that informed the development of the National Principles⁸ provides a strong foundation for the successful implementation of the child safe standards. This includes the consultation undertaken with peaks representing First Nations and LGBTQIA+ children.⁹ The National Principles are based on the United Nations Convention on the Rights of the Child (UNCRC) and are child-centred.

Based on the implementation of the standards in New South Wales, Victoria and South Australia the National Principles have been adopted within the context of their states. The Queensland Child and Youth Risk Management Strategy could be used as the mechanism to adopt the National Principles for Child Safe Organisations as the framework to anchor the child safe standards in Queensland. This foundation document can guide us in our start, and evolve into a strengthened approach when a Bill is passed.

Position Statement 2: Regulatory Oversight and Powers of Independent Oversight Body

The QFCC supports an independent regulatory body with sufficient oversight powers.

Specifically, the QFCC supports option 3(a) to establish an independent oversight body to regulate and oversee mandatory implementation of the Child Safe Standards and a collaborative regulatory model, with considerations that:

- it ensures paramount consideration to the safety, wellbeing and welfare of children
- the independent oversight body's function requires regulators to develop and implement a Child Safe Action Plan to ensure processes and oversight are aligned to effective child-safe practices¹⁰
- the independent oversight body has functions and powers to oversee and review regulators' processes of monitoring organisation compliance with the child safe standards
- it has enforcement powers akin to that of the Commission for Children and Youth People in Victoria.

⁷ Australian Human Rights Commission 2019, *National Principles for Child Safe Organisations* p.7, accessed 7 September 2023 [https://childsafe.humanrights.gov.au/sites/default/files/2019-02/National Principles for Child Safe Organisations2019.pdf](https://childsafe.humanrights.gov.au/sites/default/files/2019-02/National%20Principles%20for%20Child%20Safe%20Organisations2019.pdf)

⁸ Australian Human Rights Commission 2019, *About the National Principles* [webpage] accessed 7 September 2023, <https://childsafe.humanrights.gov.au/national-principles/about-national-principles>

⁹ [Advisory group members \(humanrights.gov.au\)](https://childsafe.humanrights.gov.au/advisory-group-members) accessed 6 September 2023

¹⁰ <https://ocg.nsw.gov.au/child-safe-scheme/child-safe-action-plans> accessed 7 September 2023

Position Statement 3: Scope and Organisational Capacity

The QFCC supports Option 3(a) for the function of the independent oversight body to build capacity for organisations to implement the child safe standards with considerations to leverage and build upon the Child and Youth Risk Management Strategy.

The QFCC considers that Queensland has a unique advantage in implementing the child safe standards that can be supported by organisations that are required to have a Child and Youth Risk Management Strategy¹¹. The QFCC believes the Child and Youth Risk Management Strategy provides an existing framework and broad reach that is familiar to organisations and builds on existing processes within organisations. An established requirement within existing regulatory schemes (i.e., Non-State School Accreditation)¹².

A function of the independent oversight body should consider leveraging and building upon the Child and Youth Risk Management Strategy to introduce the child safe standards to regulated employment and regulated business, as part of implementation with the inclusion of youth detention.

While the CRIS outlined the scope recommended by the Royal Commission, the existing scope of the Child and Youth Risk Management Strategy goes beyond this and provides a foundation for implementation in Queensland, except for the exemption of youth detention (Justice and Detention Services for Children).

Based on the current requirements, youth detention falls under the definition of a ‘residential facility’ – a place at which a child accommodation service is provided either by a prescribed department which includes Correctional Services¹³; however, persons working in Corrective Services are not required to hold a Blue Card under the exemptions for the Queensland Police Service (QPS).¹⁴ The QFCC supports the inclusion of youth detention as part of the scope to implement the child safe standards. The QFCC considers the need for youth detention to be clearly defined within legislation. To ensure staff meet these requirements, those working within these services should require a working with children check and must be included as part of the reportable conduct scheme.

Position Statement 4: Cost analysis (Response to Table 19A)

The QFCC suggests under-estimated costings in the implementation of the child safe standards as outlined in Table 19A.

No cost is too high to protect our children.

When news breaks about a failure in our child safety system, everyone wishes more could have been done. While we must go into the implementation of a child safety standard scheme with knowledge of the cost, this should not change our resolve to protect children.

The QFCC has reached out to national organisations that have implemented the standards in other jurisdictions. Overwhelmingly, the response is that the internal cost has been higher than originally anticipated and that implementation was a learning experience. Multiple individuals who were on boards of organisations told us that implementation required a clear change in board discussions and that once this occurred, new and emerging implementation needs arose. For this reason, the anticipated implementation costs should consider how organisations are not only compliant with their policies but their capability of conforming and developing systems that promote child safety with each of the child-safe areas.

¹¹ <https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2000-060>

¹² NSSAB requirements

¹³ <https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/required?a=111358#resfac>

¹⁴ <https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/required/industries#corrective>

The QFCC is aware of an organisation within Queensland that was reviewed externally against the child safe standards. This organisation was of a large entity (more than 5,000 employees) in the education sector. This organisation's experience suggests larger costs to organisations than outlined in Table 19A of the CRIS. The organisation's review was conducted over six months with the objective of reviewing the policies, processes and systems against the National Principles for Child Organisations. This review was estimated to cost the organisation approximately \$90,000. The action plan to address the recommendations was budgeted at approximately \$4,595,123, over a three-year period. Sample action plan objectives included:

- safeguarding governance structure, align the Safeguarding Committee and establish regular reporting requirements
- develop and implement complaints handling system (policy, process, people, technology and reporting) that aligns with the Australian Complaints Handling Standard and Child-Focused Complaints Handling Guide
- improved sufficiency and effectiveness of organisational risk management framework and oversight of child safeguarding risks
- establish and implement a consolidated safeguarding policy framework.
- improve sufficiency and effectiveness of school-level risk management and processes to identify child safeguarding risks through the Child and Youth Risk Management Strategy
- improve efficiency and dissemination of recordkeeping policy and procedures
- improve rigour of screening and embed safeguarding emphasis throughout advertising, recruitment, interview questions, role descriptions, reference checks, employment contracts, probation periods, and performance reviews
- develop and implement risk-based and child-focused investigation processes and build the capability of the professional standards team to manage staff misconduct involving students
- develop consistent engagement strategies to connect and draw on the voices of all students, including student of diverse backgrounds
- conduct a review on the current state of third-party engagements
- conduct a review on current state of third-party engagements.

Position Statement 5: Accountability

The QFCC suggests engagement of organisational leaders is critical in the success of implementation of the child safe standards.

Significant to an organisation's child safe culture is the engagement of boards and executives. Accountability must be placed on these roles throughout implementation to ensure organisational leaders

- understand their obligations
- are upskilled in the practical indicators and effective oversight of child-safe practices within their organisations.

Parallels with the Work Health Safety Schemes in Australia and the history of emerging corporate liability and individual managerial accountability should be drawn as a lesson in how to effect change in business and community organisations.

4. Reportable Conduct and Working with Children Check

Position Statement 6: Reportable Conduct Scheme

The QFCC supports Option 2 'To establish an independent oversight body to administer a reportable conduct scheme with considerations of ensuring paramount consideration to the safety of children, streamline working with children check requirements and transfer of functions under Blue Card Services.'

The QFCC considers it critically important that the independent oversight body is adequately resourced, founded in child-focused practice and supported to consolidate systems that enable effective risk management of people who pose a risk to children. Such a body will need:

- adequate funding to uphold the reportable conduct functions outlined in the CRIS 15
- skilled investigators and child-focused practices that act in the best interest of children
- significant powers to oversee, monitor and investigate organisations who are under-reporting, not sufficiently investigating allegations or implementing recommendations of investigations
- access to critical data and systems (i.e., QPS, Child Safety, Queensland College of Teachers)
- powers to trigger risk assessment of a person's suitability to work with children based on this information
- powers to suspend the person based on an assessment of likely immediate harm
- an established relationship or the ability to maintain a relationship with other reportable conduct oversight bodies in other states
- to administer the functions of Blue Card Services (discussed further below).

The success of the implementation of the scheme is dependent on:

1. Legislative changes to ensure:

- Paramount considerations for the safety, welfare, and wellbeing of children in government and organisational decision-making – providing guiding principles founded in upholding the rights of children.¹⁵
- Strong provisions that enable proactive sharing of risk-related information between and within government agencies and organisations to promote safety, welfare, or well-being of a particular child or young person or class of children or young persons.

2. Strong reporting mechanisms

- Existing mechanisms for reporting are siloed by sector, weakening the capability to monitor a person across sectors. The independent body must be empowered to monitor and report across silos and systems. In Queensland, due to the exemptions that exist (i.e., teachers and correctional facilities) there is no centralised system that monitors disciplinary action undertaken for behaviours that could pose a risk to children.
- The QFCC has made recommendations in Position Statement 10 to undertake an independent review of the existing systems that oversee and monitor the management of child-related allegations conducted within the year. This review would be aimed at strengthening the evidence base for streamlining and child-focused reporting and system-level oversight.

¹⁵ <https://ccyp.vic.gov.au/assets/Submissions/Reportable-Conduct-Scheme-Review-CCYP-Public-Submission.pdf> pg. 5

¹⁶ [Children's Guardian Act 2019 No 25](#) (s7), accessed 11 September 2023

3. Address the gap between siloed regulators

- The Royal Commission noted the body dealing with Working With Children Checks (WWCC) must be informed by the reportable conduct scheme and recognise the benefits of locating the reportable conduct scheme with the agency responsible for WWCC and the agency monitoring and enforcing the child safe standards¹⁷.
- Without consolidation or modified WWCC systems and requirements, the reportable conduct scheme may not be as effective.

4. Strong Information Exchange Provisions

- Strong information provisions need to be established that promote and enable agencies to effectively manage risk to children. In New South Wales, Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998*, the information exchange provisions allow for the flow of information within and between government agencies and non-government organisations to facilitate collaboration in the provision of services to vulnerable children and their families. Such information exchange can occur whether or not the child or young person is known to Child Safety and whether or not the child or young person consents to the information exchange.¹⁸ This system integration and information exchange is critical in demonstrating how the systems support and prevent abuse to children.
- Sometimes it only becomes clear that a child or young person has been harmed, or is at risk of harm, when information from a number of sources is combined to create a complete picture about their circumstances. Leveraging new information exchange provisions that compel proactive sharing with a central agency within the Queensland context will assist in identifying cumulative harm from a combination of factors and/or over time.
- The QFCC considers this a critical design element to consider in this process; therefore, implementation must consider:
 - consolidation of Blue Card holder requirements (remove exemptions such as teachers), enabling oversight of all sectors working with children in Queensland
 - the transfer of Blue Card Services functions to be administered by the independent oversight body akin to the structure in New South Wales (Image 2: Functions of Independent Oversight Body)

An integrated system of Blue Card, Child Safe Standards and Reportable Conduct Scheme located in the one oversight body would deliver:

- a clear and coordinated way for organisations to engage with their child safe obligations
- a system that is preventive, responsive and has the capacity to identify and act on risks of abuse
- holistic child safe capacity building and education activities for organisations that is responsive to identified issues and risks and provides targeted support and guidance
- shared expertise and intelligence to enable targeted and efficient oversight activities from the two schemes

¹⁷ <https://ocg.nsw.gov.au/legislation/childrens-guardian-act-2019/reportable-conduct-scheme-transfer> access 11 September

¹⁸ <https://legislation.nsw.gov.au/view/html/inforce/current/act-1998-157#ch.16A> Chapter 16A (245A) accessed 11 September 2023

- cost efficiencies for government arising from shared leadership resources, administrative staff, information sharing, reporting, capacity building, ICT and other operating costs.

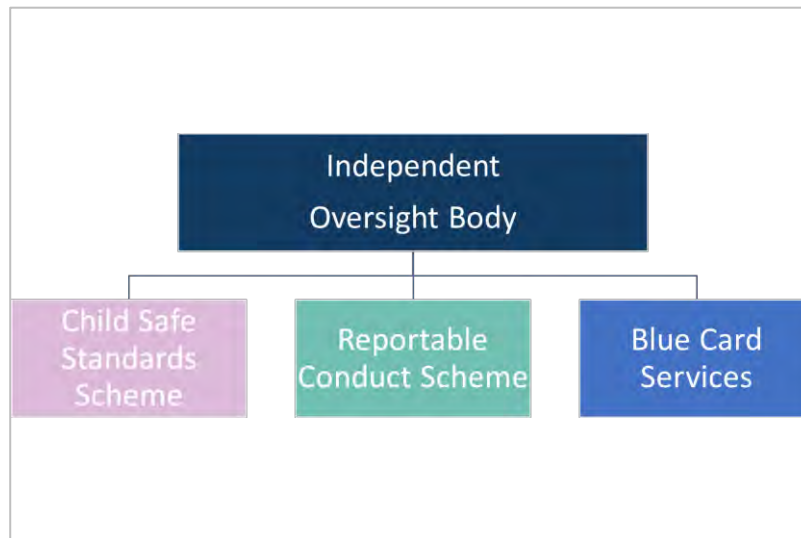


Image 2: Functions of Independent Oversight Body

Activity	2019-20	2020-21	2021-22
Total WWCC applications processed	345,541	400,855	381,405
New WWCC applications processed	187,326	179,837	151,790
Risk assessments with outcomes	3,988	3,642	2,600
Individuals automatically barred due to Schedule 2 records	470	434	408
Individuals interim barred during risk assessment	364	552	303
Individuals barred after risk assessment	100	82	58
Individuals cleared following risk assessment	1,138	780	695
Applications terminated after referral to risk assessment	2,280	2,331	1,847

Year	2019-20	2020-21	2021-22
Working with Children Checks applications processed	345,541	400,855	381,405
Number of barring decisions	570	516	466
% of barring decisions (of the total applications each year)	0.17%	0.13%	0.12%

Position Statement 7: Scope of the Reportable Conduct Scheme

Definitions

Reportable Conduct

The QFCC recommends sexual misconduct is included and clearly defined, and we also recommend the threshold of ill-treatment is increased to capture ‘serious ill- treatment’. In April 2023, the Australian Child Maltreatment Study (ACMS) outlined the prevalence of child maltreatment and associated outcomes. This study found 30.9 per cent of participants had experienced emotional abuse.¹⁹ Reporting such allegations provides critical insights on the experiences of children specifically in out-of-home care, education and early education.²⁰ Based on these findings, the QFCC recommends serious ill-treatment be included as part of the reportable conduct scheme.

Broadening the scope of matters reportable to include allegations of “inappropriate personal or intimate conduct relating to a child” would have a significant protective benefit for children, as it would enable close consideration of those types of matters which can, in some circumstances, be indicators of risk to children.

Employees

The QFCC recommends the definition of employee reflects that of Victoria and Tasmania to cover all persons (staff, volunteers, contractors whether or not they are working directly with children) and include conduct outside of the work capacity. Streamlining these requirements supports clarity of child safety requirements of all involved in the entity, appropriate conduct of adults at all times and ensures all people are aware of their obligations and better informs suitability of working with children.

Scope

The QFCC supports the scope of entities to adopt the child safe standards outlined in the Regulatory Impact Statement with specific consideration to sporting organisations, which is an known risk area for the safety of children. In New South Wales, 18 per cent of working with children check bars were triggered within sporting sector. This places a need to support sporting organisations and improve complaints handling.

With the establishment of Sports Integrity Australia (SIA), consideration should be placed on collaborating with SIA in the design of the reportable conduct scheme to address the existing gaps in reporting and oversight within sporting organisations and the need to establish clear provisions of information exchange between SIA and the independent oversight body.

Position Statement 8: Cost analysis (Response to Table 19B)

Assumptions in the Regulatory Impact Statement suggest smaller organisations will investigate their own matters, with larger organisations outsourcing investigations; however, we suggest the opposite may be equally true with larger organisations more able to fund an internal system, such as that seen as part of the case study (referenced in Position Statement 4). This aligns to the experience of organisations in New South Wales. The investigation function costs the entity approx. \$350,000 per annum. This is based on two full-time investigators and administration support. This same case study reflected that outsourced investigations cost between \$20,000 and \$60,000 per investigation.²¹ Based on this case study and the structures in place in organisations in New South Wales, cost assumptions should be updated.

¹⁹ <https://www.acms.au/findings/> page access 11 September 2023

²⁰ OCG Annual Report 2021-2022

²¹ Case Study – National Catholic Safeguarding Standards

Position Statement 9: Investigator Workforce**Child-focused investigations - workforce and capability of the Independent Oversight Body**

Investigations into reportable conduct require a unique skill set. This includes, but is not limited to, focusing on the best interests of children and balancing procedural fairness, interviewing children, and maintaining confidentiality. Consideration must be given to the competence of the investigation functions of the independent oversight body ensuring expertise to support the integrity of the function and the investigation processes. This development work can and should commence now.

Position Statement 10: Independent Review of Systems

Under the *Family and Child Commission Act 2014* the QFCC is responsible for promoting the safety, wellbeing and best interests of children and young people.²² This includes oversight of the child protection system.²³

The QFCC supports the need for urgent and united action to improve the safety and wellbeing of children in Queensland. We recognise the existing mechanisms for investigating and monitoring child-related allegations are inconsistent and siloed by sector, weakening the capability to monitor a person across sectors²⁴. This also impacts the effectiveness of the Blue Card and other registrations such as Teacher's Registration to keep children safe.

As such, the QFCC suggests an independent review of existing systems that oversee and monitor the management of child-related allegations be conducted within the year (2023–24). The objective of the review would be to provide an evidence base and tangible actions that inform system-level reform that needs to occur as part of reportable conduct implementation. This would help inform implementation by:

- assessing the timeliness, quality, capability, degree of child focus and information sharing practices of the existing systems (i.e., Blue Card Services, Queensland Colleges of Teachers)²⁵
- assessing the timeliness and existing thresholds for suspending or cancelling a Blue Card and/or relevant registration
- identifying the impact of streamlining reporting systems and drive consistency in the management of child-related allegations.

²² *Family and Child Commission Act 2014* (Qld), S4

²³ *Family and Child Commission Act 2014* (Qld), S9 (1)(a)

²⁴ Mapping of QLD reporting oversight bodies by sector

²⁵ Case study QCT

5. Implementation

The QFCC recommends the implementation of the reportable conduct scheme is prioritised, acknowledging the unique advantage Queensland organisations have with the existing Child and Youth Risk Management Strategy.²⁶

The priority for Queensland government and organisations should be supporting consistent and effective management of allegations, a process that is currently siloed and doesn't prioritise the safety, wellbeing and welfare of children in our organisations.

The Victorian Child Safe Standards and Reportable Conduct Schemes were introduced and legislated between March 2016 to July 2017 under the administration of the Commission for Children and Young People. This provides an indication these schemes and associated functions can be quickly consolidated and introduced.

This should be considered in Queensland in respect to the proposed timeframes outlined in the Regulatory Impact Statement. The implementation of these schemes suggest they are fully implemented over five years.

We do not agree that "An integrated child safe organisations system, including establishment of an oversight body would commence through legislative amendment". There are actions government can take prior to legislative passage to commence:

- building sector capacity
- building community awareness
- building investigative capability
- reviewing and mapping current investigative, complaint and review processes and mechanisms across sectors to understand and produce detailed implementation plans.

The QFCC recommends the existing funding allocated (\$10 million) to the development and allocation of these functions commences within this financial year, and we have outlined below an implementation plan that could be immediately enacted.

Image 3 provides a high-level proposal for the Queensland Government's response and building organisational capacity by using existing mechanisms and targeting implementation to address the current risks to children within Queensland. As is shown, there is significant capacity building possible before the passage of legislation, which will benefit children and systems immediately and will have ongoing benefit even if Queensland continues to not have a legislative scheme.

The QFCC supports the implementation rollout of the sectors outlined in the Regulatory Impact Statement with consideration to including youth detention in phase 1 of the reportable conduct scheme and clubs and associations be included in phase 1 of the child safe standards scheme.

Sporting is an emerging risk area for children (as noted in Position Statement 4). This knowledge requires increased oversight and support for sporting organisations and improved Blue Card verification processes.

²⁶ <https://www.legislation.qld.gov.au/view/pdf/inforce/current/act-2000-060>

Concept Implementation Steps

Period	Implementation milestones	Activities
Year 1 2023–24	Implementation set-up, initial capacity building. Implementation Organisation selected and provided responsibility for capacity building activities	Reportable conduct capacity building focusses on: - boards and executive roles and how to provide effective oversight - identifying reportable conduct - reporting requirements, definitions and communication techniques - workforce training - investigative processes - investigator workforce capability - information sharing cultures, systems and mechanics. Child safe standard capacity building focusses on: - identifying and managing risks beyond high-risk activities - recruitment activities with emphasis on referee checks. Capacity building tested and implementation planned through: - review of existing Queensland complaint, review and investigation mechanisms - greater compliance testing of Queensland Child and Youth Risk Management Strategy
Year 2 2024-25	Legislative passage Child Safe Standards commences for phase 1 and 2 sector	Independent Body commences – merging Blue Card, Child Safe Standards and Reportable Conduct Scheme Formal education and training campaign on schemes commences
Year 3 2025-26	Reportable Conduct Scheme implementation commences for phase 1 sector Child Safe Standards rolls out to remaining phase 3 sector and reaches maturity	
Year 4	Reportable Conduct Scheme roles out to phase 2 and 3 sector Child Safe Standards fully operational	
Year 5+	Child Safe Standards and Reportable Conduct Scheme fully operational	