

Child Safe Organisations Bill 2024

Submission No: 8

Submitted by: Local Government Association of Queensland Ltd (LGAQ)

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Submitter Comments:



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5 July 2024

Committee Secretary
Community Support and Services Committee
Parliament House
George Street
Brisbane QLD 4000

Email: cssc@parliament.qld.gov.au

Dear Committee Secretary,

RE: Child Safe Organisations Bill 2024

The Local Government Association of Queensland (LGAQ), as the peak body for Queensland's 77 councils, appreciates the opportunity to provide feedback on the Child Safe Organisations Bill 2024, introduced on 12 June 2024.

The LGAQ understands the Bill seeks to establish an integrated child safe organisations system in Queensland that includes:

- mandatory child safe standards by in-scope organisations, and
- a nationally consistent reportable conduct scheme for certain organisations.

The Bill is of interest to the LGAQ and Queensland councils, noting that over 30 per cent of Queensland councils currently provide childcare services for their local communities, in the absence of the private sector. This is particularly the case across rural and remote Queensland and First Nations communities.

Since 2021, Queensland councils have passed resolutions at LGAQ Annual Conferences calling on State and Federal governments to create incentives to attract and train qualified childcare staff in regional and rural areas and for a Federal Government review into how the Community Child Care Fund can better support childcare services operated by local governments in rural and remote Australia.

As noted in a survey undertaken by Australia Talks (2021)¹, 57 per cent of rural families struggle to access early childhood education and care services, with families having to travel over 100km to the nearest childcare centre in some instances.

Without this intervention by local government, many communities would be without early childcare services, impacting on areas such as child development and parental employment opportunities. This does however come at a considerable cost to councils as providers of last resort. Councils need to be more appropriately funded and supported by other levels of government in this important work to ensure social cohesion and community liveability.

In early 2024, the LGAQ released its latest Cost Shifting Research Report² quantifying the impact of cost shifting by State and Federal governments and finding that cost shifting onto councils has increased by 378 per cent over the last two decades – to \$360 million over the course of a single year. As the level of government that is funded the least – earning around three cents in every dollar of taxation revenue compares to 80 cents for the Federal Government and almost 17 cents for the State - councils cannot continue to carry additional cost burdens using their limited resources, to fund services that are not their responsibility to deliver.

¹ Australia Talks Survey (2021) – available online [here](#).

² LGAQ Cost Shifting Research Report (2024) – available online [here](#).

Overall, the LGAQ supports the primary objective of the Bill which is to enhance the safety and wellbeing of children within Queensland organisations. We particularly endorse the Bill's focus on early intervention and support for children who have experienced abuse, underpinned by trauma-informed practices.

In addition, we understand the Bill aligns with the recommendations from the 2017 Final Report of the Royal Commission into Institutional Responses to Child Sexual Abuse, and specifically its recommendations for State and Territory governments to implement the following:

1. Compliance with Child Safe Standards:

The establishment of mandatory compliance with the 10 Child Safe Standards, based on the National Principles for Child Safe Organisations, is a critical step towards safeguarding children. These standards provide a comprehensive framework for creating child-safe environments.

2. Cultural Safety for Aboriginal and Torres Strait Islander Children:

Incorporating a Universal Principle for cultural safety for Aboriginal and Torres Strait Islander children as best practice is essential. This approach ensures that the unique cultural needs of these children are respected and addressed.

3. Nationally Consistent Reportable Conduct Scheme:

The establishment of a nationally consistent reportable conduct scheme to provide independent oversight of organisational responses to allegations of child abuse across sectors is a positive development. This scheme will enhance accountability and ensure that all organisations adhere to high standards in handling such allegations.

4. Independent Oversight by the Queensland Family and Child Commission:

The Queensland Family and Child Commission being designated as the independent oversight body responsible for administering a legislated child safe organisations system is crucial for maintaining the integrity and effectiveness of the system.

This is consistent with the LGAQ Policy Statement, which contains the agreed positions of Queensland councils, *"Local government will continue to work in collaboration with State and Federal government departments with jurisdiction for childcare services, monitor changes in childcare legislation and government policy, and develop a local government position"* (Policy Statement 7.1.4.1).

In preparing this submission, feedback from council officers statewide was sought regarding the potential implications of implementing the 10 Child Safe Standards and nationally consistent reportable conduct scheme.

The following points have been raised and identified through this consultation:

- Councils providing childcare services as a last resort for their local communities may face significant barriers in implementing the new standards due to geographical isolation, limited resources, and cultural considerations.
- Implementing and complying with the new standards and reportable conduct scheme may create significant cost implications for local councils, for example the increased costs that may be incurred to comply with required additional training.
- Current child safety training takes between four and five hours to complete and is done during non-contact hours where staff must be replaced to maintain ratios. Options to access face-to-face training during non-operational work hours can be an unaffordable option in rural and remote locations, where there are significant costs incurred bringing in external training providers and paying staff overtime to attend.
- Adequate funding and resources must be allocated to support councils that deliver childcare services, as the provider of last resort.
- Implementation of the new requirements may exacerbate existing challenges in obtaining and retaining staff and may require the services of third-party providers, at a significant cost to councils who will have to identify and contract these specialist service providers.



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Financial support from State Government to assist councils with the delivery of further training for childcare staff, is required to ensure compliance with the Bill's objectives.

In total, the LGAQ makes the following five recommendations for consideration of the Committee:

Recommendation 1: The LGAQ recommends the State and Federal governments commit to creating and implementing incentives to attract and train a qualified childcare workforce across regional, rural and remote Australia, to alleviate the pressures on local government to deliver these critical services.

Recommendation 2: The LGAQ recommends the State Government supports the calls of Queensland councils for a Federal Government review into how the Community Child Care Fund can better support childcare services operated by local governments in rural and remote Australia.

Recommendation 3: The LGAQ recommends the State Government provides specific support and incentives to address the challenge of training staff and implementing reportable conduct scheme requirements, as proposed by the Bill, to ensure that councils can continue to deliver childcare services effectively, where necessary.

Recommendation 4: The LGAQ recommends the Queensland Family and Child Commission in its role as the provider of strategic oversight of the child protection and family support services, provides councils with the relevant capacity-building support to successfully embed the 10 Child Safe Standards and reportable conduct scheme. These supports could include direct guidance and templates for required policy and risk management documentation.

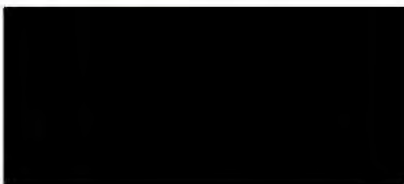
Recommendation 5: The LGAQ recommends the Queensland Family and Child Commission directly consults with all Queensland councils that operate childcare facilities, including across rural and remote areas and First Nations communities, to identify and provide any additional supports they may require to implement key changes, prior to commencement of the Bill.

In addition, Queensland councils have highlighted issues with the current blue card system that applies in Queensland. These include concerns that historical offences of a non-serious nature and which do not involve children are being taken into account and are preventing people from taking up kinship care, emergency services, volunteering and other 'working with children' roles in local communities.

Local governments are seeking a commitment from the State Government to review the current blue card system to address these challenges. The LGAQ understands that public consultation is currently underway on proposed reforms through the *Working with Children (Risk Management and Screening) and Other Legislation Amendment Bill 2024*, and we will be making a separate submission through that process.

Please do not hesitate to contact Jim Boden – Lead, Community Development and Social Policy [redacted] or Crystal Baker – Manager, Strategic Policy [redacted] or call 1300 542 700 should you wish to discuss any aspect of this submission.

Yours sincerely,



Alison Smith
Chief Executive Officer