

The Child Safe Standards

Compliance by Victorian psychologists who are in private practice and deliver psychological services to children

APS Professional Practice



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Introduction to the Victorian Child Safe Standards – implications for private psychology practices

Victorian-based psychologists in private practice who deliver psychological services to children are required to comply with new Victorian Child Safe Standards (the Standards) from 1 January 2017.

The Standards are compulsory minimum standards to help protect children from all forms of abuse. They apply to organisations that provide services for children, including counselling services. The APS Code of Ethics and relevant Ethical Guidelines are consistent with the Standards.

The following information and Checklist (see page 6) are intended to support private psychology practices that deliver psychological services to children in Victoria to comply with the new Standards. The Standards are intentionally broad and flexible and will need to be tailored to individual psychology practices. What will be applicable and suitable for a medium to large size psychological practice will be different to what is relevant and applicable to a small practice.

What the Child Safe Standards mean for you as a psychologist in private practice

Private practitioners will find that many of the things they might need to consider doing to comply are already part of the way they practise. Some practices might need to consider introducing new ideas and ways to promote child safety within their psychological practice.

Psychologists should refer to the Checklist (page 6) adapted by the APS from the resource by the Victorian Department of Health and Human Services. This resource will assist psychology practices that deliver services to children to assess their progress in meeting the Standards and becoming a child safe practice. The Checklist is a self-audit tool and is to be used as a guide only and should be adapted to the specific circumstances of individual psychology practices. You should delete, or change any section of the self-audit tool that you feel is not applicable to your practice. Whilst the Standards themselves are fixed, how individual psychological practices seek to comply with them is flexible and should be adapted to meet the circumstances and arrangements of your practice.

For example, you might want to think about how your psychological practice currently embeds a culture of child safety or what in your practice needs to change to strengthen your approach. You might also need to think about whether existing employees or volunteers require a Working with Children Check¹.

¹ The child safe standards are not intended to expand the existing categories of employees and volunteers requiring a Working with Children Check.

The Child Safe Standards

The Standards are intended to foster child safe organisational cultures, through effective management arrangements. This will look different depending on the size and nature of a psychology practice that delivers psychological services to children.

The Standards will require organisations, including private practices to have the following in place:

Standard 1: Strategies to embed an organisational culture of child safety, including through effective leadership² arrangements

Standard 2: A child safe policy or statement of commitment to child safety

Standard 3: A code of conduct that establishes clear expectations for appropriate behaviour with children

Standard 4: Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel

Standard 5: Processes for responding to and reporting suspected child abuse

Standard 6: Strategies to identify and reduce or remove risks of child abuse

Standard 7: Strategies to promote the participation and empowerment of children.

Background to the introduction of the Standards

Creating child safe organisations is a key component of the Victorian Government's response to the **report** of the *Parliamentary Inquiry into the Handling of Child Abuse by Religious and other Non-Government Organisations* (Betrayal of Trust Inquiry). This work is focused on strengthening approaches to preventing and responding to child abuse within organisations.

For further information about the Betrayal of Trust Inquiry and the Victorian government's response to the report, please visit the **Victorian Department of Justice and Regulation**.

Who do the Standards apply to?

The Standards will apply to the following organisations in two phases as follows:

Category 1: 1 January 2016 commencement (Phase 1). Organisations regulated and/or funded by government providing services for children or that provide facilities specifically for children and which are supervised by the organisation.

Category 2: 1 January 2017 commencement (Phase 2). Organisations that have limited or no funding and/or regulatory arrangements with government that provide services for children or that provide facilities specifically for children and which are supervised by the organisation.

Organisations that were required to comply with the Standards by 1 January 2016 (Phase 1) included the following:

- Registered schools (government and non-government)
- Approved education and care services (e.g. kindergartens, after hours care services)
- Children's services (e.g. occasional care providers)
- Drug or alcohol treatment services
- Designated mental health services and publicly-funded mental health community support services
- Government departments and agencies providing services to children (including youth justice and corrective services)
- Disability services providers.

Psychologists working in these sectors may already be familiar with the Standards.

Phase 2 organisations include those that provide 'counselling or other supports for children'. **This will mean that Victorian based psychologists in private practice who deliver psychology services to children will be required to comply with the Standards effective from 1 January 2017.**

² 'Leadership' encompasses 'management' for the purposes of a psychology practice.

Do the Standards apply to sole practitioners and small practices?

The Standards are compulsory minimum standards to help protect children from all forms of abuse. They apply to organisations that provide services for children.

A private psychology practice comes within the scope of the Standards if it meets the definition of an 'applicable entity' under relevant legislation³.

An 'applicable entity' means:

- a) An incorporated body or association; or
- b) An unincorporated body or association (however structured); or
- c) An individual who:
 - I. Carries on a business; and
 - II. Engages contractors, employees or volunteers to assist the business in providing services or facilities.

The Standards do not technically apply to 'sole traders' (that is, an individual psychologist who has a psychological practice without any volunteers, contractors or employees). However, it is best practice for all psychologists in Victoria who deliver psychological services to children in private settings, to implement the Standards. Psychologists in sole practices can still take steps to clarify and document processes to increase the level of child safety in their sole practice.

For more information on organisations that are required to comply with the Standards including a range of advice, resources and templates to assist your practice to comply with the Standards see the:

- **Department of Human Services**
- **Commission for Children and Young People (the Commission)**

Who will monitor compliance with the Standards?

The Victorian Commission for Children and Young People (the Commission) is tasked with overseeing compliance of the Standards. Penalties can include monetary fines. However, the functions of the Commission in accordance with the relevant legislation are also to:

- Educate and provide advice to relevant authorities to promote compliance by relevant entities with the Child Safe Standards
- Educate and provide advice to relevant entities to ensure, in their operations:
 - The safety of children is promoted
 - Child abuse is prevented
 - Allegations of child abuse are properly responded to.

For further advice about the Standards you can:

- Call the Commission on 03 8601 5281
- Email the Commission at childsafestandards@ccyp.vic.gov.au
- Go to the **Commission's website**.

The Commission's website has a parent and carers tip sheet on '**What to look for in a child safe organisation**'. Psychologists may want to provide this to parents or refer them to the Commissions' website to access it themselves.

How to comply with the Standards

Victorian based psychologists should familiarise themselves with the relevant resources and on-line information currently available and referred to throughout this document.

In addition, please refer to the Checklist (see page 6) to assist your psychological practice to comply with the Standards.

³ *Child Wellbeing and Safety Act 2005* (VIC): <http://www.legislation.vic.gov.au/>

For more information and relevant resources regarding the Standards see the following:

Commission for Children and Young People

www.cryp.vic.gov.au/child-safe-standards/index.htm

www.cryp.vic.gov.au/downloads/creating-a-childsafe-organisation-guide.pdf

Victorian Department of Human Services

www.dhs.vic.gov.au/about-the-department/plans,-programs-and-projects/projects-and-initiatives/children,-youth-and-family-services/creating-child-safe-organisations

www.dhs.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/child-safe-standards-resources

Centre for Excellence (Victoria)

www.cfecfw.asn.au/news/2015/11/new-child-safe-standards-information-session

www.cfecfw.asn.au/css – this link includes a webinar on the child safe standards.

Department of Education and Training: PROTECT website

<http://www.education.vic.gov.au/about/programs/health/protect/Pages/default.aspx?Redirect=1>.

This site includes child safe resources for Victorian schools.

Victorian Registration and Qualifications Authority (VRQA)

<http://www.vrqa.vic.gov.au/enews/Pages/Edition-51/article2.aspx>

<http://www.vrqa.vic.gov.au/childsafes/Pages/Home.aspx>

PLEASE NOTE:

The information provided by the APS is general and does not replace the need to obtain independent legal advice, if required.

For members with professional indemnity insurance through Aon, you may contact the Legal Hotline service for free legal advice. You may be required to quote your insurance certificate number. For contact details in your State or Territory see: <http://www.psychology.org.au/aonhotline/>

The Child Safe Standards Checklist

This Checklist is a self-audit tool (adapted from a resource developed by the Victorian Department of Health and Human Services) is to help Victorian private psychology practices who deliver psychological services to children, assess their progress in meeting the Standards and become child safe organisations. The Standards are consistent with the Australian Psychological Society's Code of Ethics and relevant Ethical Guidelines.

Compliance for a small private practice might be different to that required for a large practice. When completing the self-audit tool psychologists will need to think about how their practice currently meets the Standards and what actions are required to ensure compliance.

Your practice can complete this self-audit tool over a period of time and not everything needs to be actioned at once. Your practice's management might decide the priorities for your practice, or you might decide to focus on one Standard at a time. Depending on the size of your practice, you might also decide to assign different responsibilities to different staff for its implementation.

In complying with the Standards organisations must include the following principles in each standard promoting the:

- Cultural safety of Aboriginal¹ children and children from culturally and/or linguistically diverse backgrounds
- Safety of children with a disability.

This **resource** by the Commission for Children and Young People has more detailed information on balancing child safety with diversity and cultural differences, on promoting the cultural safety of Aboriginal children, of children from culturally and/or linguistically diverse backgrounds and children with a disability. The resource also has templates that are easy to follow and adapt for the purposes of a psychological practice.

Name of psychological practice:

Name of person completing audit:

Position:

Contact details:

IMPORTANT NOTE

You should delete, or change as needed, any section of the self-audit tool that you feel is not applicable to your practice. Not all of the activities listed under each Standard need to be addressed in your practice. Your practice may find other ways to demonstrate compliance in relation to a particular Standard. The Standards themselves, however, are fixed but how individual psychological practices seek to comply with them is flexible and should be adapted to meet the circumstances and arrangements of your practice. The examples and suggested activities provided regarding how your practice might comply with the Standards are not exhaustive. Thinking about how you comply with the Standard in the context of delivering psychological services to often vulnerable children will be critical.

¹ Where the term 'Aboriginal' is used in this resource it is inclusive of Aboriginal and Torres Strait Islander individuals.

STANDARD 1:

Strategies to embed an organisational culture of child safety, including through effective leadership arrangements

To comply with this Standard your practice needs to demonstrate, through a culture of child safety and effective management, that there is a high expectation that everyone is committed to child safety. Initially, your practice can carry out a Child Safety Review. This can help you identify what is currently in place and what needs to be developed. This can include reviewing your existing policies and practices regarding how child safe your practice is, thinking about your practice’s risk management plan (e.g. if an allegation of child abuse is made regarding a staff member), think about the diverse needs of children, and invite children (where appropriate), staff and volunteers to contribute to the process.

For example, you could consider your practice’s intake procedures when a child or young person commences a service with your practice and include information that is given to children and families (upon commencement of the provision of psychological services), that explains that child safety is a priority for your practice and explains what should occur if a child or family have any concerns regarding the child’s safety at the service. Examples for Standard 1: To engage in this cultural change, organisations need to:

- Embed child safety into everyday thinking
- Take a zero tolerance approach to child abuse
- Ensure leadership is aware of allegations and responds to protect children
- Promote a culture of reporting
- Child safety as a regular agenda item
- Respecting, embracing and supporting the diversity of children
- Adopt a continuous improvement approach.

Steps for your practice to demonstrate compliance with this Standard might include some of the following activities:

Activity	In place	Partially in place	Not in place	Action required	Timeframe for actions	Review date
Child safety is a core part of your practice’s public and internal communications.						
Policies and practices exist that prioritise child safety and promote shared responsibility – not just at a management level – by outlining all staffs’ responsibilities.						
A culture exists of supporting cultural safety for Aboriginal and Torres Strait Islander children, cultural safety for culturally and/or linguistically diverse children and the safety of children with a disability. Consider examples above regarding how to demonstrate this.						
Policies include the steps staff, volunteers, children or their families should take if they have concerns about the organisation’s management in regard to child safety.						
A culture exists in which staff, volunteers, children and families feel comfortable and supported when talking about any child safety concerns. Consider examples above regarding how to demonstrate this.						

This table is designed to be a checklist for compliance with the Standards. Any further details can be separately recorded.

STANDARD 2: A child safe policy or statement of commitment to child safety

To comply with this Standard your practice should develop a child safe policy or statement of commitment to child safety. A **template** for a child safe policy has been developed by the Commission for Children and Young People. A child safe policy is an overarching document that provides key elements of child safety. A statement of commitment is an affirmation of the organisations commitment of child safety.

The statement or policy of commitment to child safety could include information that illustrates how your practice recognises issues relating to disability and helps make vulnerable children and their families feel safer. The statement or policy could include an explanation that your practice recognises that children with a disability can be vulnerable to abuse for reasons including communication difficulties, personal care requirements, limited provision of developmentally appropriate sexual and relationship information and social isolation.

Your practice's statement or policy of commitment to child safety should:

- Address any risks that have been identified in your assessment conducted under the Child Safety Review of your practice (under Standard 1)
- Describe how children might be made to they feel safe whilst at the psychological practice
- Be regularly reviewed.

Steps on developing a policy or statement for your practice might include some of the following activities:

Activity	In place	Partially in place	Not in place	Action required	Timeframe for actions	Review date
The practice has a child safe policy or statement of commitment, which is accessible to the public.						
The policy or statement of commitment includes the organisation's commitment to Aboriginal and Torres Strait Islander cultural safety, culturally and/or linguistically diverse cultural safety and the safety of children with a disability respectively.						
All staff and volunteers are aware of the organisation's commitment to child safety and their duty of care requirements.						

This table is designed to be a checklist for compliance with the Standards. Any further details can be separately recorded.

STANDARD 3:

A code of conduct that establishes clear expectations for appropriate behaviour with children

To comply with this Standard your practice should develop a code of conduct that applies to all staff in the psychological practice. This should list behaviours that are acceptable and that are unacceptable regarding expectations for appropriate behaviour with children. It should spell out professional boundaries, ethical behaviour and unacceptable relationships. A **template** for a code of conduct has been developed by the Commission for Children and Young People. This resource includes suggested steps on developing a code of conduct for your practice.

Examples for Standard 3 include:

- Provide clear written guidance on appropriate conduct and behaviour towards children
- Cover boundaries and detail acceptable and unacceptable behaviours, for example, physical contact, personal care, online communication
- Communicate and publicise code of conduct to staff, volunteers, parents and children and what will happen if a person does not comply
- Act on concerns or allegations of non-adherence to your code of conduct.

Steps for your practice to demonstrate compliance with this Standard might include some of the following activities:

Activity	In place	Partially in place	Not in place	Action required	Timeframe for actions	Review date
Appropriate safe behaviour with children is clearly defined in a code of conduct which is accessible and understood by staff, volunteers, families and children.						
Staff, volunteers, families and children understand safe behaviour and relationships with Aboriginal children, culturally and/or linguistically diverse children and children with a disability respectively, including vulnerable groups of children.						
Procedures for dealing with identified child safety risks or breaches of the code of conduct are clearly communicated and understood.						

This table is designed to be a checklist for compliance with the Standards. Any further details can be separately recorded.

STANDARD 4:

Screening, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel

To comply with this Standard your practice must have screening in recruitment of staff, supervision, training and other human resources practices that reduce the risk of child abuse by new and existing personnel. Ensure new and existing staff/volunteers understand the importance of child safety, are aware of policies and procedures, and are trained to minimise the risk of child abuse.

This should include only recruiting the most suitable people; creating clear job descriptions/duty statements; promoting child safety in your advertisements for jobs; assessing potential staff or volunteers and checking references. More detail regarding these matters can be found in this [resource](#) by the Commission for Children and Young people, and includes information about Victorian Working With Children Checks for staff and volunteers in your practice.

Steps for your practice to demonstrate compliance with this Standard might include some of the following activities:

Activity	In place	Partially in place	Not in place	Action required	Timeframe for actions	Review date
Interviews, reference checks and Working With Children Checks (where necessary) ² are undertaken for staff and volunteers.						
Recruitment processes select appropriate staff and volunteers, and discourage inappropriate staff entering the organisation.						
Duty and position statements (job descriptions) are clear.						
The organisation actively encourages applications from Aboriginal peoples and people from a culturally and/or linguistically diverse background.						
Staff and volunteers are trained in child safety, and understand and practice appropriate behaviour, including with Aboriginal and Torres Strait Islander children, culturally and/or linguistically diverse children and children with a disability respectively.						

This table is designed to be a checklist for compliance with the Standards. Any further details can be separately recorded.

² The child safe standards are not intended to expand the existing categories of employees and volunteers requiring a Working with Children Check.

STANDARD 5: Processes for responding to and reporting suspected child abuse

To comply with this Standard your practice management should establish processes that ensure children know who to talk to if they are worried or feeling unsafe and make sure that they are comfortable to do so. Children, parents, staff and volunteers must be encouraged and supported in their efforts to protect themselves and others.

Examples for Standard 5 include the following:

- Provide support to child and family
- Inform parents of allegations
- Maintain accurate record keeping
- Communicate policies and procedures on how to respond to allegations and who to report to (authorities and internal processes within the practice)
- Consider that your practice's policies must include legal requirements relating to Victorian law regarding child sexual abuse, referred to as *Failure to disclose*.³

Steps for your practice to demonstrate compliance with this Standard might include some of the following activities:

Activity	In place	Partially in place	Not in place	Action required	Timeframe for actions	Review date
Staff, volunteers, children and parents are aware of actions they should take in the event of an incident or allegation, including the type of contact that should be reported, who is responsible for reporting and to whom the report should be made.						
If child abuse is alleged or suspected, all legal requirements for reporting to authorities are complied with (e.g. police and/or child protection).						
Disciplinary processes, that are clearly defined and understood by all staff and volunteers, are adhered to when necessary.						
The organisation understands that if an allegation of abuse concerns an Aboriginal child, culturally and/or linguistically diverse child or child with a disability, particular measures should be taken to support the child.						
All breaches of child safe policies and procedures are appropriately managed, including adhering to all mandatory requirements, professional codes of conduct and other matters of law, and suspending (where necessary to ensure alleged victims' safety) staff or volunteers while allegations are investigated.						

This table is designed to be a checklist for compliance with the Standards. Any further details can be separately recorded.

³ Where any adult forms a reasonable belief that a sexual offence has been committed in Victoria by an adult against a child less than 16 years of age that adult has an obligation to report that information to police, unless exemptions apply. Failure to disclose the information is a criminal offence. See relevant APS resource on the Failure to Disclose offence: <http://www.psychology.org.au/Assets/Files/Vic-Crimes-Act-Amendments-doc.pdf>.

STANDARD 6: Strategies to identify and reduce or remove risks of child abuse

To comply with this Standard your practice should adopt a risk management approach. This means taking a preventative approach and identifying the potential for risk to children in your practice. These range from the impact of the physical environment and how it affects supervision of staff and children to staff recruitment practices. You should develop a risk management plan for your practice as this will reduce the likelihood of harm.

Examples for Standard 6 include the following:

- The practice must have strategies to identify and reduce or remove the risk of child abuse
- The practice needs to adopt a risk management approach – develop, record and communicate clear processes for evaluating and removing risks to children
- Be proactive to reduce the likelihood of risks emerging or escalating, rather than responding when harm has occurred
- Provide training to identify, prevent and reduce risks
- This covers risks that may occur during usual activities at the practice and those that may arise in specific or one-off activities at the practice
- Ensure contractors are compliant with child safe standards.

If appropriate, in the context of delivering psychosocial services to children, you can consider involving children in this process as they may have a very different idea about what makes them feel unsafe. This **resource** the Commission for Children and Young People has more detail regarding how to approach doing a risk management plan for your practice.

Steps for your practice to demonstrate compliance with this Standard might include some of the following activities:

Activity	In place	Partially in place	Not in place	Action required	Timeframe for actions	Review date
Situational risks are considered and understood by all personnel and policies and procedures written about these and how to prevent them.						
Risk management approaches are regularly reflected on and improved.						

This table is designed to be a checklist for compliance with the Standards. Any further details can be separately recorded.

STANDARD 7: Strategies to promote the participation and empowerment of children

To comply with this Standard your practice could promote the participation of children. When children are respected and valued they're more likely to speak up about issues of safety and wellbeing.

Examples for Standard 7 include the following:

- Establish trusting environments where children feel safe and comfortable in reporting concerns
- Promote the participation of children – provide opportunities for children to contribute to child safe policies and in decisions that affect them
- Actively valuing and respecting children's opinions
- Empower children through education to understand their rights, child abuse and grooming, your practice's code of conduct, how to raise concerns about abuse
- Seeking their views about what makes them feel safe and unsafe, including cultural safety
- Raise community awareness on children's rights and cultural safety.

Children's views can be sought by:

- Consulting directly with children about what they think makes your practice safe for them
- Giving children information about the standards of care they are entitled to and particularly about their rights
- Teaching children how to raise concerns, make complaints or let someone know they feel unsafe
- Regularly checking with parents and children that they are aware of relevant child safe policies and procedures and that the child safety culture is visible.

This **resource** of the Commission for Children and Young People has more detail regarding strategies to promote participation and empowerment of children.

Steps for your practice to demonstrate compliance with this Standard might include some of the following activities:

Activity	In place	Partially in place	Not in place	Action required	Timeframe for actions	Review date
Reporting procedures are accessible for all children. This could include providing information in a language that is developmentally appropriate and/or is visible at the practice and hard copies available if appropriate.						
Children understand how to report an allegation of abuse or concern for their safety to the practice and external bodies (for example, the police and/or child protection). Children are informed of their rights and know how to raise any concerns.						
Children feel safe, empowered and taken seriously if they raise concerns. Information is provided in a child friendly and accessible ways.						
Measures are taken to promote the cultural safety of Aboriginal children, the cultural safety of culturally and/or linguistically diverse children and the safety of children with a disability.						

This table is designed to be a checklist for compliance with the Standards. Any further details can be separately recorded.

For more information about the APS please visit
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