# Supplementary material 3: Scope for child safe standards and a reportable conduct scheme

Our objectives in implementing child safe organisations system in Queensland are to improve the safety and wellbeing of children receiving services and/or care in Queensland organisations, and to ensure children who are at risk of experiencing abuse, or have experienced abuse in institutional settings, are supported early, in a trauma-informed, appropriate way. There are many types of organisations that work with children and young people – we want to ensure we design a system that can work effectively by targeting regulation and oversight to the most relevant sectors.

The Queensland Government has not yet made any decisions about the scope of organisations that will be included in child safe standards (CSS) or a reportable conduct scheme (RCS). However, based on the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) and the examples in other jurisdictions, CSS are expected to apply to a broader range of organisations than the RCS. Your feedback on this will be a critical part of any final decisions.

## Child safe standards – Recommendations from the Royal Commission

The Royal Commission recommended that governments require all institutions that engage in ‘child-related work’ to meet CSS.

The Royal Commission recommended the CSS should apply to:

* accommodation and residential services for children, including overnight excursions or stays
* activities or services of any kind, under the auspices of a particular religious denomination or faith, through which adults have contact with children
* childcare or childminding services
* child protection services, including providers of family-based care (foster and kinship care) and residential care, as well as family support/secondary services
* services for children with disability
* education services for children
* health services for children
* justice and detention services for children, including immigration detention facilities
* activities or services where clubs and associations have a significant membership of, or involvement by, children
* coaching or tuition services for children
* commercial services for children, including entertainment or party services, gym or play facilities, photography services, and talent or beauty competitions
* transport services specifically for children.

On page 55 of the Consultation Regulatory Impact Statement (CRIS) (see Table 13), we have provided examples of what types of services and specific sectors these Royal Commission categories could potentially translate to in our Queensland context.

## Scope in other jurisdictions

With some exceptions, the scope of organisations to which CSS apply generally in other jurisdictions includes the following key sectors:

* designated government agencies or related public entities
* accommodation and residential services
* religious institutions
* childcare services
* disability services (note, NSW does not include disability services under the scope of its CSS scheme)
* education services
* health services
* justice and detention services.

Beyond these sectors, the scope of organisations captured under other governments’ implementation of CSS differs slightly. For more information about other jurisdictions, see page 52 of the CRIS.

## Scope considerations for Queensland

We want to ensure that implementation and oversight of the CSS is targeted most effectively to relevant sectors providing services to children and young people. Given the importance of ensuring the regulatory approach has a positive impact on child safety and wellbeing without unnecessarily burdening organisations, the scope will be informed by key factors such as: the nature and characteristics of services provided by the type of organisation; existing regulation; stakeholder feedback; and Royal Commission commentary.

Consistent with approaches in other jurisdictions, Royal Commission commentary about proportionate regulatory burden, and to ensure the CSS scheme is effectively focused, we are considering ways to target scope to:

* organisations that specifically provide services for children, or
* provide facilities specifically for use by children under the organisation’s supervision.

It is proposed that obligations to comply with CSS would apply at an organisational level (rather than applying only to specific service streams or parts of an organisation). This would be accompanied by the ability to implement the standards across various services, activities and environments in a flexible way that makes sense for the individual organisation’s circumstances. This is intended to provide clarity for organisations that may deliver services to both adults and children, or different types of services to children.

The CRIS seeks feedback (page 57) on target questions related to the scope of organisations for a Queensland CSS scheme.

****We want to hear from you about:

* What do you believe are critical factors that we should consider in determining the scope of the CSS scheme? Are any factors more important than others?
* Do you have any views on the scope of organisations that the CSS should apply to, including any of the sectors we are considering?
* What factors should be considered if we were to require CSS compliance for the whole organisation, with flexible and tailored implementation for each service or service stream, activity or environment?

For the full list of consultation questions, please see the CRIS and / or the template for feedback provided. We would like to hear from you whether you respond to all, or only some, of the questions.

## Scope of a reportable conduct scheme

The Royal Commission recommended a minimum scope of organisations to be included in the RCS, within the following broad categories:

* accommodation and residential services for children
* religious institutions
* childcare services
* child protection and out-of-home services for children
* disability services and supports for children with disability
* education services for children
* health services for children
* justice and detention services for children
* other government departments and entities.

Supplementary material 5: Overview of a reportable conduct scheme in Queensland has more information on a proposed RCS for Queensland, and the CRIS Part 3 (pages 63 to 65) provides more detailed discussion on the potential scope of the RCS, in comparison to the CSS.