**Bravehearts**
bravehearts.org.au

Our **Mission** is to provide a coordinated and holistic approach to the prevention and treatment of child sexual abuse.

Our **Vision** is a world where people, communities and systems all work together to protect children from sexual abuse.

28 November 2025

Select Committee on the Early Childhood
Education and Care Sector in Victoria
Parliament House
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East Melbourne, Vic 3002
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<u>Submission: Inquiry into the Early Childhood
Education and Care Sector in Victoria</u>

To whom it may concern,

We thank you for the opportunity to a submission in relation to the Inquiry into the Early Childhood Education and Care (ECEC) Sector in Victoria.

As an agency dedicated to the prevention of sexual harm against children and young people, we welcome the opportunity to contribute our knowledge and experience to assist the Inquiry in strengthening the ECEC sector's commitment to child safety.

## General Statement

Over the past few months there has been intensive media attention highlighting that the lessons of the Royal Commission into Institutional Responses to Child Sexual Abuse are far from fully embedded. Despite strong, robust recommendations, we continue to see systemic vulnerabilities in the ECEC sector, demonstrating that policy reform, oversight, and culture change must be ongoing and actively enforced and not assumed to be "complete."

The Australian Child Maltreatment Study (ACMS), the first nationally representative study of child maltreatment rates, found that 28.5% of Australians experienced child sexual abuse. Almost 1 in 4 Australians experienced one or more types of contact child sexual abuse (23.7%), while almost 1 in 5 experienced non-contact child sexual abuse (18.1%) (Mathews et.al., 2023).

It is commonly understood that child victims of sexual abuse frequently show reluctance in sharing their experiences. Additionally, earlier findings suggest that a notable percentage of these individuals may postpone revealing their abuse until they are adults, if they choose to disclose at all (Allard-Gaudreau, Poirier & Cyr, 2024). In relation to child sexual abuse, we know that the greatest barrier to protecting children and young people is the silence, secrecy and shame that surround this offence.

The importance of the role of organisations in child protection cannot be understated. It has long been accepted that given the nature of sexual harm against children, the responsibility of child protection extends beyond that of parents, carers and families, or statutory bodies, and that there is a greater responsibility that sits within organisations to ensure that children are protected from harm, or when they have been harmed that the response is in the child's best interests.

Organisations have a fundamental duty to safeguard children against sexual abuse because they are entrusted with the care, development, and protection of children and young people. When children engage with services such as care, education, sport, faith, health, or recreation, they and their families expect those environments to be safe and supportive. Failing to prevent or respond to abuse not only causes immense harm to children, but it also erodes public trust, damages the organisation's reputation, and may result in legal consequences.

Bravehearts recognises that robust, evidence-informed approaches to child safe organisations are fundamental to the effective prevention of harm. The Inquiry into the Early Childhood Education and Care Sector in Victoria presents a critical opportunity to review and enhance the application of the Child Safe Standards within this context. Such a review is essential to ensure that child protection frameworks are not only compliant with regulatory requirements, but are also deeply embedded within the culture, governance, and everyday practice of ECEC services.

By strengthening the implementation and oversight of the Child Safe Standards, the Inquiry can contribute to ensuring that:

- Children's safety and wellbeing are consistently prioritised across all ECEC settings.
- Educators, carers, and service leaders are adequately trained, supported, and resourced to identify, prevent, and respond to harm, and
- Systems of accountability and continuous improvement are clearly articulated and effectively monitored.

Most importantly, a strengthened approach to child safety within the ECEC sector must ensure that children's voices are heard, their rights are upheld, and their dignity is always respected.


## Adequacy of current quality and safety standards

Early childhood education and care services have a fundamental responsibility to protect children from sexual abuse and harm more broadly, as they are entrusted with the care, development, and wellbeing of young children. Families place their trust in these services to provide environments that are safe, nurturing, and supportive. Failing to prevent or respond appropriately to abuse can cause profound harm to children, undermine parental confidence, damage the reputation of the service, and may lead to serious legal consequences.

Effective child safeguarding in ECEC settings requires robust governance, strong oversight, and sustained investment in workforce training, all of which must be supported and mandated through policy. Policymakers can play a critical role in setting the standards that shape safe, responsive, and accountable early childhood environments. Clear legislative and regulatory frameworks that prioritise child safety are essential, not only to respond to incidents of harm but to prevent them through systems that promote vigilance, transparency and a culture of care.

Governance and oversight are essential for ensuring that safeguarding is not optional or ad hoc, but a systemic requirement. Strong governance frameworks define the responsibilities of service providers, boards, and leaders in upholding child safety standards. This includes implementing clear child protection policies, mandatory reporting obligations, and systems for escalation, monitoring, and review. Independent oversight bodies, regulatory audits, and complaints mechanisms offer critical external checks and accountability, while internal review processes ensure continuous improvement. These structures must be adequately

resourced, integrated across jurisdictions, and grounded in the principle that safeguarding is non-negotiable.

In practical terms, safeguarding policies should promote environments where safety is embedded in daily practice, not treated as a compliance task. This means requiring services to implement structured supervision, staff-to-child ratios that allow for meaningful engagement, and design standards that reduce isolation and risk. It also includes creating mechanisms for children to express concerns safely and empowering families to participate in safeguarding efforts. Policymakers can support this by embedding safeguarding into quality assessment frameworks, funding professional development, and strengthening cross-sector collaboration between early childhood services, education, health, and child protection systems.

Ultimately, effective child safeguarding is a shared responsibility, and it is policy that sets the conditions for success. Strong legislative frameworks, adequate funding, and clear expectations are crucial for ensuring that every ECEC setting is a safe, nurturing place where children's rights and wellbeing are protected. To ensure the effectiveness of child safe strategies, it is important to establish a monitoring, evaluation and review framework for the organisation. Bravehearts would advise that this should be as much a participatory process as possible, engaging all staff, volunteers and stakeholders in reviewing and assessing the organisation.

Making child-safety capability a core licensing and funding requirement would ensure that early learning and child-care services move beyond simply holding written policies and instead demonstrate a lived culture of safety. By linking service approvals, grants, and ongoing funding to evidence of robust child-safe practices, governments can incentivise providers to embed safeguarding into daily operations, workforce training, governance, and family engagement. This approach recognises that genuine protection relies on behaviour, accountability, and continuous improvement—not paperwork alone. Requiring services to regularly show how they uphold child-safe principles would help ensure that every centre, regardless of size or location, maintains a consistently high standard of safety for all children.

## Quality and oversight of educator training, professional development and qualifications

Identifying and disrupting child sex offending requires a multifaceted approach that integrates early detection, robust criminal justice responses, and proactive prevention strategies. Offending behaviour often occurs in private and is enabled by secrecy, grooming, and institutional failures to recognise or respond to warning signs (Johnson, 2024, Winters et.al., 2024). As such, identifying risk factors and behavioural patterns associated with child sexual offending, such as inappropriate boundary-crossing, attempts to isolate children, or the use of digital technologies for grooming, can support early intervention and prevention.

Organisational culture is a crucial component of safeguarding. Cultures that prioritise child safety are characterised by transparency, accountability, and empowerment. Leadership plays a critical role in modelling child-safe values, fostering open communication, and investing in training and professional development. Workforce education on recognising abuse, understanding trauma, and maintaining professional boundaries enhances the capacity of staff to uphold safeguarding practices (Sum et.al., 2023; Walsh et.al., 2022). Furthermore, child participation, ensuring children's voices are heard and respected in decision-making processes, is increasingly recognised as essential for creating safer environments.

The objective of child safe organisations should be to foster a cultural transformation within the community and its institutions, ensuring that children are respected, their rights are upheld, and their welfare is prioritised. This requires the establishment of a framework that enhances the prevention, identification, reporting, and response to child sexual abuse.

As outlined by the Australian Human Rights Commission (2019), a child-safe organisation purposefully and systematically:

- Cultivates an environment where the safety and well-being of children are central to its thoughts, values, and actions.
- Emphasises meaningful engagement with and respect for children and youth.
- Establishes conditions that lower the risk of harm to children and young individuals.
- Promotes conditions that improve the likelihood of detecting any harm.
- Addresses any concerns, disclosures, allegations, or suspicions of harm promptly.

## Oversight and Compliance

Oversight and compliance in Victoria's ECEC sector remain critical to ensuring the safety, well-being, and quality of care provided to children. While the Child Safe Standards provide a robust legislative framework for protecting children from abuse and neglect, recent media reports, reviews and investigations indicate gaps in the consistent implementation and monitoring of these standards across services. Strengthening these areas requires a multifaceted approach that combines regulatory enforcement, workforce development, and organisational accountability.

Embedding genuine child and family engagement within complaints and feedback processes is essential to creating truly child-safe early learning environments. Services should be required to demonstrate how they gather, respond to, and learn from the voices of children and families, including through age-appropriate check-in mechanisms that allow children to express concerns in ways that feel safe and accessible. Partnering with families to co-design a family partnership model would further strengthen accountability by ensuring that parental insights meaningfully shape a service's safeguarding approach. Centres should also be required to document how this feedback influences their practices within a clear, publicly available child-safe statement—one that is not merely displayed, but actively lived and regularly reviewed. This transparent, participatory approach reinforces trust and helps ensure that safeguarding is continuously informed by those most affected.

A primary recommendation is to enhance regulatory capacity and resourcing for oversight and compliance. Increased staffing levels, targeted professional development, and dedicated child protection expertise would enable more frequent and rigorous assessments of ECEC services, ensuring that compliance with the Child Safe Standards is not only monitored but actively supported. Additionally, introducing a risk-based inspection model, informed by historical compliance data, can focus regulatory attention on services with higher risk profiles, thereby improving the efficiency and impact of oversight mechanisms.

Workforce training and education also require strengthening. Embedding comprehensive child safety modules in both pre-service and in-service professional development for educators ensures that staff are not only aware of the Child Safe Standards requirements but are equipped to apply them in everyday practice. Mandatory, ongoing training on identifying and responding to abuse, cultural safety, and ethical reporting practices would reinforce a culture of vigilance and accountability across the sector. Linking compliance with professional registration or accreditation could further incentivise adherence to child-safe practices.

Another recommendation is the standardisation and transparency of compliance reporting. Publicly accessible summaries of inspection outcomes, child safety audits, and compliance

breaches would enhance accountability, providing parents, carers, and the community with confidence in the ECEC system. Introducing clear benchmarks for organisational self-assessment, coupled with external auditing, would encourage continuous improvement while creating a feedback loop between services and regulators.

A risk-driven regulatory structure would strengthen oversight by ensuring that compliance activities focus where children may be most vulnerable. Mandating unannounced audits, with priority given to higher-risk service categories such as family day care, transport-focused services, or providers with a history of breaches, enables regulators to identify issues in real time and address them before harm occurs. This targeted approach allocates regulatory resources more efficiently, reinforces accountability, and encourages services to maintain consistent child-safe practices rather than preparing only for scheduled assessments. By aligning audit frequency and intensity with assessed risk, governments can better safeguard children across diverse service types and operating environments.

Finally, fostering inter-agency collaboration is crucial. The Department of Education, the Commission for Children and Young People, and other oversight bodies should implement coordinated frameworks for sharing information, reporting concerns, and responding to breaches. Strengthening the integration of these systems, including the Working with Children Check, would help ensure that vulnerabilities are detected and addressed swiftly. Policy reforms that incentivise cross-sector collaboration, along with regular independent reviews of regulatory effectiveness, would provide ongoing reinforcement of child safety as the central priority of ECEC sector.

A minimum sanctions framework would create clearer accountability by establishing transparent, escalating consequences for repeated child-safety non-compliance. Such a framework should enable regulators to respond proportionately (from corrective action requirements through to provisional suspension where risks to children are acute) ensuring that serious or persistent breaches are met with timely and meaningful intervention. Importantly, reform is needed to address services that remain indefinitely in a "continuous improvement" category without delivering measurable progress. By benchmarking outcomes and setting defined expectations for improvement, regulators can prevent stagnation and ensure that all services actively work toward, and achieve, safe operating standards. This approach strengthens sector-wide confidence and reinforces that child safety is non-negotiable.


## Other matters in relation to the adequacy, implementation, compliance and/or enforcement of child safety standards and regulations in the ECEC sector

Contextual Prevention

Bravehearts also notes, that recent research has emphasised the importance of contextual/situational prevention in the prevention of child sexual abuse (Firmin & Lloyd, 2020; Rayment-McHugh et.al., 2024; Wortley & Smallbone, 2006). The physical environment certainly needs to be considered in ensuring child safe organisations, specifically in relation to the supervision of children. The physical layout for organisation's activities or the organisation's setting can hide or expose child sexual abuse; with the physical structure of an organisation playing an important role in creating 'safe environments' for children and young people.

Contextual prevention is carried out through a sequence of critical steps (Rayment-McHugh et.al., 2024). These steps consist of: (1) identifying a target setting, (2) assessing the contextual risks that are relevant to that specific environment, (3) selecting appropriate prevention strategies that address these risks, and finally, (5) implementing and evaluating the chosen strategies.

It is crucial to note that contextual prevention should be integrated with individually focused prevention initiatives as part of a holistic prevention framework. The simultaneous and coordinated application of both strategies will enhance the prevention of child sexual abuse.

<u>Child Safe Standards</u>

The Victorian Child Safe Standards provide a comprehensive framework for safeguarding children, addressing culturally safe environments, governance, online safety, and continuous improvement. The 2022 expansion to 11 standards and the enhancement of regulatory oversight demonstrate a strong commitment to child protection. While recent expansions and regulatory enhancements demonstrate strong commitment, there are opportunities to strengthen the Standards to ensure measurable improvements in child safety.

1. Shift to Outcome-Focused Implementation:
   - Move beyond process compliance to measurable child-safety outcomes.
   - Require organisations to publicly report on child-safety culture, incident management, and training completion.
2. Enhance Monitoring and Enforcement
   - Increase frequency of inspections, including unannounced audits.
   - Improve transparency on compliance breaches and enforcement actions.
   - Strengthen inter-agency intelligence-sharing between regulators, child protection services, and the Working With Children Check system.
3. Strengthen Guidance and Cultural Change Support.
   - Provide sector-specific guidance to embed child-safe culture, with emphasis on leadership, staff empowerment, and digital risk management.
   - Regularly update guidance to address evolving technological risks (e.g., online grooming, social media, remote learning).
4. Support Smaller and Community-Based Organisations
   - Offer targeted resourcing, training, and peer-support networks to facilitate effective implementation.
5. Conduct Independent Evaluation
   - Commission sector-wide reviews to assess the impact of the Standards.
   - Use evaluation findings to inform continuous improvement and policy refinement.

Implementing these measures will enhance the effectiveness of the Standards, ensuring that child safety is embedded in organisational culture and translated into tangible outcomes across Victoria.

<u>Responses to incidents</u>

There is a critical gap in the availability of clear, accessible resources and guidance for parents when a safety incident occurs in a childcare setting, leaving families distressed and unsure of their next steps. Unlike other areas of preparedness, such as fire drills or emergency procedures, services and governments rarely provide proactive planning or staff training for responding to child-safety incidents, despite the emotional and practical complexity these situations create. This reactive approach places undue burden on families, who often find themselves turning to NGOs or legal services simply to understand what options and supports exist. Establishing a coordinated, government-led framework that equips educators, informs parents, and outlines transparent pathways for reporting, support, and follow-up would not only improve outcomes for children and families but also build trust and consistency across the sector.

**Summary**

Safeguarding is essential to protecting children from sexual abuse and ensuring their right to safety, dignity, and wellbeing. It relies on integrated frameworks of legislation, policy, and professional practice to identify risks, promote safe environments, and respond effectively to concerns. Child sexual abuse often occurs where power imbalances, secrecy, and institutional weaknesses create opportunities for harm, making robust safeguards critical.

Key measures include rigorous staff recruitment and screening, clear codes of conduct, accessible child-friendly reporting, and ongoing workforce training. When embedded systemically, safeguarding not only supports early identification and response but also contributes to primary prevention through community education, professional vigilance, and the empowerment of children and families.

Safeguarding should not be regarded simply as a regulatory requirement; it is a central strategy in preventing child sexual abuse and promoting safe, nurturing environments across all early childhood education and care settings.

Kind Regards,

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