

ECCV Response to The Victorian Government's Child Safe Standards Review

February 2019

About ECCV

The Ethnic Communities' Council of Victoria Inc. (ECCV) is the voice of multicultural Victoria and the peak advocacy body for eight regional ethnic community councils and 240 member organisations, including ethnic and multicultural organisations across Victoria. For over 40 years, we have been the link between multicultural communities, government and the wider community.

ECCV has a strong history in advocating for the rights of multicultural communities, informing industry practice and influencing Government on a range of issues including health, employment, cultural responsiveness, equitable access and the wellbeing of families and children.

ECCV's previous submissions

This submission builds on previous contributions made by ECCV, including submissions to 'The Betrayal of Trust Inquiry Implementation – *Creating Child Safe Organisations Consultation Report*, the Department of Health and Human Services' consultation on an extra standard relating to cultural safety for the proposed Child Safe Standards and contributions to the development of the reportable conduct scheme *Children Legislation Amendment (Reportable Conduct) Act 2017*. ECCV is pleased to provide this response to the current Review of Victoria's Child Safe Standards.

ECCV's response to the current Review of Victoria's Child Safe Standards

ECCV commends the Victorian Government on the review of the Victorian child safe standards ('standards'). In response, ECCV would like to comment on:

1. The challenges and opportunities for multicultural and ethnic organisations to implement and comply with the standards
2. Ensuring effectiveness of the principles under the standards, and
3. Working towards national harmonisation of the standards in Australia.

1. The challenges and opportunities to implementing the Victorian child safe standards in the multicultural and ethnic sector

‘What are the different regulatory bodies actually responsible for? Who does what? It’s very unclear. Do the regulatory bodies have enough resources and awareness to engage appropriately with all the organisations, and do organisations have enough awareness of what the standards and expectations are for each body?’

- VCOSS consultation feedback -

General lack of knowledge and understanding of child safe standards

Recent child safe standards consultations¹ and other community feedback given to ECCV indicates that implementing new standards, frameworks and other requirements faces serious challenges in the multicultural and ethnic community sector.

It is currently unclear which and how many multicultural and ethnic service providers are required to comply with and understand their obligations under the Victorian Reportable Conduct Scheme and the Child Safe Standards. Multicultural and ethnic communities and their organisations are often not connected to the same support mechanisms as other service providers, don’t necessarily engage with mainstream media and may even lack basic knowledge about the current policies, laws and regulations their organisations require for providing a child safe environment.

‘Some organisations in the multicultural and ethnic sector are starting from a very low base. Government frequently allocates far too small amounts to for engaging with this sector [to provide the appropriate education, training and resources] – a sector which is a very complex and diverse one.’

- Multicultural sector feedback -

This makes it particularly challenging for peak organisations to educate a very diverse group of member organisations about new requirements, particularly when such organisations may not have had a ‘child safety focus’ in the past.

Based on sector feedback, ECCV considers that a review is urgently required to determine if the multicultural and ethnic community sector organisations understand and engage with the requirements under the Child Safe Standards and the Reportable Conduct Scheme. These organisations need to be supported to help determine if they have sufficient knowledge about all child safe requirements and if they comply with the standards.

Further, ECCV believes that it is critical to establish ongoing feedback mechanisms to gather more data about the multicultural sector’s knowledge and understanding of the standards. This will contribute to better understanding the existing challenges for organisations to comply.

In particular, community consultations and an extensive survey need to be conducted with multicultural service providers to determine the level of support required. To support that process, ECCV or another multicultural peak body need to be funded to undertake secondary consultations with community organisation managers and/or appointed child safe officers to assess *if* and *how*

¹ VCOSS and YACVic joint consultation on the Review of the Victorian Child Safe Standards, 6 February 2019.

organisations, that provide services and/or facilities specifically for children, understand the standards.

Recommendation 1:

That the Victorian Government undertakes an additional supplementary review into *if and how* Victorian multicultural and ethnic service providers understand the Child Safe Standards and requirements they are obliged to follow, and establishes feedback mechanisms to improve accessibility to and effectiveness of existing supports and resources provided by government and community peak organisations.

Recommendation 2:

That the Victorian Government funds ECCV or another multicultural peak body to undertake consultations with multicultural and ethnic community organisations to assess *if and how* organisations, that provide services and/or facilities for children, understand the standards.

Lack of knowledge about available resources and supports to implement standards

‘Resourcing, capacity, money, time – these are all barriers. Organisations will have to fund all the implementation work by themselves and they would have to heavily rely on HR resources that are already quite limited. It’s an add-on cost which often means smaller organisations that would like to do ‘the right thing – simply can’t afford doing it.’

- Multicultural sector feedback -

Organisations have to fund implementation work by themselves (time, effort and resources for training) and rely on already limited HR resources. VCOSS consultation participants² and multicultural sector experts stated that it is very time and resource intensive (especially at the beginning) to get organisations ‘up and running’ to adhere to the standards and to achieve compliance, particularly with no additional funding.

Community feedback suggests that although there are supports available – for example, provided by [The Commission for Children and Young People](#) (CCYP), the [Centre for Excellence in Child and Family Welfare](#) (CECFW) and [Child Wise](#) – there’s a concern that many community members and sector workers might not know this.

ECCV is concerned that smaller ethnic and multicultural services and volunteer run organisations that receive no additional funding, often struggle to meet the administrative burdens of implementing the standards. Small organisations urgently require ongoing and targeted support and training to develop and maintain child-safe environments.

Recent community feedback to ECCV also indicates that in order to build the internal capacity of ethnic and multicultural providers and to create child safe organisations, more needs to be invested into staff training, including ‘train the trainer’ sessions. Importantly, these training sessions need to be delivered across the state, including in Victoria’s regional and rural centres.³

² VCOSS and YACVic joint consultation on the Review of the Victorian Child Safe Standards, 6 February 2019.

³ Ibid. Regional and rural organisations were considered to have only very limited access to training on child safe principles.

Recommendation 3:

That the Victorian Government provides general training for multicultural and ethnic community organisations, including in regional and rural Victoria, that raise awareness about the need to comply with the standards, and the resources available to assist with compliance.

The need for child safe standards education and training with multicultural communities

'Training needs to be renewed regularly, both because of staff turnover, and because new issues arise. Workers often want deeper training about how to apply the Child Safe Standards to specific situations.'

- VCOSS consultation notes -

In light of the results of the supplementary review and consultations (Recommendations 1 and 2), and the training on resources available (Recommendation 3), there needs to be a culturally appropriate *Child Safe Standards* training package developed and delivered to multicultural service providers.

ECCV, in partnership with VICSEG New Futures, has previously delivered culturally responsive child safe standards training to multicultural and ethnic community organisations. Feedback provided shows that multicultural community members welcomed the training, acknowledged the importance of child safety and valued the awareness raising, tools and templates provided.⁴ The program also uncovered great unmet demand in the community for training on the standards and practical assistance to become compliant.

ECCV believes that the multicultural and ethnic sector requires additional resources and training, including training delivered in community languages, for effective implementation and compliance with national and Victorian legislation. The Victorian Government and Commission for Children and Young People have previously promised resources to support organisations to meet the requirements under the Reportable Conduct Scheme.

As a first step, ECCV recommends that a follow-up one-off training program be delivered to provide support to multicultural communities and develop their capacity to fully implement the standards.

Recommendation 4:

That ECCV receives funding to provide a follow-up one-off training program for multicultural and ethnic sector organisations, in partnership with VICSEG, to raise awareness and ensure compliance with the standards.

⁴ This is in line with the feedback provided at VCOSS's child safe standards consultation.

State-wide Child Safe Standard training and education and ongoing initiatives

ECCV believes that while one-off education and training programs are very valuable and worthwhile, they are by no means adequate to provide the reach and capacity-building needed in the ethnic and multicultural sector.

Compliance, training and information-sharing need to be ongoing because many ethnic and multicultural community organisations are volunteer-led, have considerable turnover, and therefore need to be engaged with at least once a year– for example, through providing refresher training courses. One-off short programs which focus on child safe standards need to be complemented by *ongoing* training opportunities – for example, for designated Child Safe Officers.

‘More work needs to be done to build awareness and capacity and to educate community about what these standards mean.’ ...‘Some groups don’t have nearly enough initial understanding of the issues. But translated materials are not easily available. You can’t just say to people: “Go, have a look at the website.”’

- VCOSS consultation/ multicultural sector feedback -

This includes accessible and culturally responsive education and training materials, like resource-kits that are made available in different formats – for example, print and online modules and video resources, and in community languages for organisations that need continuing support.

Recommendation 5:

That a multicultural peak body, such as ECCV, receives funding to provide *ongoing* professional development training on the Child Safe Standards and to work with the multicultural and ethnic sector to train and support Child Safe Officers and other staff with implementing the standards.

2. The effectiveness of the three cross-cutting principles of the standards

Victorian child safe standards acknowledge culturally diverse communities

Multicultural community feedback indicates that the explicit inclusion of the three principles into the Victorian standards that recognise that children from diverse backgrounds often have not been effectively protected by generic child safe policies has largely been considered positive. In particular, Principle 2, that ‘promotes the cultural safety of children from culturally and/or linguistically diverse backgrounds’⁵, provides an opportunity for organisations and their workers to recognise the potential vulnerabilities of culturally diverse communities and strengthen their cultural competence and responsiveness. VCOSS consultation participants also largely emphasised the positive effect of the three principles and that they are helpful to ‘raise awareness’ amongst colleagues that certain groups of children have particular needs.⁶

Cultural competency training to strengthen the standards

To support the improvement of cultural competency and responsiveness within organisations, ECCV encourages organisations and community workers to complete cultural competency training and produce and implement a Cultural Diversity Plan and a Reconciliation Action Plan. Previous cultural

⁵ DHHS, Review of Victoria’s Child Safe Standards - Issues paper, p. 10.

⁶ VCOSS and YACVic joint consultation on the Review of the Victorian Child Safe Standards, 6 February 2019.

competency training, such as VICSEG New Futures' and CECFW's *Culturally Competent Practice with Vulnerable Families*, provided practitioners and organisations working with families, children and young people, with skills, knowledge and confidence to better work with culturally diverse children and families. Learning outcomes include:

- Awareness of migration issues and the impact on children and families
- Understanding the linguistic and cultural diversity profile of families and children in Victoria
- Effective communication with culturally diverse communities, e.g. interpreters
- Identifying child-rearing norms and differences within and across cultures, and
- Understanding cultural competency at an organisational level.

ECCV recognises that the inclusion of cultural safety standards for Aboriginal and CALD children in the standards is an important step in promoting cultural competency and responsiveness in all community services. Organisations continue to report that they struggle with providing culturally appropriate and accessible child safe policies, procedures and other resources within their organisations. ECCV believes that this could potentially have negative impacts on organisational practices and service delivery to migrant and refugee communities. Participants at the recent VCOS consultation also reported that staff, at times, can feel 'a bit overwhelmed' by expectations to acknowledge all the vulnerable groups and 'not overlook anyone'.

ECCV therefore believes that the continuation and extension of cultural competency training to further promote the cultural safety of children from culturally diverse backgrounds is vital, including the strengthening of organisational child safe principles and practices more generally.

Recommendation 6:

That the Victorian Government continues to fund peak sector organisations, such as ECCV and VICSEG New Futures, to deliver cultural competency training to community sector organisations that work with diverse families and children to develop and improve cultural safety and child safe practices within their organisations.

Recognition of particular vulnerabilities of refugee and asylum seeker children

'The more disadvantaged and marginalised and disenfranchised the groups are, the more support they need. In particular, refugee and asylum seeker community groups.'

- Multicultural sector feedback

ECCV believes that it is important to recognise groups of children that face systemic disadvantage and marginalisation as they are especially vulnerable to violations of their human rights. For example, asylum seeker and refugee children and their families are at higher risk of certain mental illnesses and post-traumatic symptoms 'as a result of experiences from before their migration, during their journey and after their arrival'.⁷ ECCV would therefore like Principle 2 to explicitly refer to children from refugee and asylum seekers families.⁸ ECCV believes that to support mainstream

⁷ RANZCP, [Mental health needs of child asylum seekers and refugees](#) [Accessed 22 February 2019].

⁸ DHHS, Review of Victoria's Child Safe Standards - Issues paper, p. 10.

providers and small multicultural and ethnic organisations to protect refugee and asylum seeker children from potential harm, will require dedicated resourcing for further awareness-raising about the vulnerabilities and needs of this group.

Recommendation 7:

That the Standards' Principle 2 explicitly refers to children from refugee and asylum seeker families, including unaccompanied minors, as particularly vulnerable groups of children that face additional risks of harm.

Recommendation 8:

That the Victorian Government provides additional resources to multicultural training providers for further education and awareness-raising activities with mainstream providers and small multicultural and ethnic organisations about the specific needs and vulnerabilities of refugee and asylum seeker children.

3. Towards national harmonisation of child safe standards in Australia

National consistency without losing the focus on culturally diverse children

'National principles and consistency will help organisations, reduce duplication of work and make it easier for them to work across programs and facilitate implementing child safe working practices. Because we [in Victoria] already have the standards and reportable conduct, we are already ahead. And we should maintain some of our additional standards. 'We should aim for the highest standards and not aim for the lowest common denominator.'

- VCOSS consultation/ multicultural sector feedback -

Multicultural and community sector feedback to ECCV, and at recent VCOSS consultations, indicates broad support for amending and aligning Victoria's standards more closely with the National Principles for Child Safe Organisations (National Principles).⁹ ECCV supports the establishment of a national benchmark for organisations working with children and young people to develop and maintain a child safe culture and applauds the recent Council of Australian Governments' endorsements of a nationally consistent approach.¹⁰ ECCV believes that this will enable multicultural and ethnic community organisations to more easily understand their obligations, reduce duplication of work and focus their (often limited) resources to implement the standards and further improve organisational practices.

It will be, however, critical that any alignment of Victoria's child safe standards with the National Principles does not lead to the removal of the principles which recognise that children from diverse backgrounds have often not been effectively protected by generic child safe policies. In previous submissions ECCV quoted substantial evidence-based reports showing that including cultural safety

⁹ See: The National Principles for Child Safe Organisations, <https://childsafe.humanrights.gov.au/national-principles> [accessed 22 February 2019].

¹⁰ AHRC, [COAG endorses National Principles for Child Safe Organisations](#) [accessed 22 February 2019].

of vulnerable migrant and refugee children and young people in general standards or principles will not adequately address their needs.

ECCV therefore believes that Victoria should not replace its three principles with a standard equivalent to National Principle 4 (*Equity is upheld and diverse needs respected in policy and practice*) and keep them as separate cross-cutting principles that specifically acknowledge and respect the different needs of Victoria's diverse communities.

Recommendation 9:

That the Victorian Government ensures any alignment of Victoria's standards with the National Principles does not lead to the removal of the principles which explicitly recognise that children from culturally diverse backgrounds face additional risks and have particular support needs that require culturally responsive child safe policies and practices.

ECCV looks forward to providing further input into Victoria's child safe standards and associated regulatory frameworks, and is committed to assisting the Government to realise the full potential of the standards that will ensure the safety and wellbeing of all children in Victoria.

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