

Senate Committee: Education and Employment

QUESTION ON NOTICE Budget Estimates 2017 - 2018

Outcome: Schools and Youth

Department of Education and Training Question No. SQ17-000637

Senator Gichuhi, Lucy asked on 01 June 2017, Proof Hansard page 41

Victorian child protection and safeguarding of information policies

Question

Senator GICHUHI: What additional safeguards does the Commonwealth government put over whatever the state governments have to ensure that it does not happen that reports and submissions can be changed, and especially ensure that all the facts surrounding such an occurrence have been brought to the attention of the states? Is it a criminal issue to be dealt with in the criminal justice system or is it just a system issue to ensure that affected parents are dealt with in accordance with the law?

...

Dr Bruniges: That varies somewhat from jurisdiction to jurisdiction or state and territory to state and territory so we would have to look into in particular what the state of Victoria has in its child protection and reporting requirements. That would be an issue for the state education department to have a policy, and I am sure they would. I am sure they would have a very rigorous policy around notification of those issues once they were found. But I would really need to look at the Victorian, because that is an incident we are referring to in Victoria about what their policies are. But I am happy to take it on notice and have a look to see if we can provide you some further information about the Victorian policies. They often have them on their website and have induction programs around those issues.

Answer

States and territories have constitutional responsibility for education. Each state and territory government also has responsibility for determining its requirements and laws in regard to child protection and the safeguarding of private information.

The Victorian Department of Education and Training provides all Victorian government schools with a School Policy and Advisory Guide, available at www.education.vic.gov.au/school/principals/spag/Pages/spag.aspx. This provides schools with quick and easy access to governance and operational policies and advice, including:

- informational management i.e. protecting privacy and abiding by freedom of information requirements
- archives and record keeping
- safety and risk management
- safety response and duty of care
- provision of a safe environment
- protection and support
- mandatory reporting.

The guide's information comes from a range of legislative and regulatory requirements, primarily the *Victorian Education and Training Reform Act 2006* and the *Victorian Education and Training Reform Regulations 2007*. Additional legislation relevant to Victorian schools and the concerns raised include the *Child Wellbeing and Safety Act 2005*, the *Children's Services Act 1996* and the *Privacy and Data Protection Act 2014*. These can be found at the Victorian Legislation and Parliamentary Documents site: www.legislation.vic.gov.au.