



## **Inquiry into the Monitoring and Enforcing of Child Safe Standards Written Submission**

### **History**

The evolution of standards for compliance within child protection services began in 2004. Previously no documented standards existed, the department might argue this point but no-one within the community sector services or government services could produce a set of documents that were agreed and complied with by those contracted to provide services within a child protection framework.

The emergence of a set of agreed standards for Out of Home Care placements, formally known as Better Care Better Services (BCBS) arrived in November 2005 in a small but respectful ceremony at a DCP office. The standards were a significant step forward, but the collaborative work done by non-government and government to bring about a set of standards set this piece of work apart as innovative for that time. Parkerville Children and Youth Care and Wanslea represented non-government agencies alongside their government colleagues. The idea at the time was to create a collaborative auditing company that comprised of trained internal auditors from government and non-government. Both Parkerville Children and Youth Care and Wanslea opted in by providing resources alongside government colleagues to be trained as internal auditors and to conduct audits across the sector on a regular basis. It was clearly apparent that all other health or caring industries had external auditors to ensure compliance against a set of standards. Australian Council of Health Care Standards (ACHCS) accreditation in hospital; mental health standards for both adults and children; Disability Services and Commonwealth Aged Care principles all had external accreditation which if an organisation failed to achieve might at minimum be professionally embarrassing and damage profile and at worse result in loss of license to practice or hold contract to provide these services. Community Service sector had nothing!

The implementation of this model of auditing by non-government and government went well for a while with auditors carrying out audits of measurement across BCBS at different agencies. The problem arose that there weren't enough auditors. Other non-government agencies were invited to join the scheme but refused because government would not invest money in funding non-government organisations to have auditors. The aspect that quality is part of the job somehow got lost in the argument. Eventually the total responsibility for auditing fell back to DCP, a conflict of interest in itself in that DCP were the funder and the compliance manager and applied the same format to measuring their own services. During the eleven-year project (commenced May 2008) of reform for Out of Home Care, this is an issue that has been at the forefront with very little lateral thinking or movement from the control of government. The ombudsmen were identified as ideal to carry out this work but apart from the department got very little support with the same challenges put forward.



## The Issue

Is a simple one.

There is agreement standards have evolved and the Royal Commission recommendations on child safety only serve to highlight the importance of this issue, we must have compliance to standards. The matter of uncertainty – the oversight – who and how will the compliance or not to standards being monitored. I can't understand the complexity here. For me the answer is simple: no organisation, agency, service provider should be allowed to deliver services to children and young people without a certified compliance to standards certificate. We insist that any individual must hold and present, when asked, a Working with Children Card, why do we not apply the same rigor to the organisations responsibly for providing the service.

I have heard arguments from providers that a signed letter from the Chief Executive and or Chairman of the organisation that standards are complied with should be sufficient. This is not proof of compliance, I don't accept the word of any CEO or Chairperson (who might have a bias) unless I witness objective evidence. The best way to establish that evidence is an external audit from an independent body. The two words of most significance are "external" and "independent", and in my opinion this is essential. The providers within children's community services do not have such a discipline and its is about time it is established.

The suggestion won't come from the providers, government or non-government because there are cost implications, and the current process requires no reason to improve. If the incentive albeit punitive were "to apply", "no contracts without accreditation" then we might see movement. I find this sad because in fact the real reason we should be doing it is to provide assurance of our safety for children and young people; and to seek ways in which we can continually improve our practice. This assurance extends not only to our clients, but the families; stakeholders and community.

Parkerville Children and Youth Care embarked on an external accreditation process four years ago and received Child Safe Accreditation from the Australian Childhood Foundation (ACF) in November 2016. We are due for re-accreditation in July this year. The whole process of seeking and acquiring accreditation has lifted our standards and expectations; it has been embraced by staff and provided a sense of pride in obtaining accreditation. It has enforced a discipline within our services to constantly review our practices and continually improve the outcomes. Surely all organisations providing services to children and young people have that philosophy ingrained in their mission.

Health has had Australian Council of Health standards for decades. It has been readily accepted as the monitoring body for compliance to health standards. The auditors are volunteers who serve within the health arena in varying professional roles and get kudos for being an accreditor. The process is expensive and time consuming, but it is far more expensive in real terms and opportunity costs to not seek the accreditation certificate.

Why when looking after our most prized asset, our children, can we not instill a similar discipline?



## Response

*“The recommendations made by the Commissioner for Children and Young People in the report ‘Oversight of services for children and young people in Western Australia’”*

Recommendation:

There is an independent effective statutory oversight body for children in out of home care with the ability to monitor and review, handle complaints and resolution, provide individual and systemic advocacy. This body reports directly to parliament and is independent of government departments and other agencies. All Out of Home Care service providers are a child safe accredited organisation or can demonstrate that they have met the Child Safe Standards. There is an independent oversight body for all children in WA that advocates for the rights of the individual child and travels with them across systems and service throughout their childhood. There is transparent monitoring and reporting mechanisms that publicly reports on the Departments and agencies actions and responses. The oversight body has sufficient funding and longevity to meet the objectives of the body and the needs of all children across Western Australia.

*“The recommendations from the ‘Royal Commission into Institutional Responses to Child Sexual Abuse’ relating to an independent oversight body responsible for monitoring and enforcing child safe standards”*

Recommendation:

There is an independent oversight body that oversees the implementation of the child safe standards with the ability to monitor and review, this body reports directly to parliament and is independent of government departments and other agencies. There is transparent monitoring and reporting mechanisms and these reports are available to the public. All government funding and contracts for child related services have a requirement that funding is conditional on their ability to demonstrate compliance to the child safe standards; this could be demonstrated through acquiring child safe accreditation. The scope of Mandatory Reporting is extended to include all forms of child abuse and the mandatory reporters list is extended to be more inclusive of other types of child related workers e.g. child care staff, social workers. Recruitment of personnel to work with children is rigorous and compliant with child safe standards. Mandatory training for all individuals engaged with children within institutions or organisations including standard level of understanding around child abuse, grooming behaviors and how to report abuse, how to support a child in the event of a disclosure. Once a child discloses there is a clear process to support their recovery through an evidence informed therapeutic response such as counselling, child advocate services. The system of oversight must be co-designed in partnership with children, families, communities, government and non-government stakeholders.

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