



FACT SHEET: Children's Guardian Amendment (Child Safe Scheme) Bill 2021

Information for Clergy, Agency and Parish Workers in Child-Related Work within the Archdiocese of Sydney

Child Safe Scheme

The Children's Guardian Amendment (Child Safe Scheme) Bill 2021 (the Bill) proposes amendments to the *Children's Guardian Act 2019* (NSW) to create a regulatory framework that will require child-related organisations in NSW to comply with the NSW 10 Child Safe Standards.

The Royal Commission into Institutional Responses to Child Sexual Abuse recommended that state and territory governments require all institutions in their jurisdictions that engage in Child-Related Work to meet the Child Safe Standards and be held accountable.

The Role of the NSW Office of the Children's Guardian

The Bill states that the Office of the Children's Guardian will be the sole regulator overseeing compliance with the Child Safe Scheme. The Bill grants the Office of the Children's Guardian four key roles/powers:

- Capability Building and Support
- Monitoring Powers
- Investigative Powers
- Enforcement Powers

Capability Building and Support

The Office of the Children's Guardian will devote a significant amount of time and energy to helping organisations build their capability to be child safe environments and to providing ongoing support.

Monitoring Powers

Under the Bill, all Child-Related Organisations that are '*relevant entities*' for the purposes of the Reportable Conduct Scheme, will be subject to the Office of the Children's Guardian monitoring powers. This would allow the Office of the Children's Guardian to review and inspect Child-Related Organisations processes and policies.

Investigatory Powers

Under Division 7 of the Bill, the Office of the Children's Guardian have powers to formally investigate Child-Related Organisations' implementation of the Standards.

Enforcement Powers

If the Office of the Children's Guardian finds serious failings by an organisation to implement the Standards, the organisation may be subject to two kinds of enforcement actions: '*compliance notices*' under Division 1 of the Bill or '*enforceable undertakings*' under Division 2.

What does this mean for the Archdiocese?

The Archdiocese of Sydney as a '*relevant entity*' for the purposes of the Reportable Conduct Scheme, must implement the NSW 10 Child Safe Standards. The Parishes and the Agencies of the Archdiocese should ensure that they are meeting the 10 Child Safe Standards. The Safeguarding Office assists Parishes, Chaplaincies and Agencies meet the 10 Child Safe Standards through regular self-assessments.

More Information:

For further information, you can visit the NSW Office of the Children's Guardian website at kidsguardian.nsw.gov.au

Further Resources

Visit the Archdiocese's Safeguarding website to access the Archdiocese's Policy and Protocols including:

- **Fact Sheet:** 10 Child Safe Standards