



DVA CHILD SAFE FRAMEWORK

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Version Control

Date of Change			
15 July 2020	Total Document Review	Update and Review	RFMC
4 December 2020	Grants programs updates and minor updates	Grants program review	Bronwyn Worswick
26 May 2022	Total Document Review	Organisational and Division restructures as well as changes to DVA governance structure	Executive Management Board – Performance & Assurance

1.0 Purpose

The objectives of the DVA Child Safe Framework (the Framework) are to:

- Ensure DVA remains compliant with the [Commonwealth Child Safe Framework](#) (CCSF) and relevant legislation, including Working with Children Checks (WWCC), or equivalent where applicable, and other mandatory reporting requirements including child protection.
- Outline and promote specific requirements for DVA Policies, Programs, Grants and Procurements to protect children and young people from the risk of harm or abuse.
- Provide guidance on mandatory annual risk assessments to be undertaken by DVA to identify the level of responsibility for, and contact with children and young people, and to put in place mitigation strategies to manage identified risks.
- Provide information and appropriate Child Safe training to DVA staff (ongoing and non-ongoing) and contractors who have direct interaction with children.

2.0 Background

In response to the findings of the Royal Commission into Institutional Responses to Child Sexual Abuse, the Australian Government committed to developing a CCSF to protect children and young people who may have contact (direct or indirect) with Commonwealth entities from the risk of harm or abuse.

The CCSF was published in February 2019 with oversight by the Department of the Prime Minister and Cabinet (PM&C). The second edition of the Framework came into effect on 14 December 2020, introducing a new fourth requirement.

The core requirements of the CCSF include:

- 1) annual risk assessments to be undertaken by agencies.
- 2) a system of training and compliance to ensure that staff who have contact with children are aware of, and compliant with, the CCSF, including having WWCCs or equivalent and mandatory reporting.
- 3) the adoption and implementation of National Principles for Child Safe Organisations (see [Framework Principles](#) below).
- 4) publication of an annual statement of compliance with the Framework, including an overview of the entity's child safe risk assessment (conducted under Requirement 1).

The CCSF recommends that Accountable Authorities annually assure themselves that the requirements of the CCSF are being met within their agency. The Secretary is the Accountable Authority for DVA.

3.0 Scope of this Framework

Consistent with the scope of the CCSF, this Framework applies to all DVA staff and DVA funded third-parties (see definitions below).

4.0 Definitions

Abuse	Abuse, in relation to the a child is intended to have its broadest meaning and includes: <ul style="list-style-type: none">• physical abuse• sexual abuse or other exploitation of a child, including child grooming• neglect of the child• emotional/psychological and verbal abuse, or• exposure to violence, including family and domestic violence.
Accountable Authority	Accountable authority has the same meaning as the in the <i>Public Governance, Performance and Accountability Act 2013</i> . In the DVA context, the Accountable Authority is the Secretary.
Child and young person	A child or young person means a person under 18 years of age or a person apparently less than 18 years of age if the person’s age cannot be proved.
DVA staff	An individual who is engaged as an employee, a contractor or sub-contractor, an agent, an apprentice, a consultant, a person who is self-employed, or carrying out work for a sentence, a volunteer, or a work experience student.
DVA funded third party	Any individual or organisation which receives funding from any Commonwealth entity, including grants or procurements. Funding between Commonwealth and state and territory government should be treated on a case by case basis.

Note: Definitions are consistent with the CCSF ‘Glossary of Terminology’.

5.0 Framework Principles

The Principles that underpin the DVA Child Safe Framework are the “National Principles for Child Safe Organisations” (National Principles). The Council of Australian Governments (COAG) endorsed these National Principles on 1 February 2019. The National Principles are:

1	Child safety and wellbeing is embedded in organisational leadership, governance and culture
2	Children and young people are informed about their rights, participate in decisions affecting them, and are taken seriously
3	Families and communities are informed and involved in promoting child safety and wellbeing
4	Equity is upheld and diverse needs respected in policy and practice
5	People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice
6	Processes to respond to complaints and concerns are child focused
7	Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training
8	Physical and online environments promote safety and wellbeing, while minimising the opportunity for children and young people to be harmed
9	Implementation of the National Child Safe Principles is regularly reviewed and improved
10	Policies and procedures document how the organisation is safe for children and young people

6.0 Risk-based Approach

Child safe risk management is consistent with other DVA risk management activities. The emphasis is on minimising risk through appropriate controls and treatment strategies.

Responsibility and risk ownership for mitigating child safety risks within DVA lies with First Assistant Secretary (FAS) risk owners who oversee specified DVA business activities which impact children.

DVA Child Safety Risk Owners (Risk Owners) (identified in section [7.0 Roles and Responsibility under the Framework](#)) are required to complete annual Risk Owner Reports for child-related activities and identify the level of responsibility for children and the risk of harm or abuse to children.

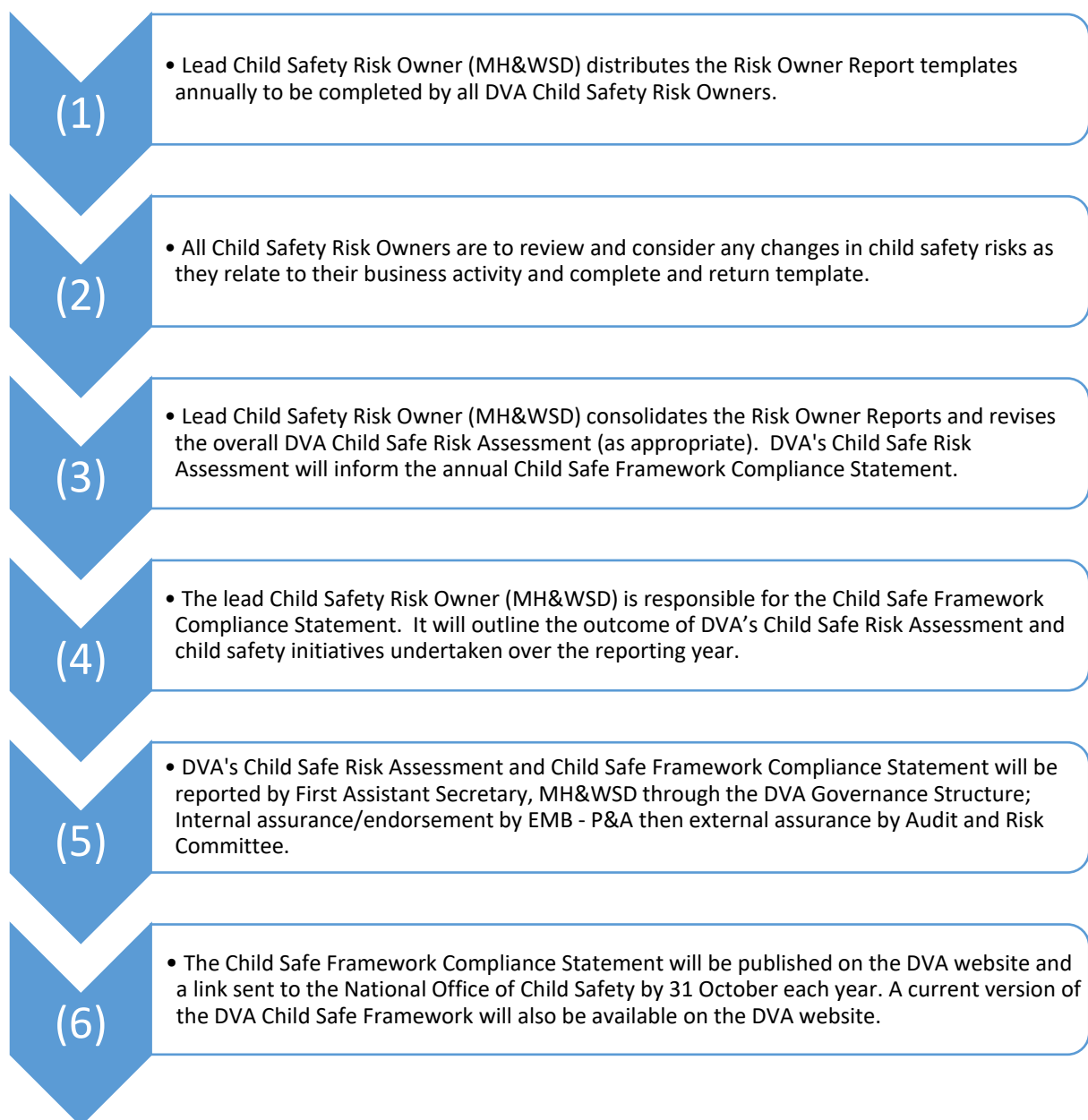
These reports will be consolidated into the DVA Child Safe Risk Assessment and a Child Safe Framework Compliance Statement (Statement of Compliance) will be prepared. The reporting pathway is detailed in section [7.1 DVA Governance Structure](#).

This process is overseen by the lead DVA Risk Owner – Mental Health and Wellbeing Services Division (MH&WSD) who will review DVA’s Child Safe Risk Assessment and Statement of Compliance. The lead DVA Risk Owner will provide a report to the Executive Management Board – Performance and Assurance Committee (EMB – P&A) for information and endorsement.

The Statement of Compliance will outline the outcome of DVA's Child Safe Risk Assessment and child safety initiatives undertaken over the reporting year. A link to the statement will be provided to the National Office for Child Safety, once it has been published to the DVA website by 31 October each year.

Where their projects or activities involve more than incidental contact with children, DVA funded-third parties are similarly required to undertake annual risk assessments to identify the level of responsibility for children and level of risk and harm or abuse, and implement appropriate strategies to manage those risks. The requirement for annual risk assessment should be provided for in clauses in contractual and grant agreement, where the projects involve more than incidental contact with children.

Table: DVA Child Safe Framework - Annual risk management approach



7.0 DVA Roles and Responsibilities under the Framework

7.1 DVA Governance Structure

The lead DVA Risk Owner should provide the annual review of the Risk Owner Report, Child Safe Risk Assessment and Statement of Compliance for endorsement from EMB – P&A. Once endorsed the EMB Secretariat will caption any action items for further consideration and resolution.

It should be noted that child safe activities will also be reported to an external governance committee, the Audit and Risk Committee (ARC) for information.

7.2 DVA Staff

DVA staff must be aware of and comply with the Commonwealth Child Safe Framework and the DVA Child Safe Framework.

DVA staff are expected to behave respectfully, courteously and ethically towards children and their families, as well as towards other staff. This includes listening and responding to the views and concerns of children, particularly if they communicate (verbally or non-verbally) that they do not feel safe or well. DVA staff are also expected to demonstrate appropriate personal and professional boundaries.

All suspected or disclosed child harm or abuse must be reported in line with DVA's policies and procedures, as well as Australian child protection legislation (see section [12.0 Reporting of Suspected Child Abuse](#) and [Australian Child Protection Legislation](#)).

DVA staff must ensure child safety is considered in accordance with DVA's risk management practices. This includes identifying child safety obligations of funded partners in Requests for Tenders, as well as in contracts and agreements that could have child safety impacts. It is recommended that the child safety clause should be used in contract and grant agreements where the contract or grant is for:

- services directly to children, or
- activities that involve contact with children that is a usual part of, and more than incidental to, the grant activity.

Staff are required to be aware of their obligations in reporting and handling of child abuse.

Where DVA staff are uncertain as to whether a child safety clause should be included in contractual agreements they should contact: PROCUREMENT@dva.gov.au

A questionnaire/form may be used to assist DVA to determine whether a child safety clause should be included in a contract or grant is included at [Attachment A](#).

7.3 DVA Funded Third Parties

DVA funded third parties are required to comply with the legally enforceable clauses in the contractual and grant agreements types they receive.

7.4 Primary DVA Risk Owner – Mental Health & Wellbeing Services Division

The First Assistant Secretary, MH&WSD is the primary DVA Risk Owner. This acknowledges that this Division has the most direct contact with children and has the most developed and mature best practice approach to child safety. The Primary DVA Risk Owner is responsible for coordinating an annual whole of DVA Child Safe Risk Assessment to ensure that DVA is compliant with the Commonwealth Child Safe Framework. This includes:

- forwarding a Risk Owner Report to DVA Risk Owners to complete annually (see [Attachment B](#) – template at TRIM reference 20427913E)
- updating the DVA Child Safe Framework Risk Assessment based on input from DVA Risk Owners (an example is provided TRIM reference 20427914E)
- preparing and publishing an annual Statement of Compliance with the Commonwealth Child Safe Framework, including an overview of the entity’s child safe risk assessment
- preparing a consolidated DVA Risk Owner Report that will be submitted to the EMB – P&A annually.

7.5 DVA Risk Owners

Responsibility and risk ownership for mitigating child safety risks within DVA lies with the respective business areas who oversee activities which could potentially impact children. DVA Risk Owners are required to undertake mandatory annual risk assessments to identify child related activities the level of responsibility for children and the risk of harm or abuse to children.

The primary DVA Risk Owner will send other risk owners a Child Safe Risk Assessment, Risk Owner Report and the last version of the Child Safe Risk Assessment (Excel spreadsheet). Risk Owners will be required to complete these documents and send back to the Primary DVA Risk Owner (see [Attachment B](#)). Risk Owners (as at December 2021) are noted below.

Risk Owner	Activity with Child Safety Responsibilities
Mental Health & Wellbeing Services Division (FAS) <i>DVA Primary Risk Owner</i>	<ul style="list-style-type: none"> • Open Arms – Veterans’ Families Counselling Service • Kookaburra Kids • Case management delivered under the Client Support Program
Veteran & Family Policy Division (FAS) <i>DVA Secondary Risk Owner</i>	<ul style="list-style-type: none"> • Grant programs particular to VFP • Family Support Package • Child Care under DVA’s Rehabilitation Program
Client Engagement and Support Services Division (FAS) <i>DVA Secondary Risk Owner</i>	<ul style="list-style-type: none"> • DVA Health, Aged and Community Care Procurement • Grant programs - BEST, Grants-in-Aid, Veteran and Community Grants and Supporting Younger Veterans
Client Benefits Division (FAS) <i>DVA Secondary Risk Owner</i>	<ul style="list-style-type: none"> • Management of Claims relating to Sexual and other Forms of Abuse • Management of Cadet Claims • DVA Education Schemes
Commemorations & Transformation Division (FAS) <i>DVA Secondary Risk Owner</i>	<ul style="list-style-type: none"> • Saluting Their Service Commemorative Grants Program

7.6 Executive Management Board – Performance and Assurance Committee

The EMB – P&A ensures that DVA is compliant with the Commonwealth Child Safe Framework and will review and endorse the annual Child Safe Risk Assessment, Risk Owner Report and Statement of Compliance. The EMB – P&A will also review and endorse any major amendments to the Framework.

The endorsed Framework will be provided to the external assurer ARC by the General Counsel. Any further details on child safety activities within the department requested by the ARC Chair will be presented by the primary DVA Risk Owner (FAS, MH&WSD) to the EMB – P&A, then provided to the ARC after internal assurance has been received.

7.7 Accountable Authority (Secretary)

The Secretary, as the Accountable Authority, is responsible for certifying DVA's annual compliance with the Commonwealth Child Safe Framework.

8.0 Specific Requirements for DVA Programs & Procurements

DVA has identified that contact with children is possible in the following programs and requires DVA staff or funded partners conducting these activities on DVA's behalf to meet the stated requirements. The Programs and Procurements are:

- DVA Education Schemes
- Open Arms
- DVA Health, Aged and Community Care Procurement
- Kookaburra Kids
- Child Care provided under DVA's Rehabilitation Program
- Family Support Package
- Management of Claims relating to Sexual or other Forms of Abuse
- Management of Cadet Claims
- Case management delivered under the Client Support Program.

8.1 DVA Education Schemes

DVA runs two education schemes for eligible children of current and former members of the Australian Defence Force:

- the *Veterans' Children Education Schemes, and*
- *the Military Rehabilitation and Compensation Act Education and Training Scheme.*

These schemes provide financial assistance, student support services, guidance and counselling for eligible children to help them achieve their full potential in full-time education or career training.

All DVA staff and third party service providers of the Education Schemes are required to have current WWCCs or equivalents from each jurisdiction.

Any parent/guardian who engages a tutor as part of the Education Schemes, must ensure that a current WWCC or equivalent is in place for the tutor and provide DVA with a copy.

8.2 Open Arms – Veterans & Families Counselling

Open Arms – Veterans & Families Counselling (Open Arms) is Australia's leading provider of high quality mental health assessment and clinical counselling services for Australian veterans and their families.

Open Arms policy, procedure, and practices are shaped by clinical best practice and trauma-informed care, incorporating new and emerging evidence-based approaches to enhance child safety.

Open Arms clinicians are registered psychologists, mental health nurses and occupational therapists, or accredited mental health social workers delivering quality and specialised counselling and support services to eligible clients. Open Arms also employs Mental Health Peer workers.

WWCCs or equivalent are undertaken for all Open Arms in-centre employees and clinical contractors in accordance with state and territory based legal requirements.

All Open Arms staff and contractors must obtain and provide evidence of their registration under appropriate Working with Children registration (see below policy extract):

... Open Arms and its workers conform to the requirements of the jurisdictions within which they work with minors, or might work with minors, by obtaining Working with Children or Vulnerable People (WWCVP) registration. It is the responsibility of each Director to ensure that local requirements are met.¹

A register of WWCCs or equivalent for in-centre staff is maintained and updated by Regional Directors (TRIM location: 20105482E). A register of WWCCs or equivalent statutory registered providers (Outreach Program Counsellor’s [OPCs], Group Program Facilitators and Supervisors) is maintained by the OPC management team (TRIM location 2090532E). The registers are updated when on-boarding new staff and contractors, and is reviewed annually to ensure all staff and contractors maintain a current WWCC or equivalent.

8.3 DVA Health, Aged and Community Care Procurement

DVA manages a number of health, aged and community care services that are delivered by third parties. Relevant programs delivered by DVA funded third parties are in the table below. Potential contact with children/young people is often through indirect contact (e.g. contact during home visits of veterans and their families).

Program		
Community Nursing	Indirect	No
Veterans’ Home Care	Indirect	Yes
Private Hospitals and Day Procedure Centres	Potentially Direct	Yes
Transport – Booked Car with Driver	Potentially Direct	No

The contracts underpinning these activities are managed by the Provider Engagement and Management Branch (PEM Branch). As a general rule, where the contracted activity involves working with children/young people the PEM Branch ensures the contractor provides evidence of the third party provider’s approval by appropriate State authority (noting that legislated requirements vary between States).

The PEM Branch is actively including a clause into relevant contracts concerning child safety and vulnerable persons. This clause has been incorporated into new contracts entered into

¹ [201 - 01/01 Working with Minors Instruction - Open Arms Policy Hub - Open Arms Policy Hub \(vera.org.au\)](https://www.vera.org.au/201-01/01-Working-with-Minors-Instruction-Open-Arms-Policy-Hub-Open-Arms-Policy-Hub)

in 2021, and is a standard inclusion in a new Deed of Agreement template. The following clause (clause 12.9) will be included in ongoing contracts at an appropriate time:

12.9 Child Safety and Vulnerable Persons

- (a) If any part of the Services involves the Contractor employing Personnel that are required by State or Territory law to have a working with children or vulnerable person check to undertake the Services or any part of the Services, the Contractor must:
 - (i) comply with all State, Territory or Commonwealth law relating to the employment or engagement of people who work or volunteer with children or vulnerable persons in relation to the Services, including mandatory reporting and working with children or vulnerable person checks however described; and
 - (ii) if requested, provide the Department at the Contractor's cost, an annual statement of compliance with this clause, in such form as may be specified by the Department.

8.4 DVA Grants Programs

DVA has several public grants programs which are administered through the Department of Social Services Community Grants Hub (the Hub) such as the Veteran and Community Grants, Supporting Younger Veterans Grants Program, the *Saluting Their Service* Commemorative Grants Program and Kookaburra Kids. Potential contact with children/young people may be through direct or indirect contact with recipients. DVA is working with the Hub to require applicants to self-identify in their application form if the activity will involve children. This will enable DVA to apply an appropriate level of risk-based child safety clauses in the grant agreement for the activity.

Veteran and Community Grants and Saluting Their Service Grants

Where an applicant identifies that their activity directly involves children, or occurs at an educational facility, a simple grant agreement with supplementary clause G8A will be issued (this applies more stringent measures than the letter of agreement). All low risk activities will be issued on the letter of agreement. The two agreements currently utilised, and their specific clauses, are listed below:

Child Safety Supplementary Clause in the Simple Grant Agreements

G8A. Child Safety

G8A.1 If the Activity or any part of the Activity involves the Grantee employing or engaging a person (whether as an officer, employee, contractor or volunteer) that is required by State or Territory law to have a working with children check to undertake the Activity or any part of the Activity, the Grantee agrees:

- (a) to comply with all State, Territory or Commonwealth law relating to the employment or engagement of people who work or volunteer with children in relation to the Activity, including mandatory reporting and working with children checks however described; and
- (b) if requested, provide the Commonwealth, at the Grantee's cost, with an annual statement of compliance with clauses G8A.1 and G8A.1 (a) in such form as may be specified by the Commonwealth.

Letter of Agreement Condition (appears in *all* letters of agreement)

12. Licences and approvals

The Grantee must ensure that all persons engaged to work on the Grant Activity obtain and maintain all relevant licences, registrations or other approvals required by applicable laws or as directed by the Commonwealth, including but not limited to police checks, Working with Children checks and Working with Vulnerable People checks.

All Supporting Younger Veterans grants are provided using Simple Grant Agreements.

Kookaburra Kids

The Australian Kookaburra Kids Foundation (Kookaburra Kids) is a DVA grant program specifically involving delivery of services to children as it provides recreational and educational camps for children aged eight to 18 years of age who have a veteran parent and/ or carer with a mental health condition.

Under DVA's Grant Agreement with Kookaburra Kids, all volunteers must hold a valid WWCC or equivalent and must have completed a National Criminal Check before attending Kookaburra Kids camps.² The Grant Agreement stipulates that Kookaburra Kids agrees to provide copies of the police checks and registration to the Commonwealth (DVA), upon request.

Other DVA Grants

Other DVA grant programs are administered in-house, such as Wellbeing Centres or through The Hub. Not all grant programs involve contact with children however it is good practice to consider this as a possible requirement of the application process and agreement type of any new grants.

8.5 Child Care provided under DVA's Rehabilitation Program

DVA funds child care in exceptional circumstances under its Rehabilitation Policy in the context of: (1) a psychosocial rehabilitation plan; and (2) under household services provisions. In both instances, short term child care support assists clients who are struggling to cope with unexpected circumstances impacting on their ability to manage their child care responsibilities. The policy advice in both instances is consistent:

*...It is mandatory that in all cases where DVA funds child care, that the person providing the care has passed a Working with Children or equivalent check in their relevant state or territory. **The responsibility for ensuring that carers have passed the check lies with the DVA client.** This is because while DVA is responsible for considering whether child care is reasonably required and approving the level of service, it is the DVA client who is responsible for choosing and "contracting" the service provider and ensuring that they meet all of the necessary requirements to be able to fulfil their contract.*

In many cases, particularly where a child will be cared for in a professional child care centre, then clients can be confident that the carer's employer will have ensured that the necessary requirements have been met. However, where child care is being provided by a nanny or a family day carer, either in the provider or the client's home, it is important that clients ensure that they sight the provider's current and valid Working with Children or equivalent state or territory card before any care is provided.³

² Kookaburra Kids - Grant Agreement (TRIM Reference: 19795743E). See Section G1.

³ [6.5.2 Child care assistance through a psychosocial rehabilitation plan](#), Rehabilitation Policy Library, CLIK.

[7.2.7 Child Care, Rehabilitation Policy Library](#), Rehabilitation Policy Library, CLIK.

8.6 Family Support Package

The Family Support Package provides targeted support to veterans and their families in achieving their rehabilitation goals, through minimising potential barriers.

The package provides child support for MRCA veterans, in addition to counselling support following the death of a partner and home help assistance to provide support in and around their home.⁴ Child Care provided under the Family Support Package is additional to the policies outlined in 'Child Care under DVA's Rehabilitation Program' above.

Pursuant to the *Military Rehabilitation and Compensation (Family Support) Instrument No.2) 2018*, child care providers must be a person approved by the Secretary, Commonwealth Department of Education to provide child services. Commonwealth approved child care providers are registered and listed on the child care portal: www.mychild.gov.au. Commonwealth approved child care providers do not include child care provided by relatives, friends and neighbours.

8.7 Case management delivered under the Client Support Program

The Client Coordination and Support (CCS) Branch offers a range of programs to assist vulnerable clients navigate DVA services and access supports to meet their wellbeing needs. Case management offered by CCS Branch is collectively referred to as the "Client Support Program" (CSP), formerly referred to as the "Client Support Framework" (CSF). CSP provides support via case management, service coordination and offering a single or primary point of contact.

Service delivery is provided by a combination of clinically trained case managers and generalist staff. Clinically trained case managers use a clinical lens to support their risk assessment and management and broader case management practices, whilst generalist case managers specialise in navigating DVA processes. Case management within the CSP has a dual focus:

- Supporting the client to access all of their DVA entitlements
- Supporting the client's wellbeing needs across the seven domains of wellbeing

The primary recipient of services under CSP is the Veteran, or in the case of Service Co-ordination, eligible family. In supporting the needs of a Veteran and their family, case managers may become aware of needs relating to the children of clients. These needs are be supported through co-ordinating access to a DVA entitlement/s or through linkages to other supports and services. Direct contact with children is not typical.

The Client Support Program within the Coordinated Client Support Branch has a protocol to ensure a nationally consistent approach to risk identification, assessment and mitigation in case management. The protocol focuses on the risks of self-harm, suicide as well as harm others. Mandatory reporting requirements are applied as required following a risk assessment.

A register of WWCC or equivalents for staff is maintained and updated by Directors (TRIM location: 211206174E).

8.8 Management of Claims relating to Sexual or other Forms of Abuse

DVA has internal procedures for the [Management of claims relating to Sexual and other Form of Abuse](#) available on the Consolidated Library of Information and Knowledge (CLIK).

These procedures were developed in response to the 2012 DLA Piper Review which identified widespread abuse (sexual or other) in the Australian Defence Force (ADF)

⁴ [6.5.3.3 Child Care](#), Rehabilitation Policy Library, CLIK.

between 1951 and 2011. The procedures have since been reviewed in response to the Royal Commission into Institutional Responses to Child Sexual Abuse.

The procedures provide information on the DVA's Specialised Case Team that manages all new claims relating to sexual and other forms of abuse. The team have access to training by Phoenix Australia - Centre for Post-traumatic Mental Health. In addition, a social worker provides advice and can act as a single point of contact between clients and claims assessors, where this is the client's preference.

The procedures also provide scripts for the provision of advice (e.g. by VAN staff and Rehabilitation and Compensation Staff) and for case escalation.

8.9 Management of Cadet Claims

The ADF Cadets is a community based, youth development program aimed at youth between the ages of 12 ½ and 20 years of age. Defence Service Chiefs appoint suitable adult volunteers as Officers of Cadets (OOCs) and Instructors of Cadets (IOCs) to supervise and control the training program for, and the activities of ADF Cadets.

ADF cadets are covered for rehabilitation, treatment and compensation under the *Military Rehabilitation and Compensation Act 2004* (MRCA). It should be noted that ADF Cadets can receive the same range of benefits as other ADF members.

DVA does not require DVA staff to have a WWCC or equivalent, in their role of assessing a claim of a cadet under 18 years of age. A claim can be made by the person with primary responsibility for the daily care of the Cadet (e.g. the cadet's parent, foster parent, step parent or guardian). In addition, until the cadet turns 18, compensation is paid to the person who made the claim. Payments can be made direct to the Cadet once they reach age 18.⁵

9.0 Working with Children and Vulnerable People Checks

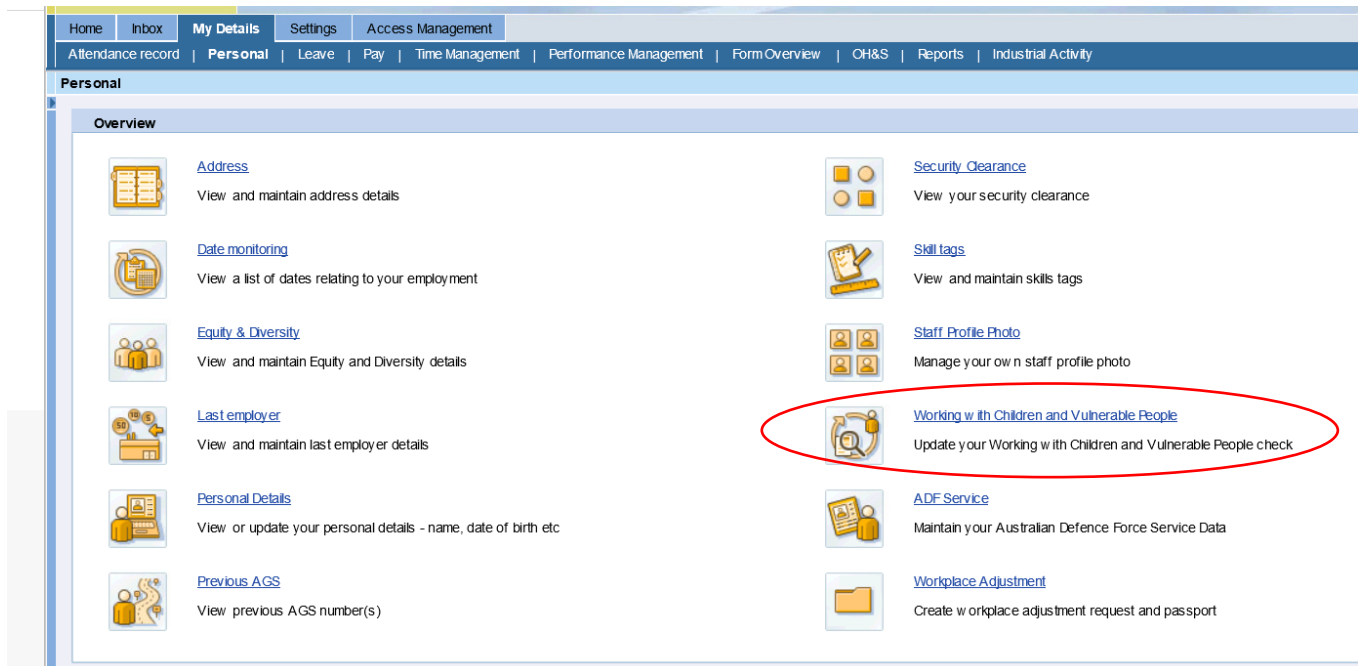
Should a staff member's role require them to engage with children, their business area should ensure their staff have a WWCC, or the equivalent for each jurisdiction. Unless they are exempt under the legislation in their jurisdiction (i.e. registered health professionals or police officers are exempt in some jurisdictions). The business area should maintain a register of all staff working with children, and monitor the register on a regular basis. The staff member and their manager should ensure the Check is recorded in ESSentials.

The Education Schemes does not maintain a register as all team members are required to have WWCCs or equivalent, and they are all recorded in ESSentials.

Information on Working with Children Checks/Working with Vulnerable People requirements by jurisdiction is included at [Attachment C](#).

⁵ [DVA Website - Claims for cadets and their officers and instructors](#)

WWCCs and equivalents are to be recorded in ESSentials in the DVA staff member's profile under the "My Details" > "Personal" > "Working with Children and Vulnerable People", with advice provided to supervisors that this has been actioned.



10.0 Mandatory Training

DVA is required to make all staff aware of and comply with the Commonwealth Child Safe Framework and the DVA Child Safe Framework.

Mandatory training of DVA staff who have direct engagement with children is an important tool in ensuring a safe environment for children.

Training can be provided through face-to-face or online training, induction processes, or through means appropriate to the DVA staff member's operational duties.

Staff should be aware of their obligations where relevant, from the commencement of their role. It is important that training be an ongoing process and part of business as usual.

10.1 Child Safe Online Training Resources

E-learning modules on the National Principles for Child Safe Organisations have been developed by the Australian Human Rights Centre and are available at: [Learning hub | Child Safe Organisations \(humanrights.gov.au\)](#)

The [National Office of Child Safety \(NOCS\)](#) in partnership with [Secretariat of National Aboriginal and Islander Child Care \(SNAICC\) — National Voice for our Children](#) has developed resources that support organisations working with Aboriginal and Torres Strait Islander children, young people and communities to implement the National Principles. The resources take the National Principles and deliver them in a way that is culturally relevant and promotes cultural safety.

Resources that support organisations implement the National Principles in a culturally safe way are available at: [Cultural safety and the National Principles for Child Safe Organisations | National Office for Child Safety \(pmc.gov.au\)](#)

11.0 External Compliance Requirements

Annual public reporting on compliance demonstrates leadership, a clear commitment to child safety and builds a culture of transparency and accountability. Commonwealth entities are required to publically publish an annual statement of compliance, including an overview of the entity's Child Safe Risk Assessment by 31 October each year. The statement should outline the DVA's commitment to child safety, the outcome of DVA's annual Child Safety Risk Assessment and compliance with the CCSF in the preceding financial year.

Once published a copy of the statement is to also be provided to the National Office of Child Safety via email to CommonwealthChildSafe@pmc.gov.au by 31 October each year.

12.0 Reporting of Suspected Child Abuse

It is mandatory for all DVA employees and contractors to report any suspected or alleged cases of abuse to the Assistant Secretary, Integrity, Information & Security Branch for possible referral to the Australian Federal Police or child protection authorities in the relevant jurisdiction. Contact can be made directly to the Assistant Secretary or through their Executive Assistant.

Third parties should immediately report any suspected or alleged case of child abuse to their DVA contract manager. DVA Contract managers are responsible for ensuring third parties are aware of these mandatory requirements. DVA contract managers will advise the Assistant Secretary, Integrity, Information & Security Branch of any suspected or alleged cases of child abuse reported by third parties.

The health, protection and wellbeing of a child involved in or affected by a suspected or alleged child protection event/incident must be given primary consideration.

13.0 Date of Effect

This framework is effective from 1 July 2020.

14.0 Evaluation/Review

This framework will be reviewed annually by Audit and Risk Management Section (General Counsel Division) to ensure the assignment of risk to appropriate owners aligns with DVA's organisational or policy change.

Attachment A: Should I include the child safety clause in my contract or grant agreement?



Australian Government
Department of Social Services

This document is for guidance to Commonwealth entities. It should not be solely relied upon when deciding if the child safety clause should be used in your grant agreement. You may wish to seek legal advice specific to your entity.

Should I include the child safety clause in my contract or grant agreement?

It is recommended that the child safety clause should be used in contract/grant agreements where the grant is for services to children, or for activities that involve contact with children that is a usual part of, and more than incidental to, the contracted/grant activity.

Each Commonwealth entity knows its business, risks and opportunities better than anyone else. For this reason, the decision about when to use the child safety clause is at the discretion of the entity and will be on a case by case basis.

Given the importance of ensuring that organisations are child safe, as highlighted in the Royal Commission into Institutional Responses to Child Sexual Abuse, it is important to engage with the risks inherent in your contract/grant activity to decide if the child safety clause is appropriate for use. We understand that making this decision is not easy. To assist you to initiate this process we have provided the below questions for consideration.

Ask yourself these questions about the contracted/grant Activity, contract/grant agreement	What is the nature and level of risk?
Is the Activity being funded for the delivery of services directly to children? E.g. providing early childhood learning services to children, providing telephone counselling services to primary school aged children or educating children on cyber safety.	You may need to consider the nature of the risk, the likelihood of it occurring and the potential outcome for children if the risk does eventuate.
Does the funded Activity involve contact or interaction with children as a usual part of, and more than incidental to, the Activity? E.g. a service to train vulnerable parents may involve significant contact with the vulnerable parent's child even if the service is for the parent. Contrast this with a person sending a one-off bulk e-mail to children.	
What is the nature of the service? The way the service is delivered may impact upon the risk to children. Does the service involve a degree of physical contact with a child (e.g. demonstrating a skill to a child or providing a personal service such as washing, dressing and toileting)?	
What is the degree of isolation? Will personnel be with children in remote or isolated sites?	

<p>What is the degree of supervision? Will contract/grant recipient personnel be alone with children? What is the venue for the service? Is it conducted in a public or private forum?</p>	
<p>What is the scope of the Activity being funded?</p> <p>Does the Activity involve developing close, personal, long term relationships with children?</p>	
<p>Does the child receiving the service have other needs that makes them more vulnerable? E.g. does the child have complex health needs or do they have a disability?</p>	
<p>What level of control does the contract/grant recipient have over the person delivering the service? (i.e. is the person delivering the service an employee, contractor, sub-contractor, agent, apprentice, consultant or volunteer)</p>	
<p>What is the size of the organisation being funded?</p> <p>Do you know if the organisation has a mature child safe environment?</p> <p>Do you know if the organisation has a strong framework of policies, procedures, guidelines and training in place related to child safety?</p>	
<p>Are you aware of the grant recipient having any previous child safety issues?</p>	
<p>Does the grant agreement contain other clauses that deal with child safety issues adequately?</p>	
<p>What is the view of the organisation being funded?</p> <p>You may wish to discuss the prospective child safety clause with the prospective grant recipient and receive their views on the clause, they may be easily able to comply with the clause and happy to include it in the grant agreement</p>	

Attachment B: Child Safe Risk Assessment – Risk Owner Report

The template for the Child Safe Risk Assessment – Risk Owner Report is provided at TRIM Record Reference: 20427913E.

The following provides the instructions for completion together with an example of a completed report.

GUIDANCE ON COMPLETING THE RISK OWNERS REPORT – DVA CHILD SAFE FRAMEWORK

Overview:

As a Risk Owner you are responsible for providing an assessment of your allocated risk. You are required to present the joint findings to the Executive Management Board – Performance and Assurance Committee (EMB – P&A) as per the DVA Child Safe Framework. Risk Owners are expected to demonstrate a top-down commitment to risk management and take an active part in preparing the report.

Instructions on how to complete the below report:

1. The designated Primary Risk Owner (MH&WSD) to coordinate a joint annual review of the Risk Assessment (as provided in an Excel Spreadsheet - TRIM Record Number: 20427914E). This is to commence from July each year.
2. Secondary Risk Owners to review the status of controls and treatments for each risk – i.e. are these effective or being implemented as planned?
3. All Secondary Risk Owners should note any further controls/intended strategies or changes in risk ratings from the previous assessment, and update the register spreadsheet and contents of this report.
4. The Secondary Risk Owners to return the completed report and risk assessment spreadsheet to the Primary Risk Owner by the end of July.
5. The Primary Risk Owner to compile one joint report, risk assessment spreadsheet, statement of compliance and the EMB – P&A Submission Coversheet (see TRIM Record Number: 21833471E).
6. Once completed and signed off by the Primary Risk owner, the report, risk assessment spreadsheet and EMB – P&A coversheet are to be provided to the [EMB Secretariat](#) for presentation at EMB – P&A meeting by the Primary Risk Owner.

For assistance with the risk assessment process email AMBRISKMGT@dva.gov.au

TRIM reference 20427913E

Purpose

This report is completed by Child Safety Risk Owners, as per the Department of Veterans’ Affairs (DVA) Child Safe Framework (TRIM Reference: 20625167E, Container 2003866).

Information from this Risk Owner Report informs the Department’s overall Child Safe Risk Assessment and is submitted annually to the EMB – P&A.

Risk Title:	E.g ‘Child abuse and harm’
Risk Owners:	<p><u>Select relevant area</u> <i>Name, Business Area, (Primary/Secondary Owner)</i></p> <p>Mental Health And Wellbeing Services (FAS) (DVA Secondary Risk Owner)</p> <ul style="list-style-type: none"> • Open Arms – Veterans’ and Family Counselling • Kookaburra Kids • Client Support Program <p>Veteran and Family Policy Division (FAS) (DVA Secondary Risk Owner)</p> <ul style="list-style-type: none"> • Grant programs particular to VFP • Family Support Package • Child Care under DVA’s Rehabilitation Program <p>Client Engagement and Support Services (FAS) (DVA Secondary Risk Owner)</p> <ul style="list-style-type: none"> • DVA Health, Aged and Community Care Procurement • Grant programs - BEST, Grants-in-Aid, Veteran and Community Grants and Supporting Younger Veterans <p>Client Benefits Division (FAS) (DVA Secondary Risk Owner)</p> <ul style="list-style-type: none"> • Management of Claims relating to Sexual and other Forms of Abuse • Management of Cadet Claims • DVA Education Schemes <p>Commemorations & Transformation (FAS) (DVA Secondary Risk Owner)</p> <ul style="list-style-type: none"> • Saluting Their Service Commemorative Grants Program
Has the risk event, risk drivers or other aspects of the environment changed?	[YES/NO] [Comment]
Have any existing controls changed or are no longer required?	<p>[YES/NO] [Comment]</p> <p><u>Please explain.</u></p> <p><i>e.g. The following policy and Factsheets have been amended to make it clear for clients that they are responsible for ensuring that providers who come into their home have appropriate checks as required:</i></p> <p><i>1. CLIK Rehabilitation Policy Guide:</i></p> <ul style="list-style-type: none"> • 7.3.1 – Service Providers

Control Status <i>(select one)</i>		<input type="checkbox"/> All controls are effective	<input type="checkbox"/> Some controls need a review, most controls are effective	<input type="checkbox"/> Most/primary controls need review or are only partially effective	<input type="checkbox"/> No controls are effective
What controls are only partially effective or need review?			<i>[N/A or list controls]</i>		
Residual Consequence Rating <i>(Refer to the *Matrix below)</i>	Residual Likelihood Rating <i>(Refer to the *Matrix below)</i>	Residual Risk Rating <i>(this is the intersection of Likelihood and Consequence as per the Matrix)</i>	Is this risk rating acceptable, that is, within tolerance?		
Refer to Risk Assessment Matrix below	Refer to Risk Assessment Matrix below	Select Risk Rating	[YES/NO]		
Are any additional treatments/activities required?		<i>[YES/NO] [Comment] List any newly proposed treatment activities since the last assessment and who is responsible</i>			
How will you continue to manage this risk?		<i>[Comment] eg. We accept the risk with ongoing monitoring and will review annually or We will aim to reduce the risk by improving existing controls x and y, introducing a new treatment z and reviewing on a quarterly basis.</i>			
Additional comments:		<i>[Comment] Delete this row if not required.</i>			
Risk Contact:		<i>[Name / Position] (to provide a contact in case of follow-up, ie someone who is responsible for assisting with coord of the report)</i>			
Primary Risk Owner:		<i>[Name / Position] (this signifies sign-off from the Primary Risk Owner)</i>			
Date:		<i>[Insert Date]</i>			

*Refer to the DVA [Risk Assessment Matrix](#) TRIM Record Number: 14413912E

Attachment C: Working with Children/Vulnerable People requirements by jurisdiction

An up-to date overview of the types of Working with Children Checks and Working with Vulnerable Persons Checks, their requirements and state/territory contact information can be found on the Australian Institute of Family Studies website (see State and Territory requirements):

<https://aifs.gov.au/cfca/publications/pre-employment-screening-working-children-checks-and-police-checks>

A list of Child protection legislation in Australian states and territories can be found:

<https://aifs.gov.au/cfca/publications/australian-child-protection-legislation>

Working With Children/Working With Vulnerable People requirements by jurisdiction (as at 1 September 2021)

	WWCC/WWVP legislation	WWCC/WWVP Mandatory Reporting requirements
Australian Capital Territory	<i>Working with Vulnerable People (Background Checking) Act 2011</i>	Working with vulnerable people registration requirements: https://www.accessc Canberra.act.gov.au/s/article/working-with-vulnerable-people-wwvp-registration-tab-overview Mandatory reporting requirements: http://www.legislation.act.gov.au/a/2008-19/default.asp
Northern Territory	<i>Care and Protection of Children Act 2017</i>	Ochre Card requirements: https://nt.gov.au/emergency/community-safety/apply-for-a-working-with-children-clearance Mandatory reporting requirements: https://legislation.nt.gov.au/en/Legislation/CARE-AND-PROTECTION-OF-CHILDREN-ACT-2007
New South Wales	<i>Child Protection (Working with Children) Act 2012</i>	Working with children check requirements: https://www.ocg.nsw.gov.au/child-safe-organisations/working-with-children-check Mandatory reporting requirements: https://www.legislation.nsw.gov.au/#/view/act/1998/157/full
Victoria	<i>Working With Children Act 2005</i>	Working with children checks requirements: https://www.workingwithchildren.vic.gov.au/individuals/applicants/how-to-apply Mandatory reporting requirements: https://www.legislation.vic.gov.au/in-force/acts/children-youth-and-families-act-2005/127

Queensland	<i>Working with Children (Risk Management and Screening) Act 2000</i>	<p>QLD Blue Card requirements: https://www.bluecard.qld.gov.au/</p> <p>Mandatory reporting requirements: Child Protection Act 1999 (Qld) https://www.legislation.qld.gov.au/view/html/inforce/current/act-1999-010</p>
Tasmania	<i>Registration to Work with Vulnerable People Act 2013</i>	<p>Working with children registration requirements: https://cbos.tas.gov.au/topics/licensing-and-registration/registrations/work-with-vulnerable-people/applications/apply</p> <p>Mandatory reporting requirements: https://www.legislation.tas.gov.au/view/html/inforce/current/act-1997-028</p>
Western Australia	<i>Working with Children (Criminal Record Checking) Act 2004</i>	<p>Working with children check requirements: https://workingwithchildren.wa.gov.au/</p> <p>Mandatory reporting requirements: https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_132_homepage.html</p>
South Australia	<i>Child Safety (Prohibited Persons) Act 2016 (SA)</i>	<p>Working with children check requirements: https://screening.sa.gov.au/types-of-check/working-with-children-check</p> <p>Mandatory reporting requirements: https://www.legislation.sa.gov.au/LZ/C/A/Children%20and%20Young%20People%20(Safety)%20Act%202017.aspx</p>