OFFICIAL

2020 - 2021

Annual Statement of Compliance with the Commonwealth Child Safe Framework

## Our commitment

The National Indigenous Australians Agency (NIAA) is committed to protecting and safeguarding children from abuse, neglect and exploitation. NIAA is committed to providing a child safe environment where children and young people are safe and feel safe, and their voices are heard about decisions that affect their lives.

Particular attention is paid to the cultural safety of Aboriginal and Torres Strait Islander children and children from culturally and/or linguistically diverse backgrounds. Every person involved in the NIAA has a responsibility to understand the important and specific role they play individually and collectively to ensure that the wellbeing and safety of all children and young people is at the forefront of all they do and every decision they make.

## Our operations and interaction with children

The Agency’s employees may have incidental and at times direct contact with children as part of their responsibility to implement the Australian Government’s policies and programs to improve the lives of all Aboriginal and Torres Strait Islander peoples. Direct contact with children is primarily in regional areas where employees may visit public places, communities, and premises of funded Service Providers.

The Agency also funds service providers and Government Directed Activity that may have incidental or direct contact with children. This includes providers under the Remote School Attendance Strategy and early childhood services.

## NIAA’s child safety risk assessment

The overall child-related risk rating attributed to NIAA for 2020-21 is medium. This rating is based on the residual likelihood that Agency employees, contracted Service Providers and grant recipients may not comply with the existing requirements of the policy and controls.

A review of the Agency’s child-related risks was conducted at a Branch level. This risk assessment identified both incidental and direct contact with children, primarily as part of the regional NIAA employees’ roles and responsibilities, as opposed to employees in the Canberra Office. Regional employees represent approximately 40 per cent of the NIAA’s workforce. The Agency aims to mitigate these risks under a revised Working with Children and Vulnerable People Policy and Guidance Framework.

NIAA has an existing framework for working with vulnerable people, including children. At the time of its establishment NIAA carried over a number policies of the Department of the Prime Minister and Cabinet, including the Working with Vulnerable People Policy and Guidance Framework. This framework covers recruitment and screening practices to assist in the selection of appropriate people to work with children and vulnerable people, provides policies and guidance, and complaint handling procedures for child safety and is consistent with the National Principles for Child Safe Organisations (the National Principles). Risks may arise where managers are unaware of existing policy requirements and do not understand the diverse State and Territory laws.

The NIAA plans to develop its own policy in the next 12 months to provide clear guidance material for NIAA employees to understand their obligations when working with children, aligned with the National Principles for Child Safe Organisations (the Principles) and include enhanced mechanisms for reporting and complaints of child-related incidents for service recipients. The release of the revised policy will include an agency-wide communication strategy to include staff consultation and awareness raising for employees. The revised policy is expected to be finalised by October 2022.

The risk assessment also identified funded Service Providers as potentially having more contact with children in communities than NIAA employees. Providers must complete a mandatory annual Statement of Compliance (SoC) to confirm compliance with their obligations for working with vulnerable people, and child safe requirements included in their funding agreement. Organisations who do not provide a SoC are subject to sanctions, including withholding payments and termination of their agreements. The most significant risk identified would be if there was a failure to comply with the policies and contractual requirements.

The NIAA is working towards incorporating the child safety clauses included in the Department of Finance Supplementary Conditions to the Commonwealth Simple and Standard Grant Agreement templates and the Commonwealth Procurement ClauseBank into all Service Provider agreements by 2025.

## NIAA’s compliance with the Commonwealth Child Safe Framework

The NIAA is compliant with all four requirements of the Commonwealth Child Safe Framework (CCSF). These core requirements are detailed on the National Office for Child Safety’s CCSF webpage at https://childsafety.pmc.gov.au/what-we-do/commonwealth-child-safe-framework.

The current annual risk assessment of activities at the Branch level confirms all employees who have direct contact with children have up-to-date checks in accordance with the relevant state or territory legislation. The Agency is progressing through an in-depth assessment of individual roles and responsibilities to compile an Agency-wide register of individuals, their degree of contact with children, and the status and expiry of state and territory checks.

The Agency has implemented a Commonwealth Child Safe Framework eLearning course to make employees aware of, and compliant with, the Framework and relevant legislation. The Agency has a pre-existing Working with Vulnerable People Policy and Guidance Framework. This framework is in the process of being reviewed to more strongly align with the National Principles and include further instructions on how to comply with the CCSF.

As part of National Child Protection Week 2021, the Agency also promoted new and existing resources to improve child safety. The Agency is also undertaking a review of its reporting and complaint mechanisms to increase reporting avenues for community members.

## Child safe initiatives in the reporting year

The NIAA has undertaken the following child safety initiatives in the 2020-21 reporting year:

* Completion of an initial audit of the roles and responsibilities of all employees to determine the degree of both direct and indirect contact with children and ensuring that they have the appropriate level of checks in accordance with State and Territory legislation;
* Updated the provider Site Visit Template so that questions about providers’ compliance with mandatory reporting are now explicitly asked during site visits;
* Released a Commonwealth Child Safe Framework eLearning course;
* Developed resources to support organisations working with Aboriginal and Torres Strait Islander communities to implement the National Principles in a culturally safe way. The Agency is promoting these resources through our stakeholder networks.