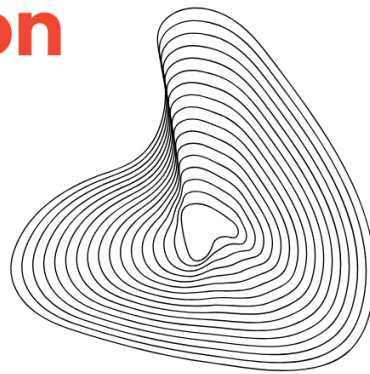


Submission
to the
National
Office for
Child Safety



**In response to the public consultation
paper, Child Safety Annual Reporting
Framework**

February 2025

**Ausdance national network, peak industry body for dance
Ausdance National, Ausdance ACT, Ausdance VIC,
Ausdance QLD, Ausdance WA**

Introduction and Executive Summary

It is not possible to overstate the urgency expressed by Ausdance members to comprehensively address the issue of child safety. The overwhelming response of the dance sector – following substantial consultation over more than four years – is that it should be better regulated so the safety of children in organisations is improved.

The national Ausdance network has championed ‘Safe Dance’ since 1990. Currently, improving safety in dance environments, particularly for children, is a key priority for the network.

The National Office for Child Safety’s proposed **child safety annual reporting framework** aims to encourage and support organisations through capability building to implement good practice child safety policies and processes to embed cultures that prioritise the best interests of all children.

Ausdance holds continuous consultations on the subject of child safety. A survey of members to address this consultation paper was circulated nationally in December with substantial sector participation.

Who does Ausdance represent?

The Australian Dance Council, Ausdance Inc. is a registered non-profit membership organisation made up of Ausdance National and state and territory Ausdance offices serving all dance in Australia. Members of state/territory offices are individuals, companies, organisations and community groups across all styles and cultures from First Nations’ Cultures to ballet, contemporary dance, and multicultural dance. Members of Ausdance National include major dance companies and the Tertiary Dance Council of Australia.

Our role is to increase the capability, creativity, diversity, equity, safety and sustainability of the dance sector. We do this through member services (advisory, resources, templates), professional development programs and research. Membership is not compulsory, no accreditation is required and Ausdance has no regulatory oversight.

Nearly 6000 members work with communities in major cities, towns in metropolitan, regional, rural and remote areas.

- **387,617 children under the age of 15 participate in organised dance activities in Australia each week¹.**
- **We estimate an additional 40,000 children aged between 15-18 years old participate in regular dance activities based on our members’ profiles.**

Ausdance members participated in in-person, online and survey consultations to inform this submission in early 2025. Input from members gathered in 2021, 2023 and 2024 has also been incorporated into this submission.

¹ https://www.clearinghouseforsport.gov.au/research/ausplay/results#data_tables_br_july_2023_june_2024

Ausdance objectives

Ausdance objectives are the same as the government's objective in relation to dance activities of our members – that is to;

- 1) Ensure the safety and wellbeing of children accessing services or facilities.

Ausdance policy and program and services design strategy prioritises the values, needs and concerns, as well as the Cultural safety of First Nations People and Communities.

Summary of response to the consultation paper and proposed reporting framework

1. **Ausdance is not supportive of the specific proposed model for a voluntary reporting framework but is supportive of a development of a voluntary reporting framework.** We propose the framework be amended so it responds to sector concerns and clearly prioritises the desirable outcome of engagement to be a commitment to continual improvement (rather than compliance), and that the National Office and its relevant subsidiaries demonstrate this commitment through engaging stakeholders at all stages and levels of the development, implementation and evaluation process.
2. The proposed model, whilst purporting to be focused on building child safety capability, has a substantial 'compliance' element which seems to be prioritised in the proposed design. **The current design will not assist organisations' development/strengthening of existing reporting requirements.** If National Office wants to ensure maximum engagement with minimal barriers to participation, the reporting process for the central repository option would need to be as streamlined as possible to minimise workload / double-handling, and also be incredibly well supported through available training, resources and access to real-time assistance. This will only succeed if they commit to embedding formal feedback mechanisms at key points throughout a pilot run of the reporting process, and throughout the actual implementation process. This will enable them to learn from users about what works and what doesn't to strike a balance between providing qualitative evidence of improvement strategies and the superficial 'tick and flick' exercise of compliance.

Businesses and organisations can't be expected to effectively engage with a reporting framework if they're not also being supported to improve their knowledge and understanding of what it is they're reporting on and why it is important that they do so. This reinforces that the reality of the current proposal is compliance, even though it previously states that its objective is improvement. If the objective of the framework is improvement, then accompanying resources should include things like a roadmap for improving child safe practices within the business or organisation, templates and exemplars for potential action plans and advice on measuring improvement over time, and formal opportunities for users to feed back on the types of resources they need to support them in areas that they are currently finding difficult.

3. Key features which may help organisations build their capacity include:
 - a. **Development of resources, templates and training**
 - b. **Flexibility**
 - c. **Voluntary framework**
 - d. **Support network**

Development of sector-specific resources

Dance organisations working with children need sector-specific resources and training rather than general resources (which are all currently available). This concern and need was raised by the majority of participants who fed back during our consultation processes.

The consultation document and draft framework make it clear that the National Office only intends on providing resources that help businesses and organisations to engage with the framework, not to educate users about important information relating specifically to child sexual abuse itself (i.e. how to identify, how to respond, how to report, how to prevent, how to educate and empower others, how to understand the legislation, what best practice looks like). Small businesses/organisations do not have the funds, skills or resources to undertake this work and the development of new resources. This work must be completed before the majority of the sector will willingly participate in a reporting scheme.

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Flexibility of timelines and approach

To cater to the diverse needs of organisations working with children across the state and noting all states and territories are at different stages of regulation and compliance (ACT, TAS and QLD legislated in 2024, NSW in 2022 and VIC in 2016. WA, SA, TAS and NT have not yet legislated the Child Safe Standards) flexible timelines and a nuanced approach is vital.

Voluntary framework

It is a positive thing that use of the framework and reporting processes are voluntary because businesses and organisations can opt-in when willing/able/ready, provided that engaging with the framework and reporting process is fully accessible and robustly supported. It also will mean that groups requiring more specific focus (First Nations) will have time to address Cultural concerns described later in this submission.

A substantial take-up of a voluntary initiative can only be achieved through consultation, collaboration and co-design with user groups, because it is the potential users who will identify the barriers to accessibility and identify specific support needs.

The problem here is that the National Office has flagged that embedding formal feedback mechanisms would be resource-intensive for them and that no opportunities for formal feedback are currently planned throughout the implementation process, but they are awaiting the development of an evaluation framework in late 2025.

The purpose of the framework aims to be continual improvement striving towards best practice, rather than being a compliance framework holding businesses and organisations accountable. The design of

the framework itself on pages 5 and 6 don't align to this stated purpose; it appears to prioritise measures for compliance and accountability instead.

Support network

The proposed support network should form a key and valuable part of the support strategies for businesses and organisations who volunteer to engage with the framework, but in the model on page 6, it only states that the National Office will establish a support network for organisations who have committed to the framework.

It is not clear if the National Office would also facilitate and maintain the support network, or if or how participating businesses and organisations would be expected to contribute to that community of practice. If there is an expectation for the way businesses and organisations contribute to the support network (i.e. sharing of their own resources and practices), is it expected this is voluntary and through their own discretionary effort, or are they somehow compensated for their contributions? The success of the network should lean on the National Office and their subsidiaries' contributions, not on the voluntary contributions of generous participants.

- 4) The proposed feedback mechanism in the annual reporting proposal will not be useful in its current design and it does not represent best practice for the development of a new system, particularly for the diverse range of organisations working with children.** A feedback framework is important at all stages of a process, especially when first developed. This includes feedback about resources, networks and the reporting process itself. It needs to actively encourage feedback on key issues for communities of higher risk, particularly First Nations Communities.

All states and territories are at a different stage of legislation implementation, so as a whole, the dance sector is not ready. We see this as a disadvantage for organisations currently not legislated or only recently legislated.

Reporting can also be administratively heavy and inequitable/inaccessible (i.e. those with resources, who speak English as a first language and are familiar with reporting processes). Participants in consultations undertaken in 2021, 2023, 2024 have expressed concern about additional administrative burdens. Whilst we recognise the proposal is 'voluntary reporting', the reality is that in a competitive marketplace, the businesses with the resources will be able to report, and the businesses without these resources will not. This means the proposed reporting framework is not accessible and may damage many business' reputations.

- 5) Some additional key features of a successful framework include 'recognition' or endorsement.** A compliance 'badge' (like the tick for heart health) may create an incentive and spread the work about the framework quickly.

Supplying sector-specific clear, user-friendly templates, checklists and guides, in continuous consultation with a wide range of organisations working with children to ensure effectiveness, equity and accessibility.

Strengthening data security and legal clarity is important to create clear expectations and confidence about how data will be stored and any potential legal implications of participation (including falsified reporting).

A national working with children check, with all states and territories requiring the same information & reporting from organisations will substantially reduce red-tape and improve the safety of children from perpetrators crossing borders. This should include greater support for employers managing the screening of candidates when recruiting.

Funding for recognised industry peak bodies (such as the Ausdance national network) to create sector-specific templates, resources and support would be a more efficient way of ensuring engaged continuous and practical improvement of child safety in the dance sector.

Additional key considerations

Cultural Safety in Child Safe Organisations

Ausdance recommends 'Cultural (First Nations) safety' needs to be defined and better understood in the child safe context and in any developing regulation or reporting frameworks

'Cultural safety' should be embedded in all organisations working with children. However the term 'Cultural safety' is not understood by most people, and most dance organisations in Australia, with the exception of First Nations organisations, do not understand what it means to provide a Culturally safe environment for First Nations' children.

Substantial education, training and resources are required for any organisation to meet its obligations relating to safety of First Nations children before any reporting frameworks will be adopted.

Current understanding of the Child Safe Standards

- Across the country, an average of less than 50% of Ausdance members describe themselves as 'slightly familiar' with the Child Safe Standards. In Victoria 66% of members are confident they understand and comply with Victoria's 11 Child Safe Standards. This implies that even after eight years, the dance sector in Victoria has not been provided adequate resourcing to support compliance and/or continuous improvement.
- The majority of Ausdance members believe implementation of and compliance with the Child Safety Standards (or National Principles for Child Safe Organisations will enhance child safety in the dance sector.

In the context of the dance sector, there is no independent industry regulatory authority. Ausdance & the national network are the peak industry body, but we are not adequately resourced to properly provide the required training, resources and education for an estimated 6000 businesses/organisations to transition to new regulatory or reporting requirements. Currently this is a substantial barrier to compliance for the sector which includes independent dance businesses/studios, school holiday activities, professional companies, schools and community organisations.

Ausdance recommends this support be shared between the National Office for Child Safety, state/territory governments and the Ausdance national network for the dance sector.

Barriers to implementing the reporting frameworks

It is important to ensure there are no Cultural, cultural, geographic, social, or economic barriers to complying with and reporting on the Child Safe Standards.

- 82% of Ausdance members continue to be concerned about the administration, accessibility, bureaucracy, and practicality of managing compliance processes. Concern has been expressed about the availability of skilled and qualified professionals to undertake the required work in all areas of the state. Members are also concerned that additional business operating costs would be passed on to parents/families and have an immediate impact on enrolments/engagement in dance activities.

Cultural (First Nations) barriers

First Nations People should be prioritised in the development, education, management of and compliance any reporting process. This means ongoing genuine consultation and participation in design must take place, including with remote Communities, groups working with children who have understandable concern with reporting and governmental systems. Design of reporting processes must be simple, practical and accessible.

First Nations Communities concerns include:

- Who is qualified to develop appropriate and Culturally accessible administrative processes?
- What administrative processes work in a place without regular access to a computer or the internet?
- Who will train and educate the Community so child safety is embedded in the organisation and not just additional bureaucracy? Who will continue this training?
- Who is Culturally capable of navigating Community and Cultural requirements?
- Who speaks the languages of the People with whom Child Safe Standards and associated reporting are being socialised?
- Who has the Cultural authority to do all of this in each of the diverse First Nations Communities, Cultures and Countries?
- Who can Culturally appropriately, and pragmatically manage specific Cultural behaviours, practices or traditions which may impact children?
- How do *you* know who has the Cultural authority?
- Who will pay for the reporting administration?

Cultural (culturally and linguistically diverse) barriers

Education, training, resources and reporting processes must be practical, accessible, and simple. They must be sector-specific. Development of associated processes needs to incorporate an understanding of limited English and limited knowledge of governance and compliance systems in community organisations.

Concerns include:

- Who is qualified, speaks the language and is available to work the limited hours estimated in the costings?
- Who will train and educate the staff so child safety is embedded in the organisation and not just additional bureaucracy? Who will continue this training?
- Who will pay for this reporting administration?
- Who can practically manage specific cultural behaviours, activities or traditions which may impact children?

Geographic barriers

Education, training, resources and reporting processes must be practical, accessible and simple regardless of location. If communities do not have regular access to the internet (remote communities), an online system may not be practical.

Practical reporting and administration of processes must be achievable. It must be designed to suit the skills available in the area.

- Who, in a remote geographic area, is qualified to administrate effective child safety compliance processes?
- Is there reliable internet or access to resources or reporting mechanisms?
- Who will train and educate the staff so child safety is embedded in the organisation and not just additional bureaucracy? Who will continue this training?
- Who is able to work the estimated hours?
- Who will pay for that?

Social barriers

The overwhelming practical concern is the management of compliance administration. In small businesses, where a director is teaching and administrating, there is very limited capacity – if any – to add more administrative tasks without meaningful impact on child safety.

In much of the dance sector, standard administration such as policies, procedures, risk management plans and embedding of child safety into organisational culture does not exist. The provision of blanket templates and resources which are not appropriate or practical for the diverse range of dance communities will not be effective. Finding skilled administration staff who can do the required work, but who might only be required for 2-3 hours per month, will be extremely difficult. This difficulty is greater in regional, rural, remote communities.

Economic barriers

Related to the social barriers, most small dance organisations operate on a profit for purpose or non-profit basis. The commercial studios profit margins are typically less than 10% of revenue. Additional funding is required to train staff, educate communities, build compliance systems and child safety policies and processes. It is required to pay for ongoing compliance administration which would also be required for a national reporting framework.

Supporting case:

To effectively embed a culture of child safety into a small business requires all staff, families and children to be educated, inspired and engaged. The compliance administration would require a skilled professional for 3-6 hours per month. **We conservatively estimate the increased cost to a typical small dance organisation with four teachers and one administrator *without* Cultural, cultural, social, or geographic barriers to be \$13,460.**

- Staff training @ 18 hours x \$70 per hour x 5 staff = \$6,300
- Community engagement program \$5,000 (marketing, communications, and face to face events – not including the development of the community engagement program resources)
- Compliance administration @\$60 per hour, 3 hours per month = \$2,160 p/a
- Total cost Year 1, assuming no turnover of staff = \$13,460

This estimate assumes resources have already been created and training systems are in place. It assumes there is a skilled administrator available in the location for 3 hours per month.

1. Staged approach

The Ausdance national network recommends a staged approach;

- 1) National implementation of the Child Safe Standards (including the First Nations Cultural Child Safety Standard) combined with training, education and resources for members of the dance sector as well as public awareness campaigns in all states & territories.
- 2) Funding for the national Ausdance network to support training, education and resource delivery for the sector) mandatory compliance with regulation.
- 3) When the majority of Ausdance members can demonstrate compliance with the Child Safe Standards, the Ausdance network/ dance sector will support a national reporting framework provided it meets the needs of the sector and addresses concerns about barriers to access.

2. Timeline

If the national dance sector began to implement and administrate the Child Safe Standards today, it is estimated the work would take two to three years.

Summary and Recommendations

1. All states and territories are at different stages of legislation and compliance.
2. Models of training, administration, compliance and reporting should be designed for First Nations People first.
3. Implementation of the Child Safe Standards for the whole sector can be achieved within three years, providing First Nations' Peoples are prioritised and there is ongoing sector specific comprehensive training, capability building and publicity.
4. Compliance and reporting must not be onerous or a 'box-ticking' exercise. It must achieve the outcome of the safety of children who are participating in dance with no Cultural, cultural, social, geographic, or economic barriers to compliance.
5. An annual reporting framework, including a public listing of organisations must be developed in a timely manner so as not to disadvantage organisations in the states and territories that are currently unlegislated over interstate counterparts who have adopted the Child Safe Standards in 2016 and 2022 respectively.