



# Progress Report on the Royal Commission into Institutional Responses to Child Sexual Abuse Recommendations Implementation Department of Education – August 2022

	<b><u>Recommendation</u></b>		<b><u>Details</u></b>	<b><u>Supporting information</u></b>
6.23	<p>State and territory education departments should consider introducing centralised mechanisms to support government and non-government schools when online incidents occur. This should result in appropriate levels of escalation and effective engagement with all relevant entities, such as the Office of the eSafety Commissioner, technical service providers and law enforcement.</p> <p>Consideration should be given to:</p> <ol style="list-style-type: none"> <li>adopting the promising model of the Queensland Department of Education and Training’s Cyber Safety and Reputation Management Unit, which provides advice and a centralised coordination function for schools, working in partnership with relevant entities to remove offensive online content and address other issues</li> <li>strengthening or re-establishing multi-stakeholder forums and case-management for effective joint responses involving all relevant agencies, such as police, education, health and child protection.</li> </ol>	<p><b><u>Response</u></b></p> <p>Accepted in principle</p> <p><b><u>Responsibility</u></b></p> <p>Tasmanian Government – <a href="#">Department of Education</a></p> <p><b><u>Progress</u></b></p> <p>Commenced</p>	<p>The Department of Education (DoE) started its work in March 2019.</p> <p>This work is ongoing.</p>	<p>DoE has developed a suite of brochures and policies containing guidance for DoE staff, parents, and students in relation to online child sexual abuse material.</p> <p>This is available on the DoE public website.</p> <p>DoE will continue to improve reporting mechanisms over time.</p>

<p>7.7</p> 	<p>Consistent with Child Safe Standard 6: Processes to respond to complaints of child sexual abuse are child focused, institutions should have a clear, accessible and child-focused complaint handling policy and procedure that sets out how the institution should respond to complaints of child sexual abuse. The complaint handling policy and procedure should cover:</p> <ol style="list-style-type: none"> <li>making a complaint</li> <li>responding to a complaint</li> <li>investigating a complaint</li> <li>providing support and assistance</li> <li>achieving systemic improvements following a complaint.</li> </ol>	<p><b><u>Response</u></b> Accepted</p> <p><b><u>Responsibility</u></b> Tasmanian Government – Department of Communities, <a href="#">Department of Education</a></p> <p><b><u>Progress</u></b> Commenced</p>	<p>DoE is currently revising its existing complaint handling policy and procedure to encompass all aspects of child sexual abuse.</p>	
<p>8.1</p> 	<p>To allow for delayed disclosure of abuse by victims and take account of limitation periods for civil actions for child sexual abuse, institutions that engage in child-related work should retain, for at least 45 years, records relating to child sexual abuse that has occurred or is alleged to have occurred.</p>	<p><b><u>Response</u></b> Accepted</p> <p><b><u>Responsibility</u></b> Tasmanian Government – State Archivist, <a href="#">Department of Education</a></p> <p><b><u>Progress</u></b> Completed</p>	<p>DoE started its work in August 2018.</p> <p>While that work was finished in December 2019, DoE continues to monitor its record-keeping practices and, where necessary, will continue to provide staff training and guidance.</p>	
<p>8.2</p> 	<p>The National Archives of Australia and state and territory public records authorities should ensure that records disposal schedules require that records relating to child sexual abuse that has occurred or is alleged to have occurred be retained for at least 45 years.</p>			
<p>8.3</p>	<p>The National Archives of Australia and state and territory public records authorities should provide guidance to government and non-</p>			

	<p>government institutions on identifying records which, it is reasonable to expect, may become relevant to an actual or alleged incident of child sexual abuse; and on the retention and disposal of such records.</p>			
<p>8.4</p> 	<p>All institutions that engage in child-related work should implement the following principles for records and recordkeeping, to a level that responds to the risk of child sexual abuse occurring within the institution.</p> <p>Principle 1: Creating and keeping full and accurate records relevant to child safety and wellbeing, including child sexual abuse, is in the best interests of children and should be an integral part of institutional leadership, governance and culture.</p> <p>Institutions that care for or provide services to children must keep the best interests of the child uppermost in all aspects of their conduct, including recordkeeping. It is in the best interest of children that institutions foster a culture in which the creation and management of accurate records are integral parts of the institution's operations and governance.</p> <p>Principle 2: Full and accurate records should be created about all incidents, responses and decisions affecting child safety and wellbeing, including child sexual abuse.</p> <p>Institutions should ensure that records are created to document any identified incidents of grooming, inappropriate behaviour (including breaches of institutional codes of conduct) or child sexual abuse and all responses to such incidents.</p>	<p><b><u>Response:</u></b> Accepted in principle</p> <p><b><u>Responsibility:</u></b> Tasmanian Government – State Archivist, <a href="#">Department of Education</a></p> <p><b><u>Progress:</u></b> Commenced</p>	<p>DoE started its work in August 2018.</p> <p>This work is ongoing.</p>	

	<p>Records created by institutions should be clear, objective and thorough. They should be created at, or as close as possible to, the time the incidents occurred, and clearly show the author (whether individual or institutional) and the date created.</p> <p>Principle 3: Records relevant to child safety and wellbeing, including child sexual abuse, should be maintained appropriately.</p> <p>Records relevant to child safety and wellbeing, including child sexual abuse, should be maintained in an indexed, logical and secure manner. Associated records should be collocated or cross-referenced to ensure that people using those records are aware of all relevant information.</p> <p>Principle 4: Records relevant to child safety and wellbeing, including child sexual abuse, should only be disposed of in accordance with law or policy.</p> <p>Records relevant to child safety and wellbeing, including child sexual abuse, must only be destroyed in accordance with records disposal schedules or published institutional policies.</p> <p>Records relevant to child sexual abuse should be subject to minimum retention periods that allow for delayed disclosure of abuse by victims, and take account of limitation periods for civil actions for child sexual abuse.</p> <p>Principle 5: Individuals' existing rights to access, amend or annotate records about themselves should be recognised to the fullest</p>			
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	<p>extent.</p> <p>Individuals whose childhoods are documented in institutional records should have a right to access records made about them. Full access should be given unless contrary to law. Specific, not generic, explanations should be provided in any case where a record, or part of a record, is withheld or redacted. Individuals should be made aware of, and assisted to assert, their existing rights to request that records containing their personal information be amended or annotated, and to seek review or appeal of decisions refusing access, amendment or annotation.</p>			
<p>8.5</p> 	<p>State and territory governments should ensure that non-government schools operating in the state or territory are required to comply, at a minimum, with standards applicable to government schools in relation to the creation, maintenance and disposal of records relevant to child safety and wellbeing, including child sexual abuse.</p>	<p><b><u>Response:</u></b> Accepted</p> <p><b><u>Responsibility:</u></b> Tasmanian Government – State Archivist, <a href="#">Department of Education</a> and Office of the Education Registrar</p> <p><b><u>Progress:</u></b> Completed</p>	<p>DoE started this work in August 2018. Oversight of compliance is ongoing.</p>	

<p>8.9</p> 	<p>The Council of Australian Governments (COAG) Education Council should consider the need for nationally consistent state and territory legislative requirements about the types of information recorded on teacher registers. Types of information that the council should consider, with respect to a person’s registration and employment as a teacher, include:</p> <ul style="list-style-type: none"> <li>a. the person’s former names and aliases</li> <li>b. the details of former and current employers</li> <li>c. where relating to allegations or incidents of child sexual abuse: <ul style="list-style-type: none"> <li>i. current and past disciplinary actions, such as conditions on, suspension of, and cancellation of registration</li> <li>ii. grounds for current and past disciplinary actions</li> <li>iii. pending investigations</li> <li>iv. findings or outcomes of investigations where allegations have been substantiated</li> <li>v. resignation or dismissal from employment.</li> </ul> </li> </ul>	<p><b><u>Response:</u></b> Noted</p> <p><b><u>Responsibility:</u></b> All Australian governments through inter-governmental bodies</p> <p><b><u>Progress:</u></b> National Priority – Previously under consideration by Education Ministers – now referred to AITSL</p>	<p>DoE continues to monitor these recommendations and will work with the Teachers Registration Board to implement the <i>Best Practice Framework for Strengthening Child Safety and Wellbeing through the Regulation of Teachers</i>, which has been developed by the Australian Institute for Teaching and School Leadership (AITSL).</p>	<p>Work is occurring nationally within the Australian Education Senior Officials Committee.</p>
<p>8.10</p> 	<p>The COAG Education Council should consider the need for nationally consistent provisions in state and territory teacher registration laws providing that teacher registration authorities may, and/or must on request, make information on teacher registers available to:</p> <ul style="list-style-type: none"> <li>• teacher registration authorities in other states and territories</li> </ul>			

	<ul style="list-style-type: none"> <li>• teachers' employers.</li> </ul>			
8.11	 <p>The COAG Education Council should consider the need for nationally consistent provisions</p> <ol style="list-style-type: none"> <li>in state and territory teacher registration laws or</li> <li>in administrative arrangements, based on legislative authorisation for information sharing under our recommended information exchange scheme providing that teacher registration authorities may or must notify teacher registration authorities in other states and territories and teachers' employers of information they hold or receive about the following matters where they relate to allegations or incidents of child sexual abuse: <ol style="list-style-type: none"> <li>disciplinary actions, such as conditions or restrictions on, suspension of, and cancellation of registration, including with notification of grounds</li> <li>investigations into conduct, or into allegations or complaints</li> <li>findings or outcomes of investigations</li> <li>resignation or dismissal from employment.</li> </ol> </li> </ol>			
8.12	 <p>In considering improvements to teacher registers and information sharing by registration authorities, the COAG Education Council should also consider what safeguards are necessary to protect teachers' personal information.</p>			
8.13	State and territory governments should ensure that policies provide for the exchange of a	<b><u>Response:</u></b>	DoE started work	

	<p>student's information when they move to another school, where:</p> <ul style="list-style-type: none"> <li>a. the student may pose risks to other children due to their harmful sexual behaviours or may have educational or support needs due to their experiences of child sexual abuse and</li> <li>b. the new school needs this information to address the safety and wellbeing of the student or of other students at the school.</li> </ul> <p>State and territory governments should give consideration to basing these policies on our recommended information exchange scheme (Recommendations 8.6 to 8.8).</p>	<p>Accepted</p> <p><b><u>Responsibility:</u></b> Tasmanian Government – <a href="#">Department of Education</a></p> <p><b><u>Progress:</u></b> Commenced and continuing</p>	<p>on these recommendations in 2018, with implementation occurring in mid-2019.</p> <p>Further work is required to embed practice across all schools.</p>	
	<p>8.14</p> <p>State and territory governments should ensure that policies for the exchange of a student's information when they move to another school:</p> <ul style="list-style-type: none"> <li>a. provide that the principal (or other authorised information sharer) at the student's previous school is required to share information with the new school in the circumstances described in Recommendation 8.13 and</li> <li>b. apply to schools in government and non-government systems.</li> </ul>			
	<p>8.15</p> <p>State and territory governments should ensure that policies about the exchange of a student's information (as in Recommendations 8.13 and 8.14) provide the following safeguards, in addition to any safeguards attached to our recommended information exchange scheme:</p> <ul style="list-style-type: none"> <li>a. information provided to the new school should be proportionate to its need for</li> </ul>	<p><b><u>Response:</u></b> Accepted</p> <p><b><u>Responsibility:</u></b> Tasmanian Government –</p>		

	<p>that information to assist it in meeting the student's safety and wellbeing needs, and those of other students at the school</p> <p>b. information should be exchanged between principals, or other authorised information sharers, and disseminated to other staff members on a need-to-know basis.</p>	<p>Department of Education</p> <p><b>Progress:</b> Commenced and continuing</p>		
<p>8.16</p> 	<p>The COAG Education Council should review the Interstate Student Data Transfer Note and Protocol in the context of the implementation of our recommended information exchange scheme (Recommendations 8.6 to 8.8).</p>	<p><b>Response:</b> Noted</p> <p><b>Responsibility:</b> All Australian governments through inter-governmental bodies</p> <p><b>Progress:</b> National Priority – Previously under consideration by Education Ministers – now referred to AITSL</p>	<p>DoE continues to monitor this recommendation.</p>	<p>Work is occurring nationally through the Education Ministers Meeting.</p>
13.1	<p>All schools should implement the Child Safe Standards identified by the Royal Commission.</p>	<p><b>Response:</b></p>	<p>This work is ongoing, covers a number of other</p>	<p>Implementation of the Child Safe Standards in all DoE schools, Child and Family Learning Centres,</p>

		<p>Accepted in principle</p> <p><b><u>Responsibility:</u></b> Tasmanian Government – Department of Education</p> <p><b><u>Progress:</u></b> Commenced</p>	<p>recommendations, and will be supported by a Safeguarding Policy Framework (currently under development).</p> <p>Further work will correspond with development of an overarching Child Safe Organisations legislative framework.</p>	<p>libraries and business units is expected to start before the end of 2022.</p> <p>Their implementation will be an ongoing priority for DoE and will occur in line with the implementation of a Department of Justice-led child safe organisations legislative framework.</p>
<p>13.2</p> 	<p>State and territory independent oversight authorities responsible for implementing the Child Safe Standards (see Recommendation 6.10) should delegate to school registration authorities the responsibility for monitoring and enforcing the Child Safe Standards in government and non-government schools.</p>	<p><b><u>Response:</u></b> Accepted in principle</p> <p><b><u>Responsibility:</u></b> Tasmanian Government – Office of the Education Registrar</p> <p><b><u>Progress:</u></b> Not yet commenced</p>	<p>Work on implementation of this recommendation will start as part of implementing the Department of Justice-led Child Safe Organisations legislative framework.</p>	

<p>13.3</p> 	<p>School registration authorities should place particular emphasis on monitoring government and non-government boarding schools to ensure they meet the Child Safe Standards. Policy guidance and practical support should be provided to all boarding schools to meet these standards, including advice on complaint handling.</p>	<p><b><u>Response:</u></b> Accepted in principle</p> <p><b><u>Responsibility:</u></b> Tasmanian Government – Office of the Education Registrar</p> <p><b><u>Progress:</u></b> Commenced</p>	<p>Work towards this recommendation started in mid-2020 and is ongoing.</p> <p>Further work is required to establish effective guidance and support.</p>	
<p>13.4</p> 	<p>The Australian Government and state and territory governments should ensure that needs-based funding arrangements for Aboriginal and Torres Strait Islander boarding students are sufficient for schools and hostels to create child safe environments.</p>	<p><b><u>Response:</u></b> Accepted in principle</p> <p><b><u>Responsibility:</u></b> Tasmanian Government – <a href="#">Department of Education</a></p> <p><b><u>Progress:</u></b> Completed</p>	<p>DoE started work on this recommendation in January 2018 and finished in May 2019.</p> <p>DoE continues to monitor and improve this area of work.</p>	

<p>13.5</p> 	<p>Boarding hostels for children and young people should implement the Child Safe Standards identified by the Royal Commission. State and territory independent oversight authorities should monitor and enforce the Child Safe Standards in these institutions.</p>	<p><b><u>Response:</u></b> Accepted in principle</p> <p><b><u>Responsibility:</u></b> Tasmanian Government – <a href="#">Department of Education</a></p> <p><b><u>Progress:</u></b> Commenced</p>	<p>DoE started its work in January 2018 and continues to monitor and improve this area, which will be strengthened by the implementation of the Department of Justice-led Child Safe Organisations legislative framework.</p>	
<p>13.6</p> 	<p>Consistent with the Child Safe Standards, complaint handling policies for schools (see Recommendation 7.7) should include effective policies and procedures for managing complaints about children with harmful sexual behaviours.</p>	<p><b><u>Response:</u></b> Accepted</p> <p><b><u>Responsibility:</u></b> Tasmanian Government – <a href="#">Department of Education</a></p> <p><b><u>Progress:</u></b> Commenced</p>	<p>DoE started its work in late 2018 and finished it in June 2019.</p> <p>However, in June 2021, a review of the work was initiated to ensure best practice implementation continues.</p>	
<p>13.7</p>	<p>State and territory governments should provide nationally consistent and easily accessible guidance to teachers and principals on preventing and responding to child sexual abuse in all government and non-government</p>	<p><b><u>Response:</u></b> Accepted in principle</p>	<p>DoE started its work in early 2019.</p> <p>Further work is</p>	

	<p>schools.</p>	<p><b><u>Responsibility:</u></b> Tasmanian Government – Department of Education</p> <p><b><u>Progress:</u></b> Commenced</p>	<p>required to confirm national consistency and share across non-government schools.</p>	
<p>13.8</p> 	<p>The Council of Australian Governments (COAG) should consider strengthening teacher registration requirements to better protect children from sexual abuse in schools. In particular, COAG should review minimum national requirements for assessing the suitability of teachers, and conducting disciplinary investigations.</p>	<p><b><u>Response:</u></b> Accepted in principle</p> <p><b><u>Responsibility:</u></b> All Australian governments, through inter-governmental bodies</p> <p><b><u>Progress:</u></b> Previously under consideration by Education Ministers – now referred to AITSL</p>	<p>DoE continues to monitor this recommendation and will work with the Teachers Registration Board to implement the <i>Best Practice Framework for Strengthening Child Safety and Wellbeing through the Regulation of Teachers</i> which has been developed by AITSL.</p>	