

Regulatory Approach

Child Safe Organisations

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QUEENSLAND
**Family & Child
Commission**
Child Safe Organisations



Our regulatory philosophy

This document outlines the Queensland Family and Child Commission's (the Commission) approach to its regulatory functions and powers under the *Child Safe Organisations Act 2024* (the Act).

It sets out how the Commission will raise awareness, build capability, and where necessary, use its powers to ensure compliance in a proportionate, risk-based, and transparent manner.

We believe that the best outcomes for children occur when organisations:

- Understand their legal and ethical responsibilities
- Have the capability to meet child safe standards
- Are held accountable when risk or harm is not appropriately dealt with.

Our regulatory approach is proactive, educative and escalatory. We will use our information-sharing powers proactively to protect children from risk of harm.

Our regulatory approach aligns to the Queensland Government Regulator Performance Framework.

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Our aim is to **prevent harm before it occurs** and empower organisations to proactively do the right thing — but we will act decisively where children's safety is compromised.

Our regulatory system

The Act introduces Child Safe Standards and a Reportable Conduct Scheme as part of the ecosystem that is designed to prevent, detect and respond to inappropriate conduct towards children.

Child abuse and child related misconduct can occur in any organisation; however, it is possible to improve protection by creating organisational cultures where everyone takes responsibility for protecting children and where children are valued and listened to when they raise concerns.

Child Safe Standards and Universal Principle

Queensland's Child Safe Standards are based on nationally agreed principles. Entities that provide services or facilities specifically for children must implement and comply with the 10 Child Safe Standards and Universal Principle.¹

When entities implement the Child Safe Standards, they must also provide an environment that ensures the cultural safety of Aboriginal children and Torres Strait Islander children. This is known as the Universal Principle.

The Commission can:

- direct entities to conduct self-assessments of their compliance
- assess an entity's directed self-assessment
- issue compliance notices to organisations that are not meeting the Child Safe Standards
- accept, and maintain a register of, enforceable undertakings proposed by a child safe entity
- publish the details of an organisation that has failed to comply with a compliance notice or enforceable undertaking.

¹ Schedule 1 of the *Child Safe Organisations Act 2024* lists the categories of organisations and businesses that will become child safe entities.

Reportable Conduct Scheme

The Reportable Conduct Scheme aims to improve the way institutions handle complaints about child abuse and child related misconduct.

The Reportable Conduct Scheme applies to organisations that care for, supervise or exercise authority over children.² It requires the head of each organisation to:

- ensure systems are in place for preventing reportable conduct and for reporting, investigating and responding to reportable allegations and convictions relating to a worker
- notify the Commission of reportable allegations or convictions
- ensure an investigation of a reportable allegation or conviction is conducted and provide a final report to the Commission
- provide information as requested by the Commission.

Reportable conduct includes:

- a child sexual offence
- sexual misconduct committed in relation to, or in the presence of a child
- ill-treatment of a child
- significant neglect of a child
- physical violence committed in relation to, or in the presence of a child,
- behaviour that causes significant emotional or psychological harm to a child.

The Commission can:

- request information about the systems it has in place as part of the reportable conduct system
- seek to prosecute the head of an organisation who fails to report a reportable conduct allegation
- monitor how an organisation investigates reportable conduct
- assess the finalised reportable conduct investigation reports of an organisation
- take over and lead an investigation into reportable conduct in an organisation.

² [Schedule 2](#) of the *Child Safe Organisations Act 2024* lists the categories of organisations and businesses that will become reporting entities.

Our integrated approach

The Child Safe Standards and Reportable Conduct Scheme operate as two complementary parts of a single safeguarding system. Wherever possible, when dealing with organisations in Queensland we will engage on their awareness and capability under both.

Our stakeholders

We aim to be trusted, professional, accountable and predictable in our interactions with organisations.

Our stakeholders are diverse. They work across a broad range of sectors where services and facilities are provided to children including:

- accommodation or residential services
- religious bodies
- early childhood education and care services
- child protection services
- services for children with disability
- education services
- health services
- justice or detention services
- sporting, cultural and recreational services
- transport services
- commercial services for children
- community services
- government entities.

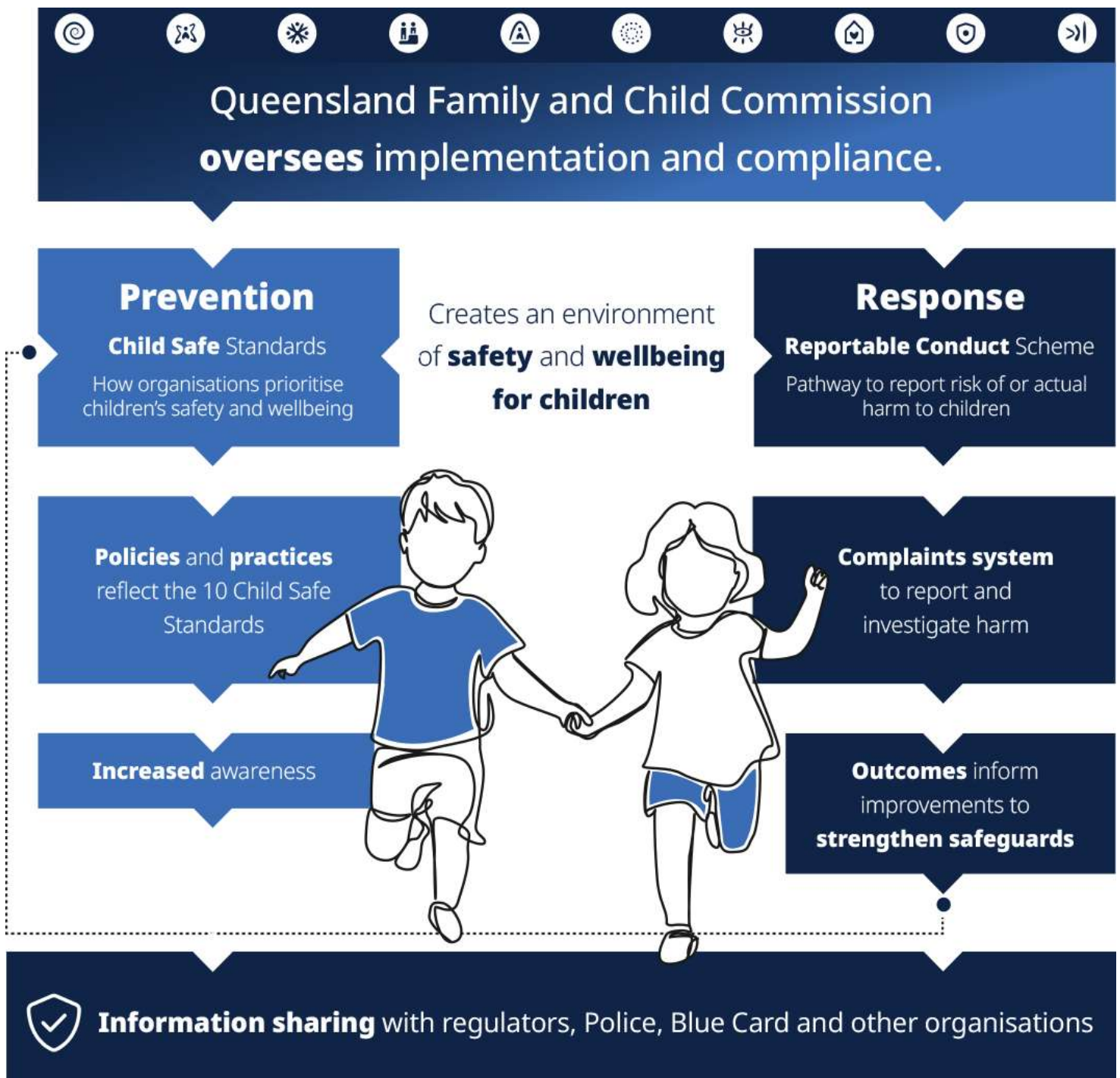
We expect our stakeholders to:

- familiarise themselves with and comply with all laws relevant to the Child Safe Organisations system
- be open and honest with us, including about emerging risks
- provide accurate and timely information
- treat our staff with respect
- provide a safe working environment for our staff when they attend their premises.

Information sharing

The Act enables the Commission and organisations to share information to protect children and identify risk. The Commission will proactively share information with QPS and Blue Card Services to strengthen the intelligence safety net that protects our children. At the heart of an effective child safeguarding system is a web of information that, when shared, enables employees, organisations, regulators and sectors to identify known risks to children.

Figure 1 | How the CSS and RCS fits into the current system



Our model of regulatory action

We operate a graduated model of regulatory action

A graduated model of regulation is a structured and proportionate approach to organisations that escalates interventions based on the level of risk, non-compliance, and need within regulated entities. It allows regulators to balance education and enforcement, using the least disciplinary but most effective methods to promote compliance and improve outcomes.



1. RAISE AWARENESS

We believe that most Queenslanders want children to be safe and free from harm. Consequently, the main regulatory tool we have is to raise awareness of the system, and build sector-wide understanding of the standards, obligations and behaviours expected under the Act. Our main regulatory activities therefore include:

- running public awareness campaigns
- producing and making guidance material accessible
- leading and facilitating sector briefings and forums
- building a library of online resources and tools
- equipping and empowering sector leaders, peak bodies, government funding bodies and lead organisations to create a culture of child safeguarding.

2. BUILD CAPABILITY

We work closely with organisations to embed good practice and ensure they are equipped to meet their responsibilities. Activities include:

- training and mentoring
- encouraging self-assessments
- providing guidance and information from Commission officers
- sharing evidence of what works.

3. MONITOR AND ASSESS

Where there is evidence of risk, we will take action to understand, quantify and consider the most appropriate response to the risk. Actions may include:

- directing an organisation to conduct a self-assessment and/or explain their Reportable Conduct Scheme
- assessing an organisation's self-assessment and providing feedback
- monitoring an organisation's reportable conduct investigation
- assessing and providing feedback on the finalised reportable conduct investigation report of an organisation
- reporting an organisation to a sector regulator where the risks to children need to be considered by that regulator (i.e. a licensing, accreditation or funding body).

4. COMPLIANCE AND ENFORCEMENT

Where there is evidence of ongoing non-compliance, clear disregard for the safety of children, or serious breaches, we will act. Actions may include:

- issuing a compliance notice requiring an organisation to take corrective action
- accepting enforceable undertakings proposed by an entity
- publishing the details of an organisation that has failed to comply with a compliance notice or enforceable undertaking
- taking over and leading an investigation into reportable conduct in an organisation
- seeking to prosecute the head of an organisation that fails to report a reportable conduct allegation
- reporting an organisation to a sector regulator where the risks to children need to be considered by that regulator (i.e. a licensing, accreditation or funding body).

5. SHARE INTELLIGENCE

We will use our information sharing powers proactively to protect children from risk. This will occur at all stages of our model of regulatory action. Actions may include data sharing about individuals or organisations of concerns with:

- the appropriate regulator and sector leader
- Blue Card Services
- the Queensland Police Service and Australian Federal Police
- entities that perform substantially the same functions as the Commission in other states or territories.

We prefer education and empowerment over penalty where organisations demonstrate **willingness to learn**

We focus our oversight on **investigation quality**, not just outcomes

We use insights from investigations to inform **prevention across the sector**

Our regulatory activities

Decision-making principles

Risk-based: We will prioritise our efforts and resources to the areas where the risk to Queensland children is greatest.

Proportionate: We will ensure our regulatory activity is proportionate to risk, matches the seriousness and nature of the issue, and minimises unnecessary administrative burden on Queensland's organisations.

Collaborative: We will partner effectively with all stakeholders in recognition of our shared responsibility to protect children and young people.

Transparent: We will ensure our expectations, thresholds and decisions are clearly communicated.

Evidence-informed: We will act based on data, intelligence and observed behaviour.

Integrity: We will encourage a strong culture of integrity within our organisation ensuring sound decision-making and record-keeping designed to engender public trust in Queensland's child safeguarding system.

Empowering: We will be a reliable and credible authority on child safeguarding and the responsibilities of stakeholders under the child safe organisations law. We will actively engage with stakeholders to build their capacity to understand, comply with, and build skills and knowledge to prevent child abuse and child related misconduct. Even in enforcement, we aim to promote learning and improvement.

Proactive regulatory activities

The Commission will establish an annual proactive regulatory plan with key areas of focus being to:

- promote awareness and knowledge of the scheme
- require entities to undertake directed self-assessments for the Child Safe Standards, and
- require entities to provide information relating to their internal system of preventing, reporting, responding to and investigating reportable conduct.

We will determine where to focus our proactive efforts by using data and intelligence to inform us about where the highest risks are and how we can reach the most organisations effectively with our messaging and engagement.

Reactive regulatory activities

Our reactive activities will be triggered by complaints, reports, intelligence and referrals. We will work collaboratively with sector regulators to provide systemic oversight and responses to suspected compliance issues.

We will develop and implement a risk-based decision-making framework that can be applied to both the Child Safe Standards and Reportable Conduct Scheme that:

1. identifies the relative risks of the range of compliance obligations found in the Act
2. applies a consistent set of case specific decision-making factors to the assessment of the risks of instances of suspected non-compliance
3. matches the risk assessments to appropriate regulatory responses using our powers and functions.

Considered factors when applying our risk based and proportionate decision-making model are:

- the nature of the organisation and the relevant sector
- relevant complaints or compliance history
- evidence of whether the suspected non-compliance is systemic or isolated
- whether the entity has self-reported or self-corrected its non-compliance
- the seriousness of the non-compliance
- the efforts demonstrated by the regulated entity to work towards compliance.

Monitoring our performance

As a modern regulator, we are committed to continuous reflection, learning, and improvement. The effectiveness of our regulatory approach is not only measured by the compliance of others but also by how well we carry out our own functions: fairly, transparently, and with impact. We will proactively monitor and evaluate our regulatory performance across multiple dimensions to ensure that our model is driving real improvements in safety, capability, and trust across the sectors we oversee.

Feedback from regulated organisations:

Engagement with the organisations we regulate is essential to understanding how our regulatory model is received in practice. We will actively seek structured and informal feedback from regulated entities to assess whether our guidance is clear, our expectations are realistic, and our regulatory posture is enabling improvement. This may include post-intervention surveys, consultation forums and direct engagement with regulated organisations.

Monitoring sector trends:

We will monitor key indicators across the sector, including incident reporting rates, systemic issues, and emerging risks, to understand whether our regulatory efforts are contributing to safer environments and stronger systems. We will also track trends over time to ensure our interventions are timely, targeted and responsive to changes in the operating environment.

Surveys of community awareness:

One of our core goals is to build a culture of child safety and public confidence in our role. We will measure community awareness of regulatory reforms, obligations under the law, and available resources through periodic surveys. These insights will help us refine our communication strategies and assess whether our regulatory presence is understood and valued by the broader public.

Complaints and appeals:

We recognise that how we use our powers matters. Complaints and appeals about our decisions, actions or conduct provide a critical opportunity to reflect on our performance. We will monitor these mechanisms closely, identify patterns or gaps, and use this information to strengthen the fairness, transparency, and integrity of our processes.

Annual review of regulatory actions and outcomes:

Each year, we will undertake a formal review of our regulatory activities and outcomes. This will include analysis of compliance trends, the use of regulatory powers, and the overall impact of our interventions. These findings will be reported publicly, ensuring accountability to the community and continuous evolution of our model.

Parliamentary oversight:

As a statutory body, we are ultimately accountable to the Queensland Parliament. Our regulatory work may be subject to scrutiny through parliamentary committee processes, inquiries and reporting requirements. We welcome this oversight as a vital part of democratic governance. It provides an additional layer of transparency and ensures that our powers are exercised appropriately and proportionately in line with public expectations. Parliamentary oversight reinforces our commitment to integrity, fairness, and public trust in the regulation of children's safety.



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