



Child Safe Regulations in Victoria

Aquatics and Recreation



CHILD
SAFEGUARD



September 2023



ABOUT US

**CHILD
SAFEGUARD**



Child Safeguard is an award-winning firm that helps organisations prevent harm to children and keep them safer. Our experts advise organisations how to build a Child Safe Organisation and how to implement Best Practice in Child Safety.

Our Services



CHILD SAFE AUDITS.

Be reassured that your organisation is minimising risks, legally compliant, and keeping children safer.



POLICIES & PROCEDURES.

Enhance your reputation with child safe policies and procedures that are best practice.



CHILD SAFE TRAINING.

Ensure your staff & key stakeholders receive expert training in child safeguarding. We tailor to your needs.



CHILD SAFE CERTIFICATION.

Add value to your organisation with Child Safe Certification. A comprehensive 10 step approach to being recognised as Child Safe.

Introduction

Australia is undergoing a child protection revolution following the Final Report of the Royal Commission into Institutional Responses to Child Sexual Abuse ('Royal Commission').

The Royal Commission investigated historical allegations of child abuse within institutions, to uncover where systems failed so that recommendations could be made to improve laws, policies, and practices.



Royal Commission into Institutional Responses to Child Abuse

The Royal Commission identified 10 critical elements that are necessary to create a safe environment for children and young people. These elements became the **10 Child Safe Standards**.

The Child Safe Standards articulate the essential elements of a Child Safe Organisation. The Child Safe Standards have been endorsed by the Federal Government and are regulated in Victoria.

[Read more here](#)



The Victorian 11 Child Safe Standards

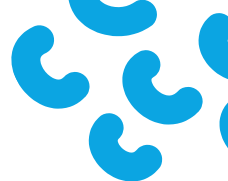
The Victorian 11 Child Safe Standards commenced on **1 July 2022** and are regulated by the *Child Wellbeing and Safety Act 2005* (Vic).

The new Standards replaced Victoria's 7 Standards and Principles. Child-related organisations in Victoria are required, **by law**, to implement all of the 11 Standards.



Child-related organisations (including aquatic facilities) are required to have policies and procedures in place that promote safe environments for children and young people, and must be prepared to respond to allegations of abuse and misconduct.

[Read more here](#)



Child Safe Legal Obligations

We provide an overview below of some of the Child Safe Legal Obligations of child-related organisations and individuals who work closely with children in Victoria.

Organisational Duty to Prevent - *Civil Duty*

Legislation: *Wrongs Act 1958* (Vic) s 91.

Organisations that have children under their care must take **reasonable precautions** to prevent a person associated with the organisation from perpetrating child abuse.

[Read more here](#)

Failure to Disclose - *Criminal Offence*

Legislation: *Crimes Act 1958* (Vic) s 327.

An adult commits a criminal offence if:

- They form a reasonable belief
- That a sexual offence has been committed in Victoria against a child (under 16 years)
- They fail to make a report to the police.



[Read more here](#)



Failure to Protect - Criminal Offence

Legislation: *Crimes Act 1958* (Vic) s 49O.

The offence applies to adults engaged in child-related work, who:

- Know that another adult in the organisation poses a substantial risk of committing a sexual offence against a child;
- Have the power to reduce or remove this risk, and;
- Negligently fail to reduce or remove the risk.

[Read more here](#)

Obligation to your Customers and Staff

Aquatic and recreation facilities are required to be compliant with the Victorian 11 Child Safe Standards and other child safe legal obligations.

We can help your organisation become Child Safe and comply with its legal obligations.





How Can We Help You?

About Child Safeguard



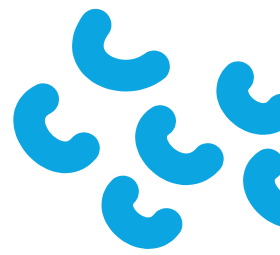
Child Safeguard is an award-winning firm that helps organisations prevent harm to children, and keep them safe. Child Safeguard provides consultancy, training, and legal services to child-related organisations and helps implement Best Practice in Child Safety.

If you would like to find out more about how Child Safeguard can help your organisation, get in touch:

 Email: monique.frendo@childsafeguard.com.au

 Phone: **(02) 9252 3198**

 Visit our website: <https://www.childsafeguard.com.au/>



Want to Learn More?

Child Safeguard has partnered with World Wide Swim School (WWSS) to provide the aquatics industry with expert **training, knowledge and resources** on Child Safety and how to become a Child Safe aquatic facility.

[Click here](#) to learn more about our Child Safe eLearning Modules.

