



Submission

A Reportable Conduct Scheme for the ACT

March 2016



Children have a fundamental right to be protected and kept safe while they are in an approved service. Children who are unsafe are at risk of having their physical health and wellbeing negatively impacted on, which, in turn, can negatively affect children's experiences, learning and wellbeing in the present and throughout their future lives. (The Guide to the National Quality Standard, p.67)

States Parties shall 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. (The United Nations Convention on the Rights of the Child, Article 19)

There can be no keener revelation of a society's soul than the way in which it treats its children. (Nelson Mandela)

Summary

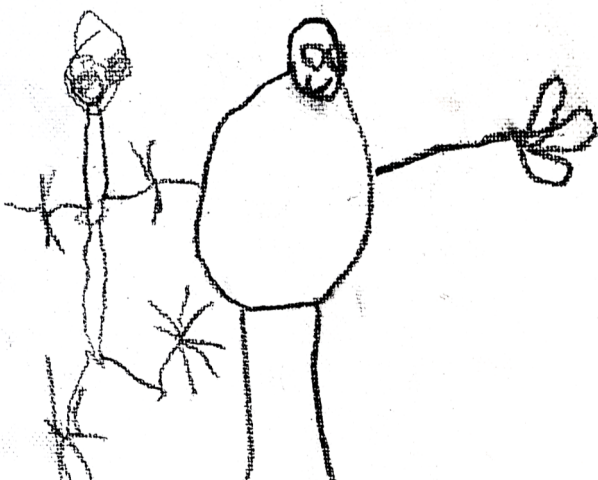
Northside fully supports the introduction of a Reportable Conduct Scheme for the ACT as outlined in the ACT Government's Discussion Paper. As an Approved Provider of four Early Childhood Centres, we already work within existing regulatory frameworks designed to protect children in the ACT, including:

- The Education and Care Services National Law and Regulations
- The National Quality Standard
- The Children and Young People Act
- Working With Vulnerable People Requirements

We are confident that the introduction of a Reportable Conduct Scheme can operate effectively alongside these requirements without undue duplication of work. We would submit that such a Scheme could actually provide stronger frameworks and guidance around the identification and management of reportable conduct incidents, strengthening, clarifying and streamlining organisational responses.

The ACT early childhood education and care (ECEC) sector is diverse, with multiple modes of service delivery and wide variety of organisations and individuals operating services. A single oversight body can ensure that best-practice approaches to managing reportable conduct incidents are the expectation at every service working with young children.

Northside is pleased to address the rest of our submission to the questions asked in the Discussion Paper.



Introduction

Ensuring the safety and wellbeing of all children in our community should be a fundamental responsibility of the Government, organisations and citizens. Recent and ongoing investigations into the treatment of children in a variety of settings (such as the Royal Commission into Institutional Responses to Child Sexual Abuse and The Forgotten Children: National Inquiry into Children in Immigration Detention Report), illustrate the risks to children when their rights are not upheld.

As an organisation that works with young children across four Early Childhood Centres, we are committed to ensuring children's health and safety as our very first priority. As such, we fully support the ACT Government's proposal to introduce a Reportable Conduct Scheme for the ACT.

Which organisations should be within scope of a reportable scheme?

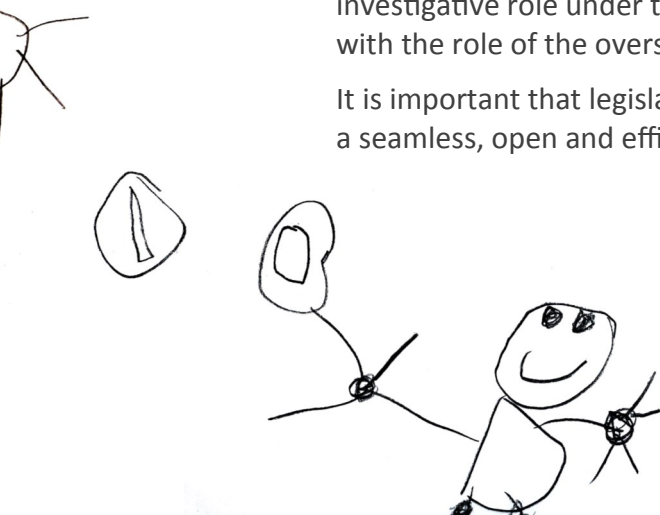
Northside supports the list of designated agencies provided on page 6 of the Discussion Paper, but would like to clarify that "Child Care Centres" include all ECEC services operating under the National Quality Framework (NQF).

Are there any other existing mechanisms which could be used to support the introduction of a reportable conduct scheme?

As noted in the Summary to this submission, ECEC services in the ACT operate under a series of regulatory and legislative frameworks. We expect that the Scheme as proposed would operate effectively in parallel to these requirements, and if implemented by organisations and individuals would ensure adherence to those requirements.

We note that Children's Education and Care Assurance (CECA) currently has an investigative role under the NQF, and would propose that this role is aligned closely with the role of the oversight body under the Scheme.

It is important that legislative frameworks and administrative arrangements facilitate a seamless, open and efficient operation of related mechanisms.



What other support will your organisation need?

The development and communication of clear and effective guidelines, frameworks and templates for the investigation and management of reportable conduct incidents. In order to ensure a best-practice approach across the ACT, we submit that specific templates for investigation plans, reports and other appropriate documents should be developed and provided to the designated agencies for use.

Please provide any comments about the proposed role and powers of the oversight body

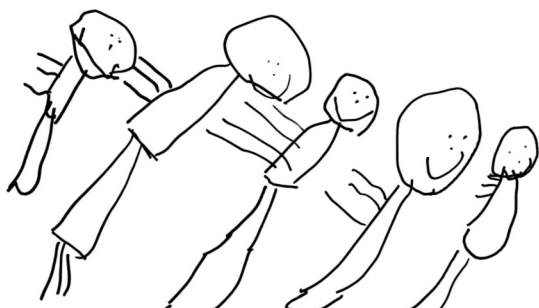
Northside supports the proposed role and powers of the oversight body as outlined in the Discussion Paper, and as currently in practice in NSW. In order to ensure a unified and consistent approach in all designated agencies, we submit that the oversight body should have appropriate powers to ensure compliance with the requirements of the Scheme, including potential public notification of failures to meet those requirements.

We would also propose that the oversight body is empowered to ensure that regulatory bodies in Government are undertaking best-practice approaches to children's health and safety.

We note that it is proposed that the oversight role under this Scheme could sit within the remit of either the Children and Young Person Commissioner of the ACT Ombudsman. Northside strongly recommends that responsibility for this Scheme sits with the Commissioner, to ensure a rights-based and child-centred approach to supporting organisations.

What role and powers should the oversight body have for less serious allegations and conduct which does not meet the definition of 'reportable conduct'?

Northside submits that Approved Providers should have appropriate internal systems and processes to manage non-reportable conduct, including notification to CECA. We propose that the oversight body could provide limited support and guidance to organisations to develop stronger systems and processes in this area, but not to an extent that dilutes the strong focus on management of reportable conduct.



About Northside Community Service

We are a community-based, not for profit organisation established in 1976 through the efforts of concerned people wanting to provide and develop support and services for residents of North Canberra.

Today we employ over 150 staff, along with an active volunteer program and operate an annual budget of over \$11 million. In responding to the needs of our community we currently deliver a diverse range of services, including:

- early childhood education (ECE)
- services for older people and people with a disability
- home support, transport and social programs for seniors
- support programs for young people and families
- women's housing and support for formerly homeless people
- venue hire for community activities

About Northside Children's Services

Northside manages four Early Childhood Centres in the ACT located in Civic, Dickson, Turner and Harrison. All Northside Centres operate under the National Quality Framework, and are committed to supporting the Early Learning of young children through high-quality, play-based educational programs and professional practices in a safe and enjoyable environment.

Our Centres work with children from six weeks old to school-age, and are open 51 weeks a year. Each Centre is committed to working closely with children and their families to support every child's early learning and wellbeing.

Northside feels strongly about advocating for the importance of all children's birth right to high-quality early education, and actively works within the local and national community to improve understanding and knowledge of issues affecting children and Early Childhood.

Early Childhood Education can change lives. We know that giving children a love of learning, and supporting wellbeing at an early age can drastically improve the opportunities and life-long outcomes for every child – and in turn, the whole community.

