



NATIONAL CHILD SAFETY REFORM

Consultation Information Paper

A structural blueprint for a safer education and care sector.

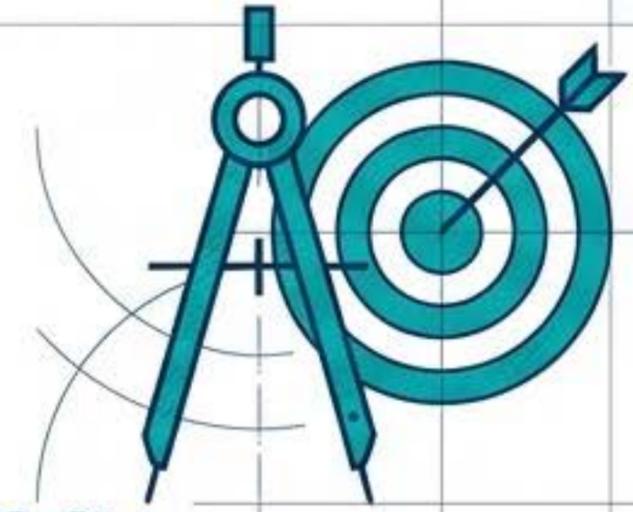
MARCH 2026



A Shared National Commitment

Since the Review of Child Safety Arrangements under the National Quality Framework, significant progress has been made.

A range of regulatory and non-regulatory changes have already strengthened child safety, improved educator training, and increased provider accountability.



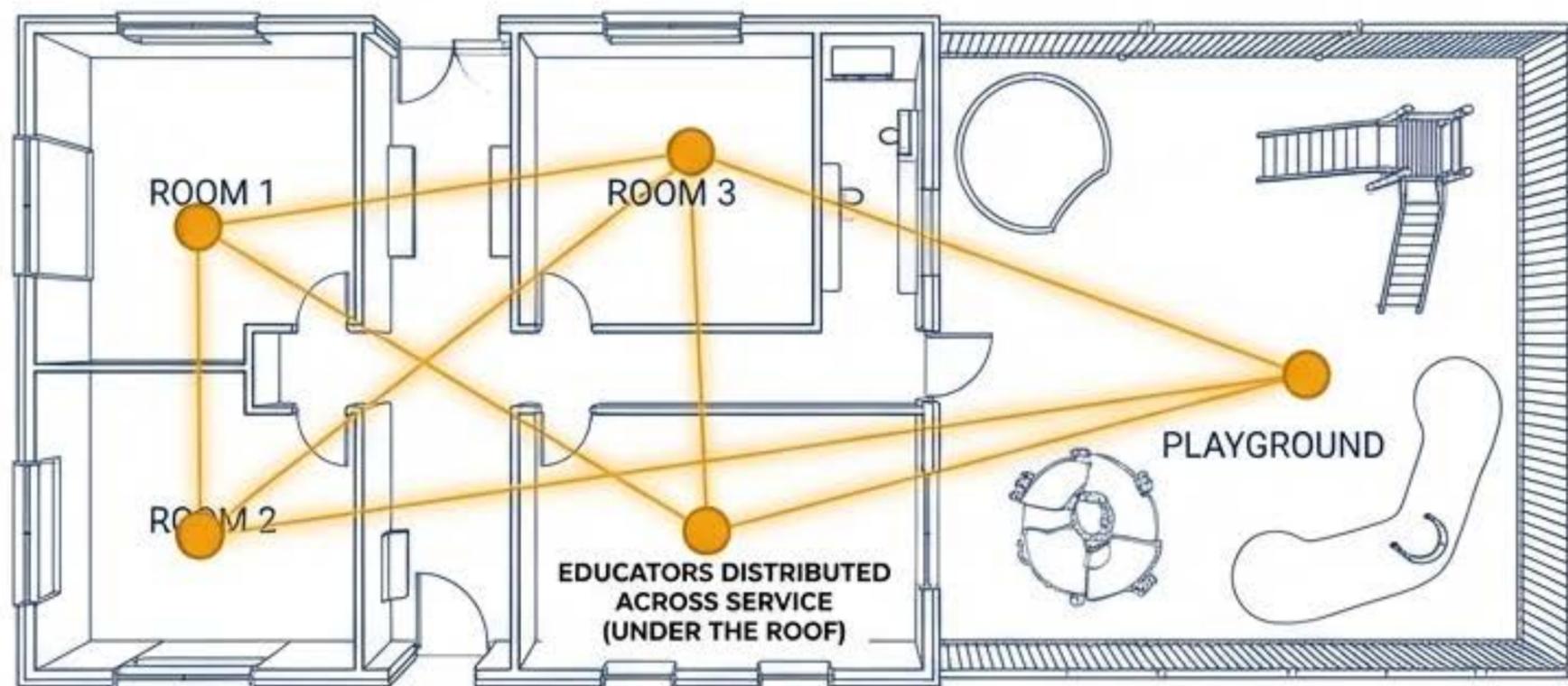
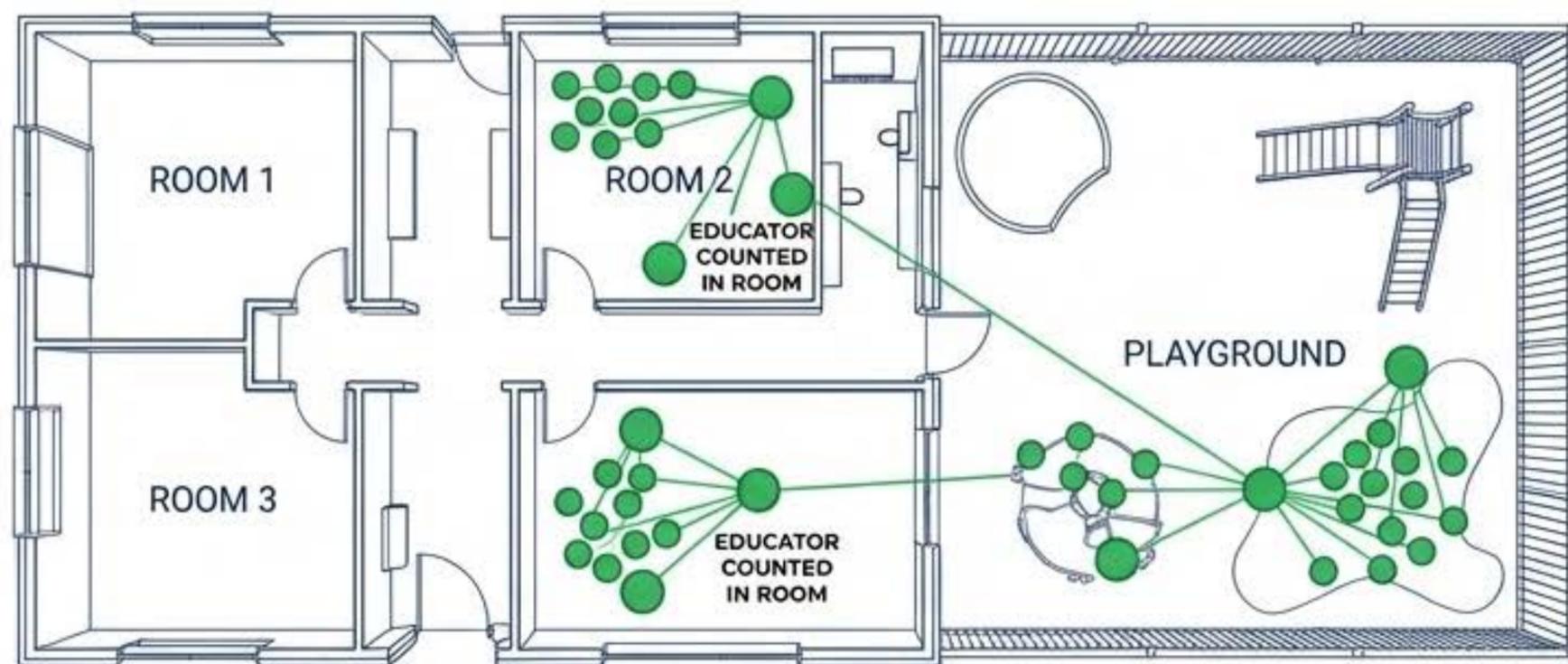
Addressing Emerging Challenges

Further reviews have highlighted the need for ongoing, targeted reforms.

Our goal is to address existing systemic gaps to ensure every child has access to safe, high-quality education and care.

The Reform Landscape: 8 Targeted Interventions across 3 Strategic Pillars

 Operational Safety	 Governance & Accountability	 Family Transparency
<p>Reform 1: Supervision Practices & 'Under the Roof' Ratios</p>	<p>Reform 3: PMC Fitness & Propriety</p>	<p>Reform 2: Proactive Compliance Sharing</p>
<p>Reform 7: Safer Fencing Standards</p>	<p>Potential Reform: Provider Board Expertise</p>	<p>Reform 6: Real-Time Quality Ratings</p>
	<p>Reform 4: Suspension/ Training Directions</p>	
	<p>Reform 5: Whistleblower Protections</p>	



The Context



'Adequate supervision' is undefined in the National Law. Section 165 is a strict liability offence, yet 'under the roof' requirements relate only to the distribution of educators, not numbers, creating dangerous ambiguity.

The Blueprint



- Amend the National Law to legally define 'adequate supervision.'
- Restrict 'under the roof' (across the service) ratios to exceptional circumstances only.
- Mandate documented risk assessments wherever a sole educator is supervising children (Regulation 168).

Consultation Questions

How should 'adequate supervision' be defined? What constitutes 'exceptional circumstances' for under the roof ratios? What elements belong in a sole-educator risk assessment?

Loop top / Rod top



Flat top rail



The Context

Current National Construction Code mandates AS 1926.1 (pool barriers) but ignores top-of-fence profiles.

Kidsafe data identifies severe hanging hazards with loop/rod top designs.

The Blueprint

Strengthen Regulation 104 to explicitly address entrapment/strangulation.

Advocate nationally to amend AS 1926.1 to align with the stricter playground standard (AS 4685).

Launch an awareness campaign with Kidsafe.

The Stress Test

How should services practically assess their perimeter fencing for these specific entrapment and hanging risks?



The Context

PMCs make critical viability and safety decisions but carry limited personal liability under the National Law. If a PMC is unfit, Regulators have limited tools outside of completely cancelling the provider's approval.

The Blueprint

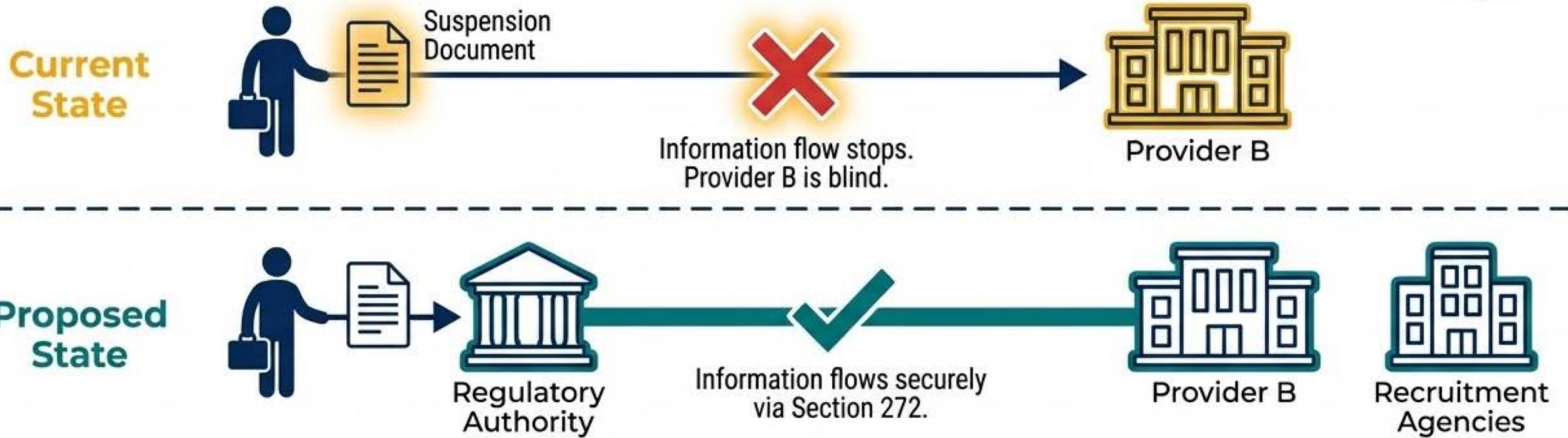
For PMCs (Reform 3): Introduce direct suspension/training directions; allow regulatory intervention on new PMC appointments before they exercise authority; power to direct removal.

For Boards (Potential Reform): Consider mandating specific early childhood expertise, experience, or prescribed training for Approved Provider Boards.

The Stress Test

In what circumstances should regulators intervene in PMC appointments? What specific expertise should be mandatory for Boards?

Flow of Information



The Context

Suspension and supervision directions currently apply only to the approved provider. Sanctioned individuals can move to a new employer or recruitment agency without the new employer knowing about the direction.

The Blueprint

Amend the National Law to impose suspension and supervision directions directly on the individual. Expand Section 272 to allow Regulatory Authorities to disclose these directions to current employers, prospective employers, and recruitment agencies.

The Stress Test

What privacy and operational factors must be considered when sharing an individual's direction status with a prospective employer?



The Context

Staff are frequently required to sign NDAs upon employment. These contracts are being used to suppress or prevent educators from reporting misconduct or child harm, despite Part 14, Div 7 protections against reprisal.

The Blueprint

Legislative change to explicitly expand and strengthen National Law protections. Invalidate the use of NDAs that restrict an individual's ability to make protected disclosures to Regulatory Authorities when children's safety is at risk.

Consultation

How common are NDAs in the ECEC sector?
What currently supports or limits your confidence to make a safety disclosure?

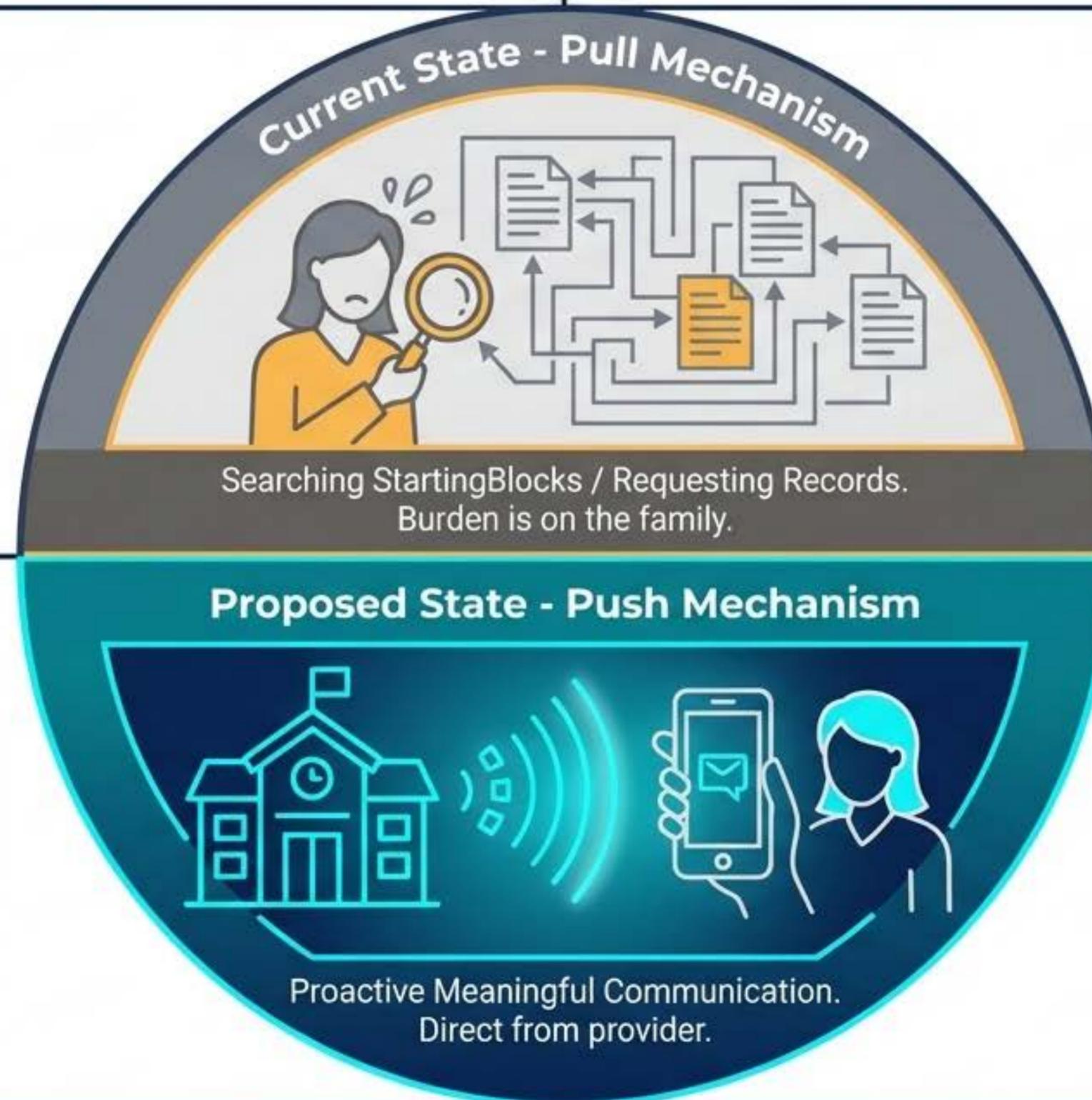
Pillar 3: Family Transparency

The Context & Blueprint

Information exists, but the burden is entirely on parents to find it. There is no mandatory requirement for services to proactively inform families when compliance or enforcement action is taken against them.

Establish minimum standards for approved providers to proactively share enforcement actions.

Amend Regulation 167 to prescribe exactly what must be on the compliance record and establish penalties for providing false/misleading information.



The Stress Test

What specific information is most valuable for parents? What is the most effective and culturally appropriate way to communicate compliance matters?

Explanatory Timeline



Diagnostic Cards

1 The Context

Under the current National Law, quality ratings remain static during the investigation of a serious incident. This provides a misleading point-in-time representation, undermining family trust in the rating system.

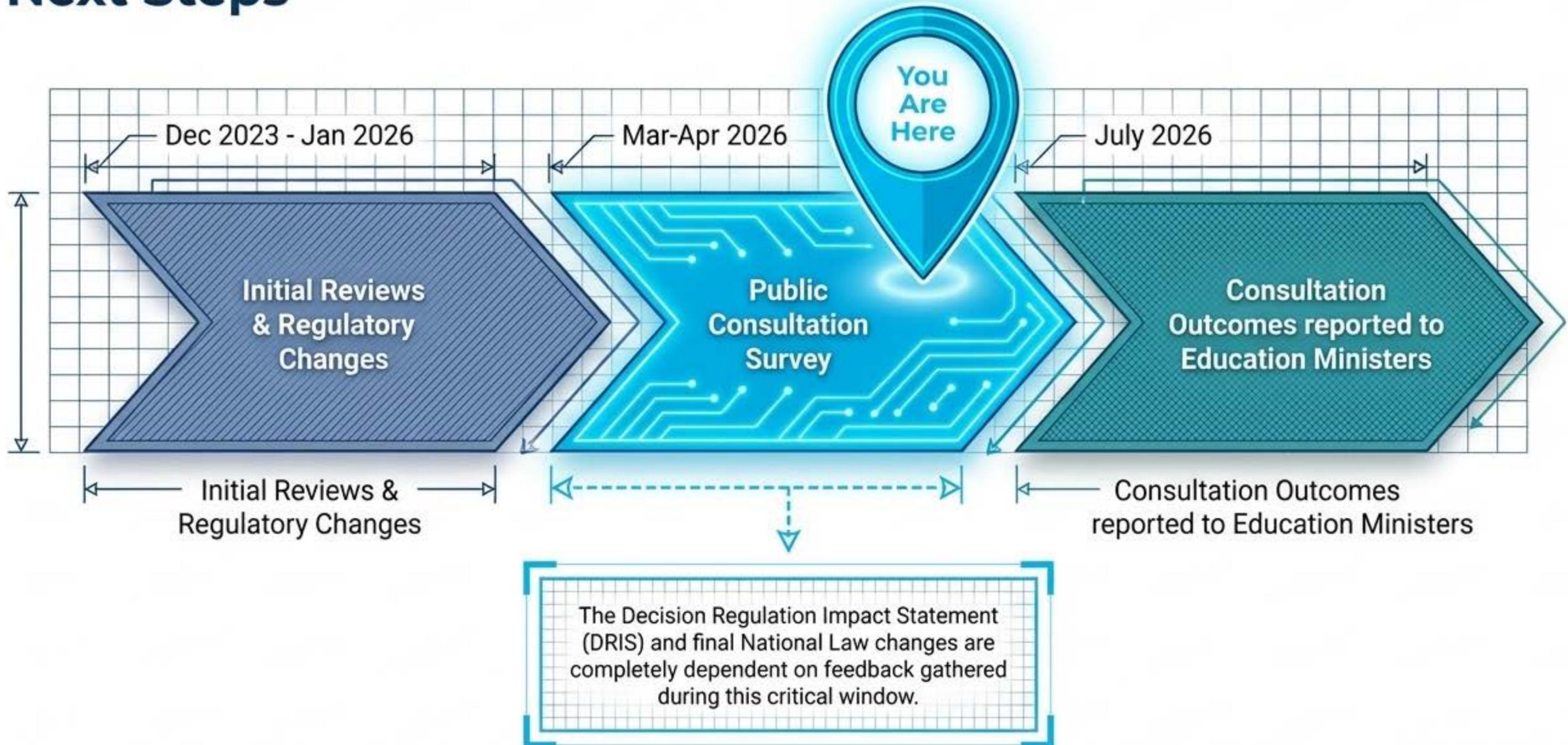
2 The Blueprint

Extend Section 138 of the National Law to empower Regulatory Authorities to update a rating status to 'Under Review' during or immediately following an investigation. Establish consistent thresholds for reassessing quality ratings post-investigation.

3 The Stress Test

What is the correct threshold for triggering an 'Under Review' status? (e.g., Should it apply to all investigations relating to supervision and harm?)

The Roadmap to Implementation: Next Steps



The architecture of child safety relies on your feedback.

These 8 reforms represent a structural shift in how we protect children, ensure accountability, and empower families. We need your ground-level expertise to ensure the final blueprint is robust, practical, and effective.

Complete the National Survey

(Available Soon)



Join a Session

Sign up for consultation sessions in your local State or Territory.



Stay Informed

Look out for targeted communications and final July 2026 outcomes.

