

# Commonwealth Child Safe Framework

Annual risk assessment conducted in accordance with Requirement 1

2024

## Background

The Commonwealth Child Safe Framework (CCSF) applies to all non-corporate Commonwealth entities and sets minimum standards for creating and maintaining child safe culture and practices.

Under Requirement 1 of the CCSF, a non-corporate Commonwealth entity must undertake an annual risk assessment in relation to its activities to:

- identify the entity's level of responsibility for, and contact with, children and young people
- evaluate risks to child safety
- put in place appropriate strategies to manage identified risks.

## Risk assessment

ART members and staff have limited interaction with children under 18 in the performance of their duties.

Children and young people (including secondary school or university students) may:

- accompany a parent or guardian to ART premises in connection with an application for review
- attend ART premises to observe public hearings
- participate in the ART's National Mooting Competition or Negotiating Outcomes on Time (Noot) Competition
- undertake work experience, internships or employment at the ART (or contact the ART about these types of opportunities)
- attend education or outreach activities run by the ART.

## Outcome of risk assessment

Having regard to the risk factors identified in Table 1 below, the ART’s overall risk rating is ‘low’.

**Table 1: Child safety risk assessment – October 2024**

Activity	Type of contact	Child safety risks (e.g. accidental harm, trauma, abuse or grooming)	Risk rating	Mitigation strategies (e.g. policies and procedures, training, recruitment checks or removal of hazards)
<p>1 Interaction with parties and witnesses during the review process, and with the public, for example:</p> <ul style="list-style-type: none"> <li>• responding to enquiries</li> <li>• taking applications for review</li> <li>• case management</li> <li>• outreach calls</li> <li>• hearings</li> <li>• conferences</li> <li>• ADR</li> <li>• stakeholder engagement events</li> </ul>	<p>Contact may be:</p> <ul style="list-style-type: none"> <li>• in person</li> <li>• by telephone or video</li> <li>• in writing</li> <li>• online</li> </ul>	<p>Potential risks include:</p> <ul style="list-style-type: none"> <li>• accidental harm on ART premises (e.g. slips/falls due to hazards or poor supervision)</li> <li>• inappropriate contact through misuse of communication channels</li> <li>• trauma or re-traumatisation through observation of or involvement in ART reviews</li> </ul>	Low	<p>Existing risk mitigation measures:</p> <ol style="list-style-type: none"> <li>1. Children under 18 are encouraged to nominate an adult (e.g. a parent, legal guardian or representative) to act on their behalf</li> <li>2. Young children must be accompanied and supervised by a parent, guardian or representative when on ART premises</li> <li>3. One or more security guards may be present on ART premises (in public areas)</li> <li>4. Correspondence with children not involved in an appeal is conducted through nominated adult guardians or representatives</li> <li>5. Many hearings will have multiple adults present</li> <li>6. Policies and procedures for managing and reporting incidents, and member and staff conduct, including: <ul style="list-style-type: none"> <li>• Service Charter and complaints procedures</li> </ul> </li> </ol>

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				<ul style="list-style-type: none"> <li>• APS Code of Conduct and HR Policy – Managing Misconduct (staff only)</li> <li>• Code of Conduct for ART Members</li> <li>• IT Policy – Use and Security of ICT Facilities</li> <li>• MRD Guidelines on Vulnerable Persons</li> <li>• HR Procedure – Incident Response and Reporting</li> </ul> <p>7. Trauma informed training for members</p> <p>8. Mandatory child safety training for all ART staff</p>
<p><b>2</b> Recruitment, employment, internships and work experience</p>	<p>Children under 18 may contact ART staff seeking information about the ART’s work or available opportunities:</p> <ul style="list-style-type: none"> <li>• in person</li> <li>• by telephone</li> <li>• in writing</li> <li>• online</li> </ul> <p>If engaged by the ART, children under 18 may</p>	<p>Potential risks include:</p> <ul style="list-style-type: none"> <li>• accidental harm on ART premises (e.g. slips/falls)</li> <li>• trauma or re-traumatisation through observation of or involvement in ART matters</li> <li>• inappropriate contact through misuse of</li> </ul>	<p>Low</p>	<p>Existing risk mitigation measures:</p> <p>1. Policies and procedures apply to staff and member conduct including:</p> <ul style="list-style-type: none"> <li>• Service Charter and complaints procedures</li> <li>• APS Code of Conduct and HR Policy – Managing Misconduct (staff only)</li> <li>• Code of Conduct for ART Members</li> <li>• IT Policy – Use and Security of ICT Facilities</li> </ul>

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	engage with staff or members using any of these channels	communication channels		<ul style="list-style-type: none"> <li>• MRD Guidelines on Vulnerable Persons</li> <li>• HR Procedure – Incident Response and Reporting</li> <li>• HR Policy – Work Experience</li> </ul> <ol style="list-style-type: none"> <li>2. Young people engaged by the ART are informed of the ART’s policies and have access to at least one supervisor to whom they may report concerns</li> <li>3. Staff engaged by the ART have access to the Employee Assistance Program</li> <li>4. Mandatory child safety training for all ART staff</li> </ol>
<b>3</b> National Mooting Competition and Negotiating Outcomes on Time (Noot) Competition	Contact may be: <ul style="list-style-type: none"> <li>• in person</li> <li>• by telephone</li> <li>• in writing</li> <li>• online</li> </ul> Mock hearings / competition rounds may be held outside of business hours	Potential risks include: <ul style="list-style-type: none"> <li>• accidental harm on ART premises (e.g. slips/falls)</li> <li>• abuse or grooming through misuse of communication channels</li> </ul>	Low	Existing risk mitigation measures: <ol style="list-style-type: none"> <li>1. Policies and procedures apply to staff and member conduct including:               <ul style="list-style-type: none"> <li>• Service Charter and complaints procedures</li> <li>• APS Code of Conduct and HR Policy – Managing Misconduct (staff only)</li> <li>• Code of Conduct for ART Members</li> <li>• IT Policy – Use and Security of ICT Facilities</li> </ul> </li> </ol>

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				<ul style="list-style-type: none"> <li>• MRD Guidelines on Vulnerable Persons</li> <li>• HR Procedure – Incident Response and Reporting</li> </ul> <ol style="list-style-type: none"> <li>2. Identification of participants under the age of 18 for targeted vigilance.</li> <li>3. Most mock hearings / competition rounds will have multiple adults present, including university staff accompanying their students</li> </ol>