

Child Protection and Safety

Education and Care Services National Law

- 162A- Person in day-to-day charge and Nominated Supervisors to have child protection training.
- 165 – Offence to inadequately supervise children.
- 166- Offence to use inappropriate discipline.
- 166A – Offences relating to inappropriate discipline.
- 167- Offence relating to protecting children from harm and hazards.
- 168 – Offence related to required programs.
- 169 – Offence related to staffing arrangements.

Education and Care Services National Regulations

- 84- Awareness of child protection law.
- 155 – Interactions with children.
- 156 – Relationships in groups.
- 170- Policies and Procedures to be followed.
- 171- Policies are to be kept available.
- 172- Notification of change to policies and procedures
- 175(2)(d,e)- Prescribed information to be notified to Regulatory Authority

National Quality Framework:

- 2.2.3 – Child Protection
- 5.1 – Relationships between Educators and children
- 7.1.2 – Management Systems
- 7.1.3 – Roles and responsibilities

Working with Children (Risk Management and Screening) Act 2000 Child Protection Act 1999

Definitions

Term	Meaning	Source
ACECQA- Australian Children’s Education and	The independent national authority that works with all regulatory authorities to administer the National Quality Framework, including the provision of guidance, resources, and services to support the sector to improve outcomes for children.	acecqa.gov.au
Child	A person under the age of 16 years.	
Child protection	Child protection is part of the safeguarding process. It focuses on protecting individual children identified as suffering or likely to suffer significant harm. This includes child protection procedures which detail how to respond to concerns about a child.	
Prohibited person	Any person convicted of a serious sex offence will not be permitted to work or seek work in employment that primarily involves direct contact with children where that contact is unsupervised (in either a paid or unpaid role).	

Links to other Policies and Manuals:

- Acceptance and Refusal of Authorisations
- Child Safe Environments
- Complaints and Grievances
- Delivery and Collection of Children
- Emergency and Evacuation
- Interactions with Children
- Medical Conditions
- Orientation and Enrolment
- Records and Record Keeping
- Connecting with Culture
- Diversity and Equity

- Documentation of the Educational Program
- Educators Qualifications/Study
- Internet and Social Networking Usage
- Privacy and Confidentiality
- Code of Conduct
- Commitment Statement to Children and Young People
- Educator Handbook
- Parent Handbook

Induction and ongoing training

Educators and Volunteers within the service will be trained on this policy during;

- Orientation and Induction procedures, thus allowing Educators to ask questions and discuss.
- Yearly in child protective behaviours and procedures.
- Training will occur in various formats, including face-to-face training, discussions at staff meetings, video demonstrations, vignettes, guest speakers, and open-ended policy questionnaires.
- Inductions and training records will be completed and kept in each team member's file.

Educators and Volunteers will be provided with ongoing support as required, based on the extent to which they have demonstrated competence in carrying out their responsibilities to policy and procedures.

Policy Statement

Our service is committed to protecting all children by providing child-safe environments. Just like adults, children have human rights across the full spectrum of civil, cultural, economic, political, and social rights.

That the safety, rights and best interests of children is the paramount consideration in all decision making and actions.

Goals / What are we going to do?

- Ensure that Nominated Supervisors and persons in day-to-day charge complete a child protection course under section 162A of the Education and Care Services National Law.
- Ensure Educators, Volunteers and Students are provided with Child Protection training.
- Ensure Educators, Volunteers and Students complete the mandatory child safety training through Gecco.
- Ensure every Educator has a positive working with children check.
- Ensure all Educators are uploaded to the National Early Childhood Worker Register.
- Ensure Educators use the Intranet system to check and recheck their understanding of the child protection legislation.
- Ensure Educators only take, and store images of children on a service-issued device.

- Educators are expected to put their personal phone in their locker, while on shift. Work-related calls for professional purposes or emergency communication, authorized by a supervisor, may be permitted in specific circumstances.
- Ensure that children who are approved to post on the service's social media only from a side or top view.
- Educators will gain consent from children to have their photo taken.
- Educators will use the correct names when talking about body parts.
- Educators will discuss with children their rights, views and opinions.
- Educators will actively supervise as a measure of keeping children safe and protected.
- The service will not use electronic platforms to send photos to parents. These platforms can be easily exposed to data breaches.
- The service will not send front-facing images via email to protect the rights of each child in our care.

Procedures / How will we do this?

[The National Strategy to Prevent and Respond to child sexual abuse- 2021- 2030.](#)

The National Strategy is the first of its kind in Australia and provides a nationally coordinated, strategic framework for preventing and responding to child sexual abuse. It seeks to reduce the risk, extent and impact of child sexual abuse and related harms in Australia.

The National Strategy focuses on five themes. These are:

- Awareness raising, education and building child-safe cultures
- Supporting and empowering victims and survivors
- Enhancing national approaches to children with harmful sexual behaviours
- Offender prevention and intervention
- Improving the evidence base

National Principles for Child-Safe Organisations

The National Principles draw on the work of the Royal Commission, and the 2005 National Framework for Creating Safe Environments for Children. They provide a national approach to embedding a child safe culture across all sectors of Australian society in which children are involved.

1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.

2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.
3. Families and communities are informed and involved in promoting child safety and wellbeing.
4. Equity is upheld, and diverse needs are respected in policy and practice.
5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
6. Processes to respond to complaints and concerns are child-focused.
7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
8. Physical and online environments promote safety and well-being while minimising the opportunity for children and young people to be harmed.
9. Implementation of the national child safe principles is regularly reviewed and improved.
10. Policies and procedures document how the organisation is safe for children and young people.

Click [here](#) to read the National Principles in full detail.

Queensland Governments Commitment

Child-safe environments are everyone's responsibility, and the National Principles for Child Safe Organisations provide a critical framework for keeping children safe in early childhood education and care settings.

The Queensland Government is investing \$2 million (excluding GST) over 18 months to enhance the skills and capability of early childhood Educators in:

- positive behaviour guidance
- protective behaviours.

Geccko Training

From 27 February 2026, the following people involved in ECEC must complete mandatory national child safety training:

- persons with management or control
- nominated supervisors
- persons in day-to-day charge
- Family Day Care Educators
- other staff, volunteers and students.

National Early Childhood Worker Register

In February 2026 a new [National Early Childhood Worker Register](#) will give regulatory authorities better visibility of who is working in the sector and where. The Register will better support the existing role of regulatory authorities to monitor, identify and respond to risk regarding people working in education and care.

The register will contain the following information for each Manager Educator and Volunteer;

- Identity (name, date of birth, any alias and/or former names)
- Contact information (address, telephone number and email)
- Role at the service
- Date of commencement / date of employment cessation
- Service approval number of the service they are engaged with
- If they are employed directly or indirectly (e.g. through a recruitment agency or labour hire) at the service
- If they are employed on a three-month probationary basis.
- Relevant qualifications held and if applicable, if the Educator is 'actively working towards' that qualification, or is counted in ratios by virtue of a probationary period
- Evidence of having completed the following training and qualifications including:
 - required child protection training, and the expiry date (if applicable)
 - required child safety training, and the expiry date (if applicable)
 - approved first aid qualification
 - approved anaphylaxis management training
 - approved emergency asthma management training.
- Current Working With Children Check identifying number and expiry date.

Inappropriate Discipline now an offence

Under [Section 166 of the Education and Care Services National Law](#), it is an offence to use corporal punishment or unreasonable, harsh, or humiliating discipline on children in care. Penalties up to \$34,200 for individuals (\$172,200 for others) apply to approved providers, staff, and volunteers. Inappropriate methods include yelling, forced isolation, or physical restriction.

Key Details on Inappropriate Discipline Offences

- **Legal Definition (S166):** The law prohibits any form of corporal punishment or any

discipline that is unreasonable in the circumstances, such as actions that are harsh, humiliating, or frightening.

- **Application:** This applies to approved providers, nominated supervisors, staff members, volunteers, and family day care educators.
- **Examples of Prohibited Discipline:**
 - Hitting, slapping, shaking, pushing, pinching, deliberately dropping or biting.
 - Yelling, yelling, or using harsh, belittling language.
 - Forcing a child to eat or drink.
 - Restraining a child inappropriately (e.g., in a highchair).
 - Locking or isolating a child.
 - Using sarcasm, cruel humour, or shaming a child.
- **Consequences:** A breach can result in severe financial penalties. It may also lead to the cancellation of approval, conditions on service, or criminal charges if the act constitutes assault.
- **Safe Alternatives:** Regulations require fostering environments that support child safety, self-esteem, and positive behavior guidance, rather than punishment.

Prohibited Persons

As of 10th December 2025, Australian regulatory authorities are empowered to proactively share information about prohibited persons, suspended family day care educators, and those under enforceable undertakings with approved providers and recruitment agencies to enhance child safety in early childhood services.

Checking Prohibition Status

Approved providers in Queensland are legally required to check the [Register of Prohibited Persons and Suspended Educators](#) via the [National Quality Agenda IT System \(NQAITS\)](#) before employing any staff, volunteers, or contractors. Under National Law (section 188) and the ECS Act, this check prevents the engagement of individuals banned from early childhood services, with results requiring documentation.

Key Requirements for Queensland Providers

When to Check Before engaging any person (employee, volunteer, or contractor) to ensure they are not a prohibited person.

How to Check

Use the NQAITS portal to search the register of prohibited persons and suspended educators by name and date of birth.

Record Keeping

Maintain records of the search, including the date and the name of the staff member who conducted the check, even if no match is found.

Action on Matches

If a match occurs, contact the [Regulatory Authority at ecec@qed.qld.gov.au](mailto:ecec@qed.qld.gov.au) immediately.

Legal Obligations

Failing to check the register is a breach of the National Law and can result in significant enforcement actions.

Positive Behaviour Guidance

Every child has the right to feel safe, respected, valued, and listened to. Educators must develop respectful and positive relationships with children to help them develop the skills and understandings they need to interact positively with others.

The positive behaviour guidance program is designed to support teachers and Educators to provide education and care to children in a way that:

- Encourages children to express themselves and their opinions.
- Allows children to undertake experiences that develop self-reliance and self-esteem.
- Always maintains the dignity and rights of each child.
- Gives each child positive encouragement towards acceptable behaviour.
- Has regard for the family and cultural values, age, and physical and intellectual development and abilities of each child.
- Ensures children have opportunities to interact and develop respectful and positive relationships with each other and with Educators, staff and volunteers.

Positive behaviour guidance will be delivered by [Autism Queensland External link](#) (AQ). AQ is an experienced provider of training to support teachers, Educators and systems on autism and neurodivergence as well as children with complex communication, sensory, cognitive and physical needs.

AQ will implement the program through face-to-face and online workshops as well as additional maintenance workshops beyond the initial foundation training.

While AQ is experienced in supporting children with autism and neurodivergence, this training has been designed for wider application to support Educators to guide the behaviour of all children positively.

Protective Behaviours

The protective behaviours program has been developed to assist Educators to help children to identify situations that are unsafe or potentially unsafe and develop practical strategies to counter these situations, preserving their physical and emotional safety.

The 2 key themes are:

- We all have the right to feel safe, all the time.
- Nothing is so awful that we can't talk to someone about it.

[The National Association for Prevention of Child Abuse and Neglect External Link](#) (NAPCAN) has been engaged to provide programs and training focused on the prevention of child abuse and neglect. NAPCAN will train and support early childhood Educators using its Safer Communities for Children (SCFC) protective behaviours program. The program will equip services with the information, tools, and strategies to embed high-quality protective behaviour practices that are consistently prioritised within early learning environments so that all children are safe and supported.

Please see your Director if you are interested in completing the training.

Child Protection

A Child in need of protection

- Has suffered significant harm, is suffering significant harm, or is at an unacceptable risk of suffering significant harm and
- Does not have a parent able and willing to protect the child from harm.

Harm

The Child Protection Act 1999 states

- Harm to a child is any detrimental effect of a significant nature on the child's physical, psychological or emotional well-being.
- It is immaterial how the harm is caused.

Harm can be caused by

- Physical, psychological, or emotional abuse or neglect.
- Sexual abuse or exploitation.

Early childhood professionals are mandated by law to report child safety concerns to the department where there is a reasonable suspicion that the child has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse.

ECEC professionals are not prescribed entities and cannot refer families to [Family and Child Connect](#) or

an intensive family support service without their consent. If concerns about a family do not meet the legislative threshold for reporting to the department, ECEC professionals are encouraged to refer families to support services with their consent.

For the Child Protection Guide, click [here](#).

The child protection guide is a tool that the service and Educators will use collaboratively to decide where to refer or report concerns about a child's safety and well-being. Where child protection concerns do not meet the threshold for a report to child safety, the guide assists professionals in determining other referral pathways to ensure that at-risk families access the support they need.

Indicators of Harm or Child Abuse

- Bruising
- Lacerations and welts.
- Broken bones.
- Head injuries where an infant may be drowsy or vomiting or have glassy eyes, fixed pupils or pooling of blood in the eyes, suggesting the possibility of being shaken.
- Adult bite marks and scratches.
- Anxiety or low self-esteem
- May become abusive.
- Malnutrition or poor weight gain
- Insufficient medical care
- The child's explanation is inconsistent with the injury.
- Missing a substantial amount of care.
- Physical or intellectual delays
- Lack of hygiene and clothing appropriate to the weather and the occasion
- Change in behaviours.
- Change in attitude/interest toward activities, e.g. violent depiction in drawings or paintings.
- Engaging in destructive behaviour
- Eating disorders

Child Abuse definitions

Physical Abuse

Includes beating, shaking, burning, biting, or grabbing hard enough to leave a mark, throwing a child or strangulation to the effect that there are lasting physical effects. The administration of illegal or inappropriate drugs and incorrect dosages of medications may also be a form of harm. The fact that an injury is inflicted determines the existence of harm and the need for intervention. Practices such as giving extra tasks to children as a 'punishment' can be dangerous to their health, especially if they are tired.

Emotional Abuse

Includes constant criticism, belittling, teasing, withholding praise and affection and constant yelling. Drawing attention to a child's shortcomings or failures or demeaning their performance in front of others is inappropriate and can constitute emotional abuse. It can also be caused by a failure to provide the psychological nurturing necessary for a child or young person's physical and emotional growth and development.

Neglect

This includes the ongoing failure to provide a child with the necessities of life and adequate supervision for optimal growth and development. It also includes a failure to use available resources to seek medical treatment to meet the child or young person's needs. In an extreme form, this could involve abandonment of the child or young person.

Sexual Abuse

Sexual activity is a criminal offence even if the child has, or appears to have, consented. It may take many forms, from sexual jokes or innuendo in conversation to showing pornographic images to a child. It can also include exposure, fondling, voyeurism, inappropriate touching, sexual intercourse, involvement in child pornography and child prostitution. This can occur between a child and a young person who is older or have power, authority, or control over a child. This authority allows the older person to use force, trickery, emotional bribery, blackmail, or other emotional pressure. It is important to note that children under 16 cannot legally consent to sexual acts.

Receiving and reporting a disclosure of harm from a parent or child.

When confronted with disclosures of harm to children, Educators and the service respond professionally and in the best interests of the child or young person subjected to the alleged harm. Any disclosure must be acted upon.

Disclosures may sound like

- *"I think I saw."*
- *"Somebody told me."*
- *"I think you should know."*
- *"I'm not sure what I want you to do, but."*

Determining significant harm?

Section 13c Child Protection Act 1999 provides guidance when forming a reasonable suspicion about whether a child has suffered significant harm, is suffering significant harm or is at an unacceptable risk of suffering harm. The matters that a person may consider include:

- Whether there are detrimental effects on the child's body or the psychological or emotional state:
 - That is evident to the person.
 - That the person considers are likely to become evident in the future, and
- In relation to any detrimental effects on the child, the reporter may consider the following:
 - The nature and severity, and
 - The likelihood that it will continue, and
- The child's age.

What should be done when a disclosure or an observation of harm has been identified?

All Educators are expected to communicate with service management, work through the child protection guide, answer questions about their concerns, and reach a 'decision point' should a report on child safety be recommended. The referral will be made online [here](#).

Regional Intake Services

Brisbane	1300 682 254
South East Qld	1300 679 849
South West Qld	1300 683 390
North Coast	1300 703 921
North Qld	1300 706 147

After-hours number (Monday –Friday, 9 am-5 pm)
1800-177-135 or 3235 9999

What to do if you are an Educator and suspect harm or abuse to a child

- If you have a reason to suspect a child in Queensland is experiencing harm or is at risk of experiencing harm or being neglected, speak with your service Director and talk to them about your concerns.
- Document your concerns on a service Accident Incident and Injury Form. Children's injuries should be documented but not specifically photographed – their dignity and rights need to be respected, and this takes precedence over photos that may damage a child's right to feel safe.
- It may be appropriate to phone a parent or custodian to clarify details. With strong relationships established with families, a phone call is appropriate to explain marks, bruises, or bumps. E.g. you notice a round mark on a child, and Educators believe it is a cigarette burn. Consideration should be given to cultural practices such as cupping therapy. Cupping usually leaves bruises on the skin, and a quick

call to the parent avoids embarrassing misinterpretations.

- If you suspect harm, you must make a referral to child safety. Discuss this with your centre manager, who will make the call. It may be appropriate to do this together. However, Educators do not need to wait for their Managers consent—the Educators themselves can make a report to child safety.
- Educators should support all parties, including the person making the disclosure.

Receiving a disclosure from an older child-

1. Find a place to talk; control your expressions of shock or panic.
2. Reassure the person that they have done the right thing by talking, but don't promise to keep secrets. Explain that you will have to tell someone else who can help.
3. Do not ask leading questions, e.g. "That looks like a cigarette burn. Did Mum and Dad do that to you?" A more appropriate question would be: "That looks sore; what happened?"
4. Record word for word what happened and what was said, including anything you said.
5. Report to your service manager and make a referral to child safety.

What to do if you are the Responsible Person and suspect harm to a child

If the alleged perpetrator is an employee.

1. Suspend the employee from their duties until the matter is resolved and investigated.
2. Complete a workplace investigation as per the services employment handbook. The operations manager will determine who will investigate, and it may be appropriate for an external agency to investigate the allegation.
3. A copy of the documentation will be scanned and uploaded to the service computer.
4. Confidentiality will be maintained.

If the allegation is proven – terminate employment.

If the allegation is not proven- activate the grievance procedures following the guidance in the employee handbook.

If the alleged perpetrator is a parent.

1. Support managers and Educators as they work with the relevant departments.
2. Document all proceedings, scan and upload all documentation to management's computer.

Reporting Information to the Regulatory Authority

The approved provider must notify the regulatory authority within 24 hours of any child protection incident. The ACECQA portal can be found [here](#) and all Directors will be linked to the portal to lodge incidents and concerns.

If the Queensland Regulatory Authority deems the matter to meet its reporting threshold, it will report to the Queensland Police Service.

Strategies to minimise harm.

The service is committed to developing partnerships with parents and carers of children and young people. Management and Educators have developed systems whereby:

- They know who has parental responsibility for each child or young person in their care.
- Have a record of the name, address and contact numbers of the parent or carer as well as those of an additional person in the event of an emergency
- Know how to contact the parent or carer as quickly as possible
- They inform parents, carers, children and young people about what they can do if they are unhappy about anything within the service.

Participation and Empowerment of Children

All forms of abuse or harm are a symbolic representation of 'power' and of the offender's need to control. Promoting child-safe strategies and policies is a beneficial step in creating safe environments for all children. Children can be taught simple rules to ensure their safety, including:

"We all have the right to feel safe with people."

"It's okay to say 'NO' if you feel unsafe or unsure."

Photo Consent

Obtaining consent from the child for photos or other activities is an important practice in early childhood settings, reflecting respect for their rights, autonomy, and dignity.



- "Can I take your picture to show your family what you made?"
- "Would you like me to take your photo, or would you prefer not to?"

Asking for a child's consent acknowledges their feelings and personal boundaries, teaching them that they have control over their body and image. This reinforces the idea that their opinions matter and helps them recognise situations where they should assert their rights.

While gaining consent may not always be possible, for example, infants or non-verbal children, it is important that we communicate openly about what we are doing with a child. This may sound like;

- “It’s time to go change your nappy; let’s go together to the nappy change area.”
- “The cameras has taken your photo. Would you like to see it?”

Observing Non-Verbal Cues

Pay attention to the child’s body language, facial expressions, and reactions. A smile, reaching for the camera, or engaging with the activity can indicate comfort. Avoid taking the photo if the child shows signs of discomfort, such as turning away, crying, or avoiding eye contact.

Inclusive and Empowering Language

The service acknowledges everyday speech, which may assist Educators when developing inclusive strategies with children. School-age children often use words out of context, which may confuse the adult listening to children’s conversations. For example, ‘sexing’ can be used by some school-age children to mean ‘kissing’; thus, the sentence ‘he was sexing me’ could be interpreted by an Educator/carer as a sexual act when the intent of the sentence was ‘he was kissing me’. Educators should determine the social and cultural context of children’s language, remembering to be mindful of leading questions.

Photo Storage

The Dropbox app is installed on each PC, and all files are locally accessed through File Explorer. The Dropbox user logged in determines access to folders and files. The folder structure (and security) are set by Management, which Data Fast Systems implement.

Why do the files get saved there:

- Saving files in the Dropbox location allows authorised staff and management to access the files.
- All files saved in Dropbox are automatically backed up in Dropbox.
- In the unfortunate event of hardware theft, Dropbox data on devices can be remotely wiped, ensuring the security of sensitive information.
- Granular file and folder permissions allow control over who can view, edit, or share files.
- TLS/SSL encryption for files in transit and 256-bit AES encryption for files at rest to protect your data.
- Dropbox tracks activity, allowing users to monitor file changes, access version history, and recover deleted files.

- Dropbox file retention allows users to restore historical & deleted files up to 365 days.

Local Device Security

- All computers are linked to Azure and have been set up with secure passwords and lockout policies.

Custodial Parent Procedure

The service cannot legally prevent a mother or father, if they are known to Educators and can present appropriate identification, from collecting their child unless a copy of a court order is held on file. Parents must follow the service’s code of conduct or be asked to leave the premises. Where the service has a copy of a court order, the following shall apply:

- The non-custodial parent is informed that the service has a copy of the court order and that the child **cannot** go with the parent named on the court document.
- If the non-custodial parent attempts to take the child or causes a disturbance, the local police will be contacted immediately.
- The custodial parent will be contacted and informed of the situation.
- If after this procedure has been followed, it is no longer possible to prevent the child from being taken without risk to other children or staff, then regretfully, the service will allow the parent to take the child.

If Federal Police arrive with a warrant to collect a child, the Educators must carefully check the warrant, take a copy, and ensure it states that the child is to be taken. The QFP will then take responsibility for informing the custodial parents.

Blue Cards

From 31st August 2020, you must have a valid Blue Card to work in an Early Childhood Setting.

Employees seeking employment in the industry may apply for a Blue Card before commencing at a service. The service does not need to sign the Blue Card application but will link the card to our portal once it is issued.

Employees who renew their current Blue Card by the time it expires will be allowed to continue their employment once a new card is issued.

Renewing a Blue Card

You must follow three simple steps to renew your blue or exemption card.

1. Have a [customer reference number](#) (your driver’s licence number) from the Queensland Department of Transport and Main Roads (TMR)

2. [Register for an online account](#). This is how we verify your identity and obtain the photo for your card.
3. Apply for your blue or exemption card using the [online applicant portal](#) or download the paper form.

Employees must register for a Blue Card Services online account **before** they can apply to renew their blue or exemption card. An account only needs to be registered once. Once an employee has registered for an online account, they can log in to the online applicant portal. This can be returned later to log in and apply to renew a card.

What is a Blue Card Check?

The Working with Children Check is a detailed national criminal history check including-

- Any charge or conviction for an offence, whether a conviction is recorded.
- Whether a person is a respondent or subject to an application for a child protection prohibition order.
- Reporting obligations under the *Child Protection (Offender Reporting) Act 2004* or *Dangerous Prisoners (Sexual Offenders) Act 2003*
- Disciplinary information held by specific professional organisations, including teachers, child care licensees, foster carers, nurses, midwives, and certain health practitioners.
- Police investigations into allegations of serious child-related sexual offences, even if no charges were laid.

Blue Card Services also places obligations on individual applicants and cardholders. Failure to comply with these obligations may attract penalties. You must advise Blue Card Services:

- If you change your postal address
- If you change your contact number, or
- If you change your name, or
- If you cease child-related employment.

Blue Card Suspensions

The service has specific obligations if you become aware that an employee/volunteer:

- has been issued with a negative notice.
- is a known disqualified person, or
- has had their blue card or exemption card cancelled or suspended.

The service must:

- Ensure the employee/volunteer **does not** continue to undertake regulated, child-related work within your organisation.

If an employee's Blue Card is suspended or cancelled, you must;

- Notify your employer/Director.
- Not apply for, start or continue in regulated child-related work.
- Not apply for, start or continue to carry on a regulated child-related business.
- Return your notification letter and blue card to Blue Card Services immediately.
- Once the charge has been finalised, the employer will be notified of the outcomes of the reassessment.

Visitor Blue Card

The service will ensure all visitors fill out a Blue Card declaration Form and the service will ensure this is a valid Blue Card by checking on the Blue Card Website.

Professional Boundaries

Educators rely on fostering positive relationships between adults and children in early childhood. Their vast impact on shaping the lives of the children in our care should not be taken for granted. Educators must understand how to foster positive relationships with children in ways that do not compromise children's welfare.

Violations of Professional Boundaries

Any violations of professional boundaries by an Educator represent a breach of trust, a failure to meet a duty of care to children and a failure to follow the job description in the company employment documents. When this occurs, Educator's risk:

- Harmful consequences to children
- Seriously undermining the learning process
- Seriously undermining our profession and community confidence.
- Disciplinary action will occur and may result in the termination of employment.

If you have concerns about the breach of a professional relationship as an Educator, then you have a duty of care to report immediately to your manager.

Examples of communication breaches include-

- Yelling at a child, constant badgering, or verbal belittling in a harsh tone.
- Inappropriate comments about a child, including excessive flattering comments.
- Inappropriate conversations or enquiries of a sexual nature, e.g. questions about a child's sexuality.
- Distrustful or discriminatory treatment of or manner towards young people based on their perceived or actual sexual orientation.

- Use of inappropriate pet names.
- Vilification or humiliation.
- Jokes or innuendo of a sexual nature.
- Obscene gestures/language.
- Facilitating access to pornographic or sexually graphic material.
- Failing to intervene in sexual harassment of children.
- Correspondence of a personal nature via any medium (e.g. phone, text messages, letters, emails, internet postings)
- Discussing personal lifestyle details of self unless directly relevant to the learning topic and with the other individual's consent.
- The more visible, public, and busy the location, the better.

Examples of physical contact breaches include-

- Hitting, pushing, kicking, flicking, snatching from.
- Withholding food or forcing a child to eat food.
- Unwarranted or unwanted touching of a child or young person personally or with objects.
- Persistently kissing children on the head /hand or blowing kisses to children.
- Corporal punishment.
- Initiating, permitting or requesting inappropriate or unnecessary physical contact with a child (e.g. Massage, kisses or tickling games) or facilitating situations that unnecessarily result in close physical contact with a child.
- Inappropriate use of physical restraint (e.g. holding a child on a bed)
- Unnecessary examination of a child's genital area.

Examples of appropriate physical contact include-

Educators will sometimes be required to give practical assistance to a child or young person who is hurt or needs help or encouragement. Examples of appropriate physical contact are:

- Administration of first aid
- Supporting children and young people who have hurt themselves.
- Assisting with the toileting and personal care needs of a disabled child or young person.
- Non-intrusive gestures to comfort a child or young person who is experiencing grief and loss, or distress, such as
 - A hand on the upper arm or upper back
 - Non-intrusive touch (e.g. congratulating a child or young

person by shaking hands or a pat on the upper arm or back). Educators should remember the importance of accompanying such touch with positive and encouraging words.

Examples of inappropriate places to be with children include:

- *Inviting /allowing/encouraging children to attend the staff member's home.
- Allowing children to use a staff member's personal social media/internet.
- Being alone with a child or young person outside a staff member's responsibilities.
- Entering change rooms or toilets occupied by children or young people when not required.

(* without authorised consent –from a parent)

Examples of targeting individual children include:

- Giving personal gifts or special favours
- Singling the same children and young people out for special duties or responsibilities.
- Offering care outside the centre without approval from the service knowledge and consent from a parent.

Examples of inappropriate use of an Educator's role include:

- Adopting an ongoing welfare role is beyond the scope of the position or is the responsibility of another staff member, e.g. counsellor.
- Photographing, audio recording or filming children via any medium when not authorised by the service manager or parent.
- Using personal rather than centre equipment for activities unless authorised. E.g. using your mobile phone for photos.

Examples of inappropriate use of technology include:

- Correspondence or communication (via any medium) to or from children where it is apparent it is unessential and inappropriate.
- Still or moving images or audio recordings of children on personal equipment, kept in personal locations without authorisation.
- Uploading or publishing still or moving images or audio recordings of children to any location without authorisation-this includes video conferencing or live streaming of children.

Good physical practices with children

Educators in care settings must toilet children, change their clothes, and comfort them for various

normal distresses. In providing such care, staff should be aware of the following good practice: When children indicate they want comfort, make it public, make it timely and authorised- (consent from the child).

- Signs of discomfort in children, such as stiffening, pulling away or walking away, must be respected. In these situations, the child must continue to be observed/monitored until their distress is managed.
- Children must not be left in high distress for long periods. Parents need to be contacted under these circumstances.
- Educators should follow the site's toileting and nappy changing policy and individual toileting plans where these have been documented with parents.

Good practice with school-age children

Seek children and young people's permission to touch (keeping in mind that a highly distressed child or young person may be incapable of expressing their wishes).

- Avoid being with a child or young person in a one-to-one, out-of-sight situation, and never touch a child or young person in such a situation.
- Announce entry to change rooms or toilet areas.
- Do not presume that physical contact is acceptable to a particular child or young person. Even non-intrusive touch may be inappropriate if a child or young person indicates they do not wish to be touched.
- Respect and respond to signs that a child or young person is uncomfortable with touch.

Non-physical intervention in managing behaviour.

Non-physical intervention is the recognised means of managing the behaviour of children and young people. Where a problem with a child or young person's behaviour becomes apparent, non-physical interventions include:

- Directing other children and young people to move away from the situation.
- Talking with the individual child or young person (asking the child or young person to stop the behaviour and telling the child or young person what will happen if they do not stop)
- Directing the child or young person to a safe place.
- Directing other children and young people to a safe place.
- Sending assistance from other staff or, in extreme cases, the police.

The use of verbal directions is always preferred to physical intervention. It is not appropriate to make physical contact with a child or young person (e.g. pushing, grabbing, poking, pulling, blocking) to ensure they comply with directions. Educators must not hold children against their will (e.g. on their laps, legs, or floor) to ensure attention at group time. Under no circumstances should staff engage in any form of conduct that might cause physical or emotional harm to children and young people.

Physical Intervention in managing behaviour.

Staff may make legitimate use of physical restraint if all non-physical interventions have been exhausted or are impossible in the circumstances and a child or young person is:

- Attacking another child or young person, or adult
- Posing an immediate danger to themselves or others.

Staff are to use physical restraint only as a last resort and not as a response to:

- Property destruction.
- Disruption to the education or care activity.
- Refusal to comply.
- Verbal threats.
- Leaving the group.
- A need to maintain good order unless someone's safety is threatened.

Physical restraint for a child is at high risk.

Use of appropriate physical force may be permitted to ensure that the employer's duty of care to protect children, young people, and staff from foreseeable risks of injury is met. Common law defences such as self-defence and defence of others remain legitimate reasons for using physical restraint. All people have the right to defend themselves against an attack if they do not use disproportionate force.

Staff are not expected to place their safety at risk in responding to violence or aggression in others and are supported by Workplace Health and Safety legislation in making this judgment.

If the decision to restrain a child is the only option, the restraint must be reasonable in the circumstances and proportion to the circumstances of the incident. It must always be the minimum force needed to achieve the desired result and consider the age, stature, disability, understanding and gender of the child or young person.

Temporary physical restraint of a child or young person -involves restricting the child or young person's freedom of physical movement to ensure their immediate safety or the safety of others. Physical restraint is the holding of any body part. It

should only continue so long as it is necessary for the child or young person to no longer be at risk of significant immediate harm to themselves or others.

Parents should be informed as soon as practical.

Prohibited practices.

Prohibited practices are responses to a child or young person's behaviour that interfere with fundamental human rights. Any action contrary to section 122 of the Child Protection Act 1999, because it frightens, threatens, or humiliates a child or young person, is prohibited. Unlawful and unethical practices are not permitted, as are practices that cause a high level of discomfort and trauma. The following is a non-exhaustive list of prohibited practices:

- **Confinement:** Containment or seclusion where a child or young person is detained or forced to remain in a room or place they cannot leave. It does not include steps taken by an Educator to give a child time to calm down or taken aside to communicate with an Educator or problem-solve with a group of children, which are reasonable in all the circumstances surrounding the child's behaviour, and which do not frighten, threaten, or humiliate the child. For example, the use of short periods of "time away" type strategies consistent with accepted parenting practices (such as the Triple P program) is permitted.
- **Aversive punishment:** The application of painful or noxious conditions (e.g. unwanted cold or hot bath, application of chilli powder on food or body parts, unwanted squirting of liquid) on a child's face or body parts.
- **Mechanical restraint:** Using devices to restrict a child's movement intentionally. This does not include developmentally appropriate functional devices used to assist and support involuntary movements, such as a wheelchair or developmentally appropriate aids and support devices used to prevent injury, such as a high chair, cot, harness, or car seat. However, such devices are prohibited where they are used as a punishment, for a lengthy period or where they are developmentally inappropriate.
- **Chemical restraint:** The intentional use of medication, without the prescription of a registered medical practitioner, to control behaviour or sedate for convenience's sake or disciplinary purposes. It also includes the misuse of medication prescribed by a registered medical practitioner, where it is used contrary to the instructions.
- **Corporal punishment:** Corporal or physical punishment is the use of physical force

intended to cause some degree of pain or discomfort to discipline, correct, control, change behaviour, or educate the child. Examples include hitting, slapping, whipping, caning, kicking, pinching, punching, pushing, dropping or shoving.

- **Unethical practices:** For example, rewarding children or young people with gifts, or deprivation of meals, sleep, clothes, shelter, or personal hygiene.

Working in Communities

Educators working and living in the same local communities face additional challenges in managing professional boundaries. They are more likely to have social relationships with the parents of the children and young people they work with and are, therefore, more likely to share social and sporting events or membership in various community clubs or associations.

This means they will have legitimate reasons, on occasion, to attend social events with the children and young people with whom they work, to visit their homes or to be visited by them in the company of their parents. These social engagements are essential to community life and positively contribute to the well-being of staff working in country and local communities. Following the advice below will assist Educators in enjoying these social engagements without compromising their professional responsibilities.

The guiding principles in managing these situations are:

- Social contact should be generated via the relationship the Educator has with the parents of children and young people or by an event (such as a sporting event)
- Educators should avoid being alone with children and young people in these situations.
- Educators should conduct themselves in a way that will not give others a reason to question their suitability for working with children and young people and that will not create discomfort for children and young people in their learning relationship with them.
- Consuming alcohol in these situations may lessen a staff member's capacity to judge when a professional boundary is at risk.
- Educators should politely refuse to discuss matters relating to the workplace and should not discuss children and young people's learning or social progress other than at times specifically set aside for that purpose.

Using Social Media Sites

Educators in education and care settings are expected to model responsible and respectful conduct to the children and young people they work with. As part of this community and employer expectation, Educators must consider the electronic social environments they use.

The internet does not provide the privacy or control assumed by many users. Educators must appreciate that no matter what protections they place around access to their sites, their digital postings are still at risk of reaching an unintended audience and being used in ways that could complicate or threaten their employment. Educators should be aware of the following expectations in considering their use of social networking sites:

- They have considered the information and images of them available on their sites and are confident that these represent them in a light acceptable to their role in working with children and young people.
- They do not have children or young people in their education community as 'friends' on their personal/private sites.
- Comments on their site about their workplace, work colleagues or children or young people, if published, would not cause hurt or embarrassment to others, risk claims of libel, or harm the reputation of the workplace, their colleagues or children and young people.

Privacy Expectations

Children and young people will often assume a high level of confidentiality when disclosing serious issues of a personal nature or reporting harassment or bullying. For these reasons, we need to find a careful balance between, on the one hand, respecting the sensitive and private nature of counselling or service provision and, on the other hand, the professional's duty of care obligations for the safety and well-being of the child or young person. Good practice in managing these circumstances is the following:

- Health/physical care should be provided with respect for the child or young person's dignity and in a manner approved by the child or young person and their parents.
- Conversations should be provided in unlocked rooms with part-glass doors (where possible) near staff traffic areas.
- Ensure notes are documented and stored securely.
- Educators will use professional judgement with information that is shared with others. For example, it would be appropriate to share with other Educators about custody

arrangements; however not acceptable to discuss with other families of the service.



Cultural considerations

Diverse cultures have different attitudes and traditions surrounding the concept of appropriate touch. Staff are responsible for becoming as familiar as possible with the values of the various cultural groups enrolled in an education or care site. Staff must appreciate culturally specific expectations regarding touch so that embarrassment or offence can be avoided for everyone, particularly for children and young people.

At times we may have enrolments of children and young people that have recently arrived in Australia. Some have severe trauma backgrounds, ranging from the observation of extreme physical violence and abuse to being victims of such violence and abuse. The needs of these children and young people and their families are acute, and the issue of establishing what will be received as an appropriate, helpful touch is, therefore, more essential.

Educators need to employ considerable diplomacy, care, and effort in their interactions with children, young people, and families that are known or suspected to have escaped traumatic circumstances.

Experiences

When planning experiences within the service, it is essential to be aware of the child and youth-friendly policies that the service implements. Assessing actual and potential risks is necessary to ensure everyone's safety. This can be done by conducting a risk assessment. When doing a risk assessment and planning activities, we may consider the following:

- The number of people.
- The age group of the children.
- The type of activity.
- The environment where the activity is to take place.
- The needs of individual participants.
- The policies and procedures of the service.

In addition, there are a few basic principles to consider when planning an activity;

- Ensure your activity supports the interests and well-being of the service.
- Ensure Educators know where the children in their group are.
- Provide constant supervision of children playing on equipment that may pose a

danger or a hazard that are age appropriate and as per risk management strategy.

- Ensure no dangerous behaviour is entered into.

Roles and Responsibilities

Approved Provider, Area Managers, Director and

Nominated Supervisor

- Complete child protection training as outlined in Reg 162(A).
- Regularly review state legislation and amend policies and procedures where necessary.
- Ensure that all Educators and staff are given an induction and ongoing training and information about mandatory reporting, Child protection law and any obligations under the legislation.
- Ensure a person is checked against the Prohibited Person's Register NQA ITS.
- Ensure that all Educators have a positive working with children check and that they are linked to the Organisation Blue Card portal **before** commencing employment.
- Ensure Educator details are uploaded to the National Early Childhood Register.
- Take reasonable steps to ensure Educators and volunteers follow the policies and procedures
- Ensure copies of policies and procedures are readily accessible to Educators, staff, and volunteers and are available for inspection.

Responsible Person

- Complete yearly child protection training.
- Include child protection as a topic within the team meetings.
- Ensure Educators are provided with a Code of Conduct and child protection training upon employment.
- Ensure that the child protection training is reviewed and updated regularly in meetings or staff memos.
- Ensure Educators use the service Intranet system to check to understand and gain new information.
- Take reasonable steps to ensure Educators and volunteers follow the policies and procedures.
- Ensure copies of policies and procedures are readily accessible to Educators, staff, and volunteers and are available for inspection.

Educators

- Complete yearly child protection training.

- Ensure that the child protection training is adhered to.
- Ensure that you understand the concepts of mandatory reporting.
- Ensure that their BlueCard remains current and provide the service a copy of the Blue Card.
- Ensure BlueCard services are notified of any changes to your BlueCard information.
- Contribute to the review of the child protection policy.

Families

- Become familiar with the child protection policy.
- Maintain open communication with Educators.
- Refrain from taking film or photos of children at the service.
- Educate your child about body autonomy, consent, and their right to feel safe.
- Notify the service immediately if you suspect or observe any situation that could compromise a child's safety.
- Actively participate in creating a community culture where all children feel valued and safe.
- Advocate for open discussions about child protection and the role of families in safeguarding children.

Family Help and Support

Crisis and suicide prevention

Lifeline: **13 11 14** or www.LifeLine.org.au

Mental health support and advice

Kids Helpline: **1800 55 1800** or www.KidsHelpline.com.au

Beyond Blue: **1300 22 4636** or www.BeyondBlue.org.au

MensLine Australia: **1300 78 99 78** or www.MensLine.org.au

QLife: **1800 184 527** or www.QLife.org.au

Family and domestic violence support

1800Respect: **1800 737 732** or www.1800Respect.org.au

Child sexual abuse support and advice

Blue Knot Foundation: **1300 657 380** or www.BlueKnot.org.au

Care Leavers Australasia Network (CLAN) Inc: **1800 008 774** or www.Clan.org.au

National Redress Scheme: **1800 737 377** or www.NationalRedress.gov.au

Survivors & Mates Support Network (SAMSN): **1800 472 676** or www.Samsn.org.au

For local sexual assault services, go to HealthDirect: www.HealthDirect.gov.au/sexual-assault-and-abuse-helplines

Sources and Further Reading

[Child Protection Act 1999](#)

[Blue Card System](#)

[Brave Hearts Queensland.](#)

[Department of Families, Seniors, Disability Services and Child Safety](#)

United Nations. (1989). *Convention on the Rights of the Child*. Retrieved from <https://www.unicef.org/child-rights-convention>.

Human Rights and Equal Opportunity Commission [HREOC], 1997; SNAICC, 2016a; Titterton, 2017

Policy Update

This policy will be updated in December 2027 or if a policy review has been conducted and significant changes have been made. It will be reprinted and distributed to Educators and families.

Updated February 2026.