

# CHILD PROTECTION AND MANDATORY REPORTING POLICY

**National Quality Standard:** QA 2 – Children’s Health and Safety,

**Policy Owner:** Compliance

A light teal speech bubble with a white outline, containing the text 'Why this is important' in a dark teal, handwritten-style font.

Why this is important

## 1.0 Introduction and Purpose

This policy should be read in conjunction with the **Child Safe (Organisation) Policy**.

The safety, rights, and best interests of every child are the paramount consideration in all decision-making and operational practices of the service.

We have zero tolerance for any form of child abuse or neglect. As a Child Safe Organisation, we are committed to upholding each child’s right to be safe, protected, and respected at all times.

We provide environments where children are safe and feel safe, where their voices are heard in matters that affect them, and where their wellbeing, confidence, and sense of security are actively supported.

All team members are Mandatory Reporters and are required to meet their legal and ethical obligations. The service maintains strong, consistently applied systems to identify, respond to, and report concerns relating to child abuse or neglect. Where a child may not be protected, immediate action is taken.

This commitment is embedded through ongoing training, clear accountability, and a culture of shared responsibility for child safety.

## 2.0 Who does this policy apply to:

All Team Members, Families, Children, Board members, Students, Volunteers and Contractors

## 3.0 What is our policy:

We have zero tolerance for any form of child abuse or neglect. The safety, rights, and best interests of every child are the paramount consideration in all decision-making.

Our policy framework and practices foster a culture of openness, inclusiveness, and awareness, ensuring that children, families, and team members understand what to do if they observe, are informed of, or experience abuse or inappropriate behaviour.

Particular attention will be paid to the cultural safety of Aboriginal and Torres Strait Islander, children from culturally and/or linguistically diverse backgrounds, as well as the safety of children with a disability or vulnerability.

To ensure this, we:

- a. ensure that our Nominated Supervisors, team members, students and regular volunteers are all trained in child protection; and
- b. we endorse, communicate, and strictly embed our zero tolerance for child abuse and neglect; and
- c. actively work to listen, respond and empower children; and
- d. will take all allegations and concerns seriously and respond to allegations consistently in line with our policies and procedures and Child Protection Law and National Regulations; and
- e. are committed to engaging the most suitable and appropriate people to work with children; and
- f. are committed to ensuring that students, volunteers, team members and contractors understand their child protection responsibilities; and



- g. we embed a culture of child protection best practices that includes ongoing mandatory training and that information outlining team members completion of the training in the Team Members record folder on the Team Members Summary Record.

### 3.1 Our Image of The Child

Our *'Image of the Child'* is that all children are capable and competent citizens who are holders of rights. The **UN Convention on the Rights of the Child** (UNCRC) documents that all children have the right to an opinion, to be listened to and taken seriously.

Children are empowered to express their concerns, fears, and frustrations with any team member or trusted adult. Team members are committed to actively listening with empathy, responding sensitively, truthfully, and respectfully. Their concerns are taken seriously and never ignored.

We take what children say seriously and act on it, ensuring they feel safe, valued, and included in decisions that affect their lives. By fostering open communication and trust, we create an environment where the rights and wellbeing of every child are protected.

### 3.2 Mandatory Reporters

All team members, whether in-centre or at the support office, are Mandatory Reporters. They must report to the relevant child protection authority whenever they reasonably believe a child is at significant risk of harm or have concerns about a child's safety.

Incidents may be referred to using terms such as "child harm incident" (typically for physical harm) or "child protection incident" (for sexual, psychological, emotional, or external allegations). These terms may be used interchangeably depending on the nature of the incident, but all are considered child protection incidents.

Child protection obligations apply to all adults, including parents, family members, team members, or visitors. Allegations involving any adult will be reported, and where a child harm allegation involves a team member, it will be managed in accordance with the *Child Harm Classification and Management Table* and the *Child Harm Management Process*. Failure to report child harm is considered a critical incident, a serious breach of job requirements, and in some states, may constitute an offence.

Child protection and child harm incidents are reportable to ACECQA. Where a child discloses harm or is assessed to be at significant risk, reporting may also include notifying the relevant child protection authority, in line with jurisdictional requirements.

We are committed to keeping children safe and take our responsibilities to act on concerns very seriously. This includes situations where a child may be at risk and steps are needed to protect them, or where a reasonable concern about abuse needs to be reported. All team members are supported through clear policies, training, and reporting processes to ensure concerns are raised and acted on promptly, maintaining the safety, rights, and best interests of every child at all times.

### 3.3 Confidentiality

All team members, volunteers, and students are required to maintain strict confidentiality, especially when handling child protection allegations of abuse or neglect.

Information about the child, their family, and the incident must be shared only with those directly involved in managing and responding to the concern. The identity of the person making the report will be kept confidential and protected. When a report is made to the state-based child protection authority, the intake officer will advise whether the child's parent/s should be informed and recorded clearly in the *Child Protection Observation Tool*.



### 3.4 Recruitment

We recruit the most suitable persons to work with our children. Our recruitment processes are robust, and screening practices help to reduce the risk of unsuitable persons being appointed.

A thorough review of an applicant's supplied work-history is undertaken, and interviews include questions about their understanding of child protection reporting requirements. Open-ended behavioural-based questioning allows insight into the applicant's values, attitudes and understanding of professional boundaries and accountability.

Reference checks of two person/s are undertaken, and it is a requirement that at least one direct-line manager is provided who can account to their work. Working with Children Check (or state-based equivalent's, e.g. Blue Card's/Working with Vulnerable Persons Card's) must be valid for any person to work at Guardian. In addition, the team member must not be subject to any prohibition notices preventing them from working in the industry or criminal convictions that undermines their suitability to work with children.

### 3.5 Safe Environments

Our Guardian Curriculum also recognises that children move through different stages of development at their own pace. As part of the curriculum the program will support children to learn about their bodies and how it works, in an age-appropriate way.

Programming includes age-appropriate discussions about child protective behaviours. It is recognised that from the youngest age child protective discussions can occur from asking for consent for a child to have their nappy changed, encouraging children to respect their body and the bodies of others as well as developing trusting relationships where children can communicate their feelings and when they feel unsafe.

Children are empowered to self-regulate their own behaviours and emotions. Supporting children's emotional and social development is central to encouraging them to feel confident to communicate with others and identify when they feel sad, hurt and angry and needing support. Children being able to express themselves confidently is an essential an important protective behaviour. These learnings are embedded throughout our program.

Children, from approximately 3 years of age, start to recognise difference in their bodies and those of their peers. It is not uncommon for children to engage in play where children communicate about body differences. When this does occur team members adjust their programming to ensure that the rights and dignity of others are always maintained and that supervision practices highlight more direct supervision.

We will discuss these instances with families and where these are not an isolated incident programming will strengthen direct supervision and focus on age-appropriate discussions about respecting and not touching each other's bodies.

### 3.6 Working with Other Agencies

It is recognised that agencies related to child protection services i.e DOCS, DFFH, Orange Door, Child Safety will be in place with families and that these agencies may interact or visit the centre. Any child that has an order in place must have a current copy of these orders at the centre and detailed in the *Enrolment Form*.

Child Protection Workers must sign in the visitors log and show their identification to the Responsible Person or Centre Manager. Their *Working with Children Check* number must be documented in the visitor's log and their Identification Card sighted. Centres should consider developing a *Child Support Plan* for all children who have regular contact with a Child Protection worker. For example, those in out of home care, where child protection collects for visitation or where a child protection worker or their delegate is in regular contact with the centre.

The *Child Support Plan* should also detail regular opportunities for communication with the agency and enhance understanding about the child's needs or specific strategies to support their participation at the centre. i.e. how is the child prepared for the visit, belongings ready, toileted, with a snack etc.

## 4.0 Responsibilities:

### 4.1 The Approved Provider (Guardian) will:

1. Develop the child protection framework that informs practices and mandatory reporting requirements

2. Provide information about prescribed child protection training requirements to team members based on state-based requirements
3. Ensure all centres, support office team members, and eligible students, volunteers, visitors and team members hold a current Working with Children Check (WWCC) or equivalent
4. Ensure the recruitment policy outlines the screening process to ensure that new team members are suitable
5. Provide information about the required timeframes to report a child protection and child harm incident and when to make notifications
6. Ensure that a Head of Organisation (CEO) is appointed and briefed on all incidents referred to the appropriate Reportable Conduct Schemes (where applicable)
7. Ensure clear procedures are in place for reporting suspected child abuse and these are updated in-line with legislation and best practice.
8. Develop and implement the Privacy Policy that outlines the information collection and management sensitive information
9. Conduct procedurally fair investigations of any or all child harm allegations or observations that includes the complainants right to reply
10. Ensure that all records relating to child sexual abuse that has, or is alleged to have occurred, will be kept for at least 45 years

#### 4.2 Centre Manager/Nominated Supervisors will:

1. Ensure that all team members, students, volunteers and contractors hold a current and valid Working with Children Checks and that registers are managed in accordance with state-based requirements
2. Maintain confidentiality at all times. This includes ensuring that documents are stored and managed in line with the *Records Retention and Management Policy*, and that any sensitive conversations are kept strictly confidential.
3. Ensure that team members understand their reporting requirements and responsibilities. This includes internal incident reporting and external reporting to agencies (e.g. ACECQA, Child Protection, The Office of Children's Guardian and Commission of Children and Young People – as required)
4. Ensure that no child is left alone or out of sight with a contractor, visitor, volunteer, allied health professional, student, or family member (other than their own) at the centre and that all team members are aware of this practice
5. Ensure that all team members, volunteers, and students understand our policies and complete any relevant child protection and mandatory reporting training as required. This may include the Guardian Tribal Habits Child Protection module and/or meeting state-based legislative requirements
6. Team members will undertake annual refresher training to ensure that child protection knowledge remains current. Where specific state-based refresher training is not dictated, team members will undertake our Tribal Habits Child Protection Module
7. Ensure all team members are informed and trained on child harm and protection reporting requirements, including how to escalate and manage concerns in line with the *Child Harm Management Process*
8. Provide education on the *Zero Tolerance* Poster, and take immediate action - aligned with the *Child Harm Classification and Management Table*
9. Review updates to Child Safe Standards and Child Protection policies, communicate these with the team ensuring their knowledge and understanding, and make sure any necessary changes are put into practice
10. Where you believe that a child is at significant risk of harm or have concerns about their child's safety ensure that you report to child protection in accordance with this policy and the *Child Harm Management Process and Child Protection Poster (State-based)*
11. Where there is a child protection incident or a complaint/allegation of child harm against adult (e.g. a team member, visitor, student/work experience, volunteer, allied health professional, contractor etc) you must immediately refer to and undertake the actions in the *Child Harm Management Process*.
12. Ensure where a child is exhibiting harmful sexual behaviours or engaging in sexualised play a risk assessment is developed, communicated and implemented by all relevant team members and the *Child Harm Management process* is followed
13. Work cooperatively and transparently with any Government Agencies and Departments including Child Protection, Police, Reportable Conduct Schemes and the Department of Education or other regulatory bodies in the state.

Where an agency calls the centre and requires information, a summary of this information will be documented on a Third-Party Contact Form and forwarded to Compliance

14. Ensure rostering embeds a minimum of two (2) team members opening and closing the centre
15. Ensure team members are informed about families with court or related orders, and that a clear system is in place to identify who is authorised or not authorised to collect a child
16. Ensure that they complete successfully all prescribed child protection training requirements.

#### 4.2 We recommend Centre Manager/Nominated Supervisors:

1. Ensure the centre *Supervision Risk Management Plan/Risk Assessment* is updated annually or in response to supervision issues
2. Offer support to the child and their family, and to team members in response to concerns or reports relating to the health, safety, and wellbeing of a child
3. Have a system in place to regularly check Court Orders, and updates gained from families are noted on their *Enrolment Form*
4. Ensure that Child Protection information is stored in the centre's compliance folder. This should include the *Child Harm Classification and Management Table*, *Child Harm Management Process*, *Zero Tolerance of Child Harm and Neglect Poster*, blank copies of the Child Protection Observation Record, relevant state-based Child Protection Poster, *Notification to a Regulatory Authority Reporting Table* and a copy of the Supervision Risk Management Plan/Risk Assessment
5. Ensure the team develop and implement a *Child Support Plan* where a child requires specific supervision practices or are known to child protection

#### 4.3 Support Office will:

1. Ensure they hold a current WWCC or equivalent and provide a copy of this to the payroll.
2. When present at a centre, and aware of a child protection complaint, allegation, or incident, must escalate the matter immediately to the Responsible Person on duty. They must also ensure an incident notification (e.g. BeSafe) is completed immediately with the Responsible Person on duty prior to their departure
3. When not present in a centre, and become aware of a child protection complaint, allegation, or incident, must immediately complete an incident notification via our incident reporting system (e.g. BeSafe).
4. Ensure that all required documentation and training is received, completed and stored prior to commencement for all new team members (including Guardian employed casual team members)
5. Complete all required training so that they understand their child protection responsibilities and current policies and procedures

#### 4.4 Team members will:

1. Maintain their current Working with Children Checks or equivalent state-based check. A copy of the check will be provided to the Centre Manager
2. Implement the procedures for reporting suspected child abuse and management of complaints in accordance with the *Child Harm Classification Table* and *Child Harm Management Process*
3. Raise any concerns or allegations immediately in accordance with the *Child Harm Management Process* as soon as concerns, complaints, or allegations become apparent regarding the health, safety and wellbeing of a child
4. Ensure that all interactions with children are warm, responsive and meet the requirements in the *Relationships with Children Policy*
5. Report to your manager when any behaviour is observed that contravenes the *Zero Tolerance of Abuse or Neglect Poster*
6. Ensure that all incidents, allegations and complaints are logged on Be Safe within four hours of the incident occurring or before 10am the next morning, if the incident occurs after 4pm
7. Complete the *Child Protection Observation Tool* to record any child protection observations and notifications. This will be uploaded into the Be Safe Record.
8. Escalate concerns immediately to your next in-line manager, when you feel concerns are not being taken seriously. This may include your Portfolio Manager if this has already been raised with the Centre Manager

9. Ensure that team members are within sight and/or sound of each other
10. Ensure that children are always supervised, and no child is left alone or out of sight with a contractor, visitor, volunteer, student, or family member (other than their own children)
11. Always maintain confidentiality. This includes not sharing sensitive information about families and ensuring that sensitive documents are kept in locked filing cabinets in accordance with the Privacy Policy and Records Retention and Management Policy
12. Ensure that where a significant concern is held for a child or believe that the child's safety is at risk, these concerns will be reported immediately to the state-based Child Protection Department in accordance with the relevant state-based *Child Harm Management Process*
13. Understand their responsibilities as a Mandatory Reporter as outlined in this policy, including how to recognise and respond to signs and symptoms of abuse and neglect
14. Undertake Child Protection training as required as part of annual training
15. Ensure that bathrooms and other hard to view areas of the indoor and outdoor play space are noted on the *Supervision Risk Management Plan* and identify supervision expectations at these times including that children are always in sight and sound.
16. Where children have been engaging in sexualised play that supervision strategies will be strengthened particularly in hard to view areas and bathrooms. Incidents related to sexualised play will be discussed with families including strategies identified
17. Ensure that where a family wants to hold a discussion that is confidential it is held away from other team members, children, and families. The care of the children and where you are working directly with children must be considered, which may include another team member relieving to ensure adequate supervision. Where this is not urgent a time where all persons are available can be suggested and arranged
18. Ensure that all children are adequately supervised at all times in accordance with the Adequate Supervision Policy and adjust their supervision practices in accordance with the needs of the children, group and the routines and rhythms of the day
19. Ensure that they are aware of those persons who are allowed to collect a child from care. Where a person enters the centre for any reason and is unknown, that they are stopped asked for identification and why they are in the centre in accordance with the *Arrivals and Departure Policy*
20. Ensure that they complete successfully all prescribed child protection training requirements

#### 4.5 Families and communities will:

1. Work in partnership with the centre to ensure a child safe environment. This will include updates about my child, relevant to their care will be provided to their team member or Centre Manager
2. Report any child safety concerns to a team member or Centre Manager immediately
3. Provide the centre with any court orders or court related documents relevant to the care of their child so that these can be met
4. Ensure that when visiting the centre that all doors are closed after entering and exiting and that only allow their child to exit
5. Alert team members on arrival and ensure that they are aware of the arrival of their child and provide any relevant information to support their child's day
6. Alert the centre if my child has sustained an injury or illness that may impact their care or require attention
7. Ensure that they sign their child in and out each day

#### 5.0 State Specific Requirements

We meet all required legislative requirements to keep children safe including those related to child protection. This is embedded by implementing a policy that reflects legislative requirements as well as best practice initiatives. It is recognised that each state and territory apply its own child protection framework and this policy recognises and documents those differences.

Our *Child Protection and Mandatory Reporting Policy* framework reinforces the importance of reporting to child protection where a team member holds on reasonable grounds that a child is at significant risk of harm or is unsafe.

Where this threshold is met reporting occurs to the relevant state-based child protection authority and in the cases of physical or sexual abuse allegations or incidents via ACECQA to the relevant Regulatory Authority.

### 5.1 Reportable Conduct Schemes and other legislation

Certain incidents or allegations may constitute reportable conduct and require notification under the Reportable Conduct Scheme, as administered by the Commission for Children and Young People (Victoria), the NSW Ombudsman, the ACT Ombudsman, and, from 1 July 2026, the relevant oversight body in Queensland. While requirements vary by jurisdiction, reporting is generally triggered by an allegation that meets prescribed legislative criteria.

All notifications are reviewed by the Compliance Team to determine whether the reportable conduct threshold is met. Where a matter is assessed as reportable, the Head of Organisation (CEO) is notified, and Compliance manages all required notifications, information sharing, and investigation processes in accordance with legislative timeframes and requirements.

Reportable conduct matters are managed in a manner that ensures procedural fairness, confidentiality, and transparency. This includes objective assessment of allegations, appropriate opportunities for response, and proportionate, lawful, and timely decision-making. At all times, the safety, rights, and best interests of children remain the paramount consideration.

In addition, some states have legislated additional requirements that need to be met.

State	Requirement
<b>ACT</b>	<p>The <i>Senior Practitioner Act 2018</i> enshrines the principle that providers should only use restrictive practices in very limited circumstances – as a last resort, in the least restrictive way and for the shortest period possible in the circumstances.</p> <p>Centres must have an approved behaviour support plan including written documentation from the child’s specialist in place and have approval from their Portfolio Manager and Compliance before engaging in any practices that meet these legislative requirements.</p>
<b>VIC</b>	<p>The MARAM Framework is the approved family violence risk assessment and management framework under the Family Violence Protection Act 2008. The Family Violence Information Sharing Scheme (FVIS) enables organisations and services prescribed as Information Sharing Entities (ISEs) to share information related to assessing or managing family violence risk. The FVIS Scheme supports ISEs to keep perpetrators in view and accountable, and to promote the safety of victim survivors of family violence.</p> <p>MARAM, the Child Information Sharing Scheme (CIS Scheme) allows prescribed organisations and professionals who work with children, young people and their families to share information with each other to promote children’s wellbeing and safety. Family violence and child wellbeing concerns often co-occur, and in practice, professionals are likely to consider using either or both schemes in combination as appropriate.</p> <p>Where a team member deems that a family is at risk or a request for information has been made from an external body to access information about a child or family, the centre should contact Compliance (<a href="mailto:compliance@guardian.edu.au">compliance@guardian.edu.au</a>) to ascertain if it meets sharing requirements and to support the implementation of the process.</p>
<b>National</b>	<p><b>Victoria (Failure to Protect) <i>Crimes Act 1958</i> (Vic), s 49C</b>  A person in a position of authority commits an offence if they know there is a substantial risk of child sexual abuse by an adult associated with the organisation and fail to take reasonable steps to reduce or remove that risk.</p> <p><b>(Failure to Disclose) <i>Crimes Act 1958</i> (Vic), s 327</b>  An adult must report a reasonable belief of child sexual abuse to Victoria Police, unless a lawful excuse applies.</p>

	<p>The Victorian Reportable Conduct Scheme is established under <i>Child Wellbeing and Safety Act 2005</i> (Vic), Part 5A. The scheme is overseen by the Commission for Children and Young People (CCYP).</p> <p><b>New South Wales</b> (Mandatory Reporting / Failure to Act) <i>Children and Young Persons (Care and Protection) Act 1998</i> (NSW), s 27 Mandatory reporters must report to the Department of Communities and Justice where they have reasonable grounds to suspect a child is at risk of significant harm.</p> <p>Reportable Conduct (Organisational Accountability) <b>Children’s Guardian Act 2019</b> (NSW) Organisations must notify and manage allegations of reportable conduct involving employees in accordance with prescribed requirements.</p> <p><b>Queensland</b> (Mandatory Reporting / Failure to Act) <i>Child Protection Act 1999</i> (Qld) Educators and approved providers must report suspected harm or risk of harm and take reasonable steps to protect children from harm. Legislative Reform From 1 July 2026, Queensland will introduce strengthened child-safe and reporting obligations aligned with national child safety reforms.</p> <p><b>South Australia</b> (Mandatory Reporting / Failure to Act) <i>Children and Young People (Safety) Act 2017</i> (SA) Mandated reporters must report a reasonable suspicion of child abuse or neglect to the Child Abuse Report Line.</p> <p><b>Australian Capital Territory</b> (Mandatory Reporting / Failure to Act) <i>Children and Young People Act 2008</i> (ACT) Mandatory reporters must report where they believe a child has experienced, or is experiencing, abuse or neglect.</p> <p>Reportable Conduct Oversight Oversight and notification requirements apply under the ACT Ombudsman for allegations involving employees.</p>
--	--

## 6.0 Tools and Resources

<p><b>The most important documents I need are:</b></p> <ul style="list-style-type: none"> <li>Child Safe Standards Policy</li> <li>Family, Visitors and Children’s Complaints Policy</li> <li>Adequate Supervision Policy</li> <li>Code of Conduct</li> <li>Child Harm Classification Table</li> <li>Child Harm Management Process</li> <li>Zero Tolerance Poster</li> </ul>	<p><b>Other supporting documents will include:</b></p> <ul style="list-style-type: none"> <li>Child Protection Observation Record</li> <li>Child Protection Poster (State-based)</li> <li>Notification Reporting Table</li> <li>Responding to Children and Young People’s Disclosure of Abuse.</li> <li>Guardian Curriculum</li> <li>Child Support Plan</li> <li>Supervision Risk Management Plan</li> </ul>
--	--

## 7.0 Sources

National	Australian Capital Territory	New South Wales
Education and Care Services Act (2010) Education and Care Services Regulations (2018) Family Violence Protection Act 2008 (FVPA) Child Safe Standards (2017) Guide to the National Quality Framework 2018	Reportable Conduct ACT Ombudsman <a href="#">Reportable conduct   ACT Ombudsman</a> Senior Practitioner Act 2018 (ACT) Children and Young People Act 2008 (ACT)	Office of Children’s Guardian <a href="#">Reportable Conduct Scheme   Office of the Children’s Guardian (nsw.gov.au)</a> Children’s Guardian Act 2019 (NSW)
Queensland	South Australia	Victoria
Child Protection Act 1999 (QLD)	Children’s Protection Act 2017 (SA)	Commission of Children and Young Persons <a href="#">CCYP   Recognising, respecting, and defending the rights of children and young people</a> Children, Youth and Families Act 2005 (VIC)

## 8.0 Links to the National Law and Regulations

- Section 51(1)(a) Conditions on service approval (safety, health and wellbeing of children)
- Section 162A Persons in day-to-day charge and nominated supervisors to have child protection training
- Section 166 Offence to use inappropriate discipline
- Regulation 84 Awareness of child protection law
- Regulation 168 Education and care services must have policies and procedures

<b>Policy owner</b>	Chief Quality and Curriculum Officer	<b>Content author</b>	National Safety and Compliance Manager	
<b>Date published</b>	27/02/2026	<b>Document version</b>	V3.0	<b>Revision due date</b> 27/02/2027
Copyright © 2024 Guardian Early Learning Group Pty Ltd ABN 094 805 820				
Ensure you are using the latest version of this procedure.				
Warning – uncontrolled when printed. This document is current at the time of printing and may be subject to change without notice.				