



Taking the challenge ...Inspiring hope

Policy Document

Child Protection Policy and Procedures

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Child Protection Policy and Procedures

Burnett Youth Learning Centre

Child Protection Policy and Procedures

Purpose:	The purpose of this policy is to provide written processes about – (a) how the school will respond to harm, or allegations of harm, to students under 18 years; and (b) the appropriate conduct of the school's staff and students to comply with accreditation requirements.	
Scope:	Students and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as Board Directors, contractors, volunteers and people undertaking work experience or vocational placements at the Burnett Youth Learning Centre.	
Status:	Review	Supersedes: Previous
Authorised by:	School Governing Body	Date of Authorisation: 26/02/2026
References:	• <i>Child Protection Act 1999 (Qld)</i> • <i>Education (General Provisions) Act 2006 (Qld)</i> • <i>Education (General Provisions) Regulation 2017 (Qld)</i> • <i>Education (Accreditation of Non-State Schools) Act 2017 (Qld)</i> • <i>Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</i> • <i>Working with Children (Risk Management and Screening) Act 2000 (Qld)</i> • <i>Working with Children (Risk Management and Screening) Regulations 2020 (Qld)</i> • <i>Child Safe Organisations Act 2024 (Qld)</i> • <i>Child Safe Organisations Regulation 2025 (Qld)</i> • <i>Queensland Family and Child Commission (QFCC) – Reportable Conduct Scheme Guidelines</i> • <i>Criminal Code Act 1899 (Qld), including sections 229BB, 229BC (and other relevant sexual offence provisions)</i> • <i>Burnett Youth Learning Centre Complaints Handling Policy</i> • <i>Burnett Youth Learning Centre Child Risk Management Strategy (for WWC Act 2000 & Child Safe Standards)</i> • <i>Burnett Youth Learning Centre Work Health and Safety Policy (for Work Health and Safety Act 2011 (Qld))</i> • <i>Burnett Youth Learning Centre Child Protection Reporting Form</i>	
Review Date:	Annually	Next Review Date: 26/02/2027
Policy Owner:	School Governing Body	



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Definitions

- **Section 9 of the *Child Protection Act 1999* - “Harm”**, Any detrimental effect of a significant nature on a child’s physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. Harm may result from:
 - physical, psychological or emotional abuse or neglect; or
 - sexual abuse or exploitation.
- Harm may arise from a single act, omission or circumstance, or a series or combination of acts, omissions or circumstances.
- **Section 10 of the *Child Protection Act 1999* - A “child in need of protection”** is a child who—
 - a) has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm; and
 - b) does not have a parent able and willing to protect the child from the harm.
- **Section 364 of the *Education (General Provisions) Act 2006* - “Sexual abuse”**, in relation to a relevant person, includes sexual behaviour involving the relevant person and another person in the following circumstances —
 - (a) the other person bribes, coerces, exploits, threatens or is violent toward the relevant person;
 - (b) the relevant person has less power than the other person;
 - (c) there is a significant disparity between the relevant person and the other person in intellectual capacity or maturity.
- **Section 26 of the *Child Safe Organisations Act 2024* — “Reportable Conduct / Reportable Incident”** includes any of the following conduct by a worker or volunteer in relation to a child, whether or not a criminal proceeding has been commenced or concluded —
 - (a) a child sexual offence — any criminal offence of a sexual nature committed against, with, or in the presence of a child;
 - (b) sexual misconduct committed in relation to, or in the presence of, a child — non-criminal sexual behaviour involving a child, including inappropriate touching or sexualized comments;
 - (c) ill-treatment of a child — any act causing harm or likely harm to a child’s physical, emotional, or psychological wellbeing;
 - (d) significant neglect of a child — failure to provide necessary care, supervision, or protection that places a child at risk of harm;
 - (e) physical violence committed in relation to, or in the presence of, a child — acts of assault or aggressive behaviour causing or likely to cause physical injury;
 - (f) behaviour that causes significant emotional or psychological harm to a child — actions or patterns of behaviour that seriously affect a child’s emotional or mental wellbeing.
- **Section 9 of the *Child Safe Organisations Act 2024* — “Child Safe Standards”** means the set of



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minimum standards required of all organisations that provide services to children to ensure child-safe practices, including the following—

- (a) embedding child-safe practices — integrating processes and behaviours that actively protect children from harm;
 - (b) promoting cultural safety — especially ensuring the safety, respect, and inclusion of Aboriginal and Torres Strait Islander children;
 - (c) implementing policies and procedures to prevent harm — establishing clear frameworks to minimise the risk of abuse, neglect, or exploitation;
 - (d) ensuring prompt reporting and response — procedures for timely identification, reporting, and management of concerns or allegations involving children.
- **Section 12 of the Child Safe Organisations Act 2024 — “Organisation’s Duty of Care / Child-Safe Responsibilities”** refers to the organisation’s legal and moral responsibility to take all reasonable steps to ensure the safety and wellbeing of children, including the following—
 - (a) creating and maintaining a safe environment — implementing physical, emotional, and procedural safeguards to protect children from harm;
 - (b) preventing abuse or neglect — proactively identifying and mitigating potential risks to children;
 - (c) identifying and responding to risks or concerns — monitoring, assessing, and acting on situations that may pose a threat to children;
 - (d) reporting reportable conduct promptly — ensuring timely notification in accordance with the Child Safe Organisations Act 2024 and related requirements;
 - (e) complying with relevant legislation, standards and regulations — including the Child Protection Act 1999, the Child Safe Organisations Act 2024, and associated regulations.
 - (f) **Mandatory Reporter / Staff and Volunteers** — Persons working in roles mandated under child-protection legislation to report suspected harm or risk of harm to a child (including harm, abuse, neglect, exploitation, or reportable conduct), or those who have nonetheless received child-safety training and are bound by organisational child-safe policy to report any concerns.
 - **Section 8 of the Child Safe Organisations Act 2024 — “Child”** means any person under 18 years of age.

Health and Safety

The Burnett Youth Learning Centre (BYLC) has written processes in place to comply with the:

- Work Health and Safety Act 2011 (Qld),
- Working with Children (Risk Management and Screening) Act 2000 (Qld), and
- Child Safe Organisations Act 2024 (Qld), including associated regulations and the Queensland Family and Child Commission (QFCC) Reportable Conduct Scheme.

These processes ensure that the physical, emotional, psychological, and cultural safety of all students is prioritised in the Centre’s operations.



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Responding to Reports of Harm

BYLC is committed to responding promptly, fairly, and in accordance with legislative obligations to any information or allegation suggesting a student may be at risk of harm. This includes:

- Physical, sexual, emotional, psychological harm, neglect, or exploitation.
- Reporting and responding to alleged or suspected harm in line with the Child Protection Act 1999 (Qld), Child Safe Organisations Act 2024 (Qld), mandatory reporting obligations, and the Centre's Child Risk Management Strategy.
- Maintaining confidentiality, supporting the student, and ensuring their safety while investigating and managing the concern.

Conduct of Staff and Students

All staff, directors, contractors, and volunteers at BYLC are required to:

- Behave in a manner consistent with proper standards of care and the Child Safe Standards, ensuring the safety and wellbeing of all students;
- Avoid any conduct that may cause harm — including physical, sexual, emotional, psychological harm, neglect, or exploitation;
- Immediately report any concerns, suspicions, or incidents of harm, abuse, or reportable conduct in line with this policy, mandatory reporting obligations, and the Reportable Conduct Scheme;
- Model respectful, professional, and culturally safe relationships with all students.

Reporting Inappropriate Behaviour

If a student considers the behaviour of a staff member to be inappropriate, the student should report the behaviour to:

- a) Child Protection Officers – *Sharon Mason* – Ph: 07 4159 7579; or
- b) The Principal – *James Marsman* – Ph: 0466 288 620³

Dealing with Reports of Inappropriate Behaviour

A staff member who receives a report of inappropriate behaviour must report it to the principal. Where the principal is the subject of the report of inappropriate behaviour, the staff member must inform the Board Chairperson using one of the following contact methods: e: or ph. 0490 967 818. Reports will be dealt with under the school's Complaints Handling Policy.

Reporting Sexual Abuse⁵

In accordance with section 366 of the Education (General Provisions) Act 2006 (Qld) and the Child Safe Organisations Act 2024 (Qld), any staff member who becomes aware of or reasonably suspects that a student has been sexually abused by another person must:

³ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2) and s.16(3)

⁵ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)



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1. Immediately submit a **written report** to the **principal** or, if the principal is implicated, to the **Board Chairperson**.
2. The **principal or Board Chairperson** must immediately provide a copy of the report to a **police officer**.

If the **principal** is the first person to become aware or reasonably suspect sexual abuse, they must:

- Immediately provide a **written report** to a **police officer**, and
- Immediately provide a copy to the **Board Chairperson**.

Required Details in the Report

Reports must include:

- Name of the person submitting the report
- Student's name, age, and sex
- Details of the basis for the suspicion
- Description of the abuse or suspected abuse
- Identity of the person who has abused or may have abused the student
- Identity of anyone else who may have information about the abuse
- Any relevant medical, emotional, or welfare information

All reports must be handled **confidentially**, stored securely, and managed to ensure the **safety and wellbeing of the student**.

Reporting Likely Sexual Abuse⁶

Section 366A of the *Education (General Provisions) Act 2006* states that if a staff member reasonably suspects in the course of their employment at the school, that any of the following is likely to be sexually abused by another person:

- a) a student under 18 years attending the school;
- b) a kindergarten aged child registered in a kindergarten learning program at the school;
- c) a person with a disability who:
 - i. under section 420(2) of the *Education (General Provisions) Act 2006* is being provided with special education at the school; and
 - ii. is not enrolled in the preparatory year at the school.

then the staff member must give a written report about the suspicion to the principal or to the Board Chairperson immediately.

The school's principal or Board Chairperson must immediately give a copy of the report to a police officer.

⁶ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(c)*



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If the first person who reasonably suspects likely sexual abuse is the school's principal, the principal must give a written report about the suspicion to a police officer immediately and must also give a copy of the report to the Board Chairperson immediately.

A report under this section must include the following particulars:

- a) the name of the person giving the report (the **first person**);
- b) the student's name and sex;
- c) details of the basis for the first person reasonably suspecting, that the student is likely to be sexually abused by another person;
- d) any of the following information of which the first person is aware:
 - i. the student's age;
 - ii. the identity of the person who is suspected to be likely to sexually abuse the student;
 - iii. the identity of anyone else who may have information about suspected likelihood of abuse⁷.

All staff, contractors, and volunteers must immediately report any suspicion of likely sexual abuse to the principal or Board Chairperson, in accordance with Section 366A of the Education (General Provisions) Act 2006 and the Child Safe Organisations Act 2024. Reports must be documented and handled confidentially, with priority given to the safety and wellbeing of the student, and in accordance with the school's Child Risk Management Strategy

Reporting ⁸ and Sexual Abuse⁹

Under Section 13E (3) of the *Child Protection Act 1999*, if a doctor, a registered nurse, a teacher or an early education and care professional forms a 'reportable suspicion' about a child "in the course of their engagement in their profession", they must make a written report.

A **reportable suspicion** about a child is a reasonable suspicion that the child:

- a) has suffered, is suffering, or is at unacceptable risk of suffering, **significant harm** caused by physical or sexual abuse; and
- b) may not have a **parent able and willing** to protect the child from the harm.

The doctor, nurse, teacher or early education and care professional must give a written report to the Chief Executive of the Department of Child Safety, Seniors and Disability Services (or another department administering the *Child Protection Act 1999*). The doctor, nurse, teacher or early education and care professional should give a copy of the report to the principal.

A report under this section must include the following particulars:

- a) the basis on which the person has formed the reportable suspicion⁹;
- b) the child's name, age and sex descriptor;
- c) details of how to contact the child;
- d) details of the harm to which the reportable suspicion relates;
- e) particulars of the identity of the person suspected of causing the child to have suffered, suffer, or be at risk of suffering, the harm to which the reportable suspicion relates;

⁷ Education (General Provisions) Regulation 2017 (Qld) s.69

⁸ Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) s.16(2)(d)

⁹ Child Protection Act 1999 s.13G (2)(a)



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- f) particulars of the identity of any other person who may be able to give information about the harm to which the reportable suspicion relates¹⁰.

Sunshine Coast and Central Queensland Child Safety Regional Intake Service can be contacted during business hours (9am to 5pm, Monday to Friday) on **1300 703 762**. In the event that outside of business hours contact is required, the **Child Safety After Hours Service Centre** can be reached on **1800 177 135**.

Reports under Section 13E (3) must be made promptly to the Chief Executive of the Department of Child Safety, Seniors and Disability Services, and a copy should be provided to the principal. All reports must be documented securely, handled confidentially, and followed up in accordance with the school's Child Risk Management Strategy and the Child Safe Organisations Act 2024.

Responsibilities under the Criminal Code Act 1899 (Qld)

The *Criminal Code Act 1899* includes two offences that pertain to the failure to report a child sexual offence and the failure to protect a child against a child sexual offence. A child sexual offence is an offence of a sexual nature by an adult against a child under 16 years or a person with an impairment of the mind.

Failure to Report¹¹

Under section 229BC of the Code, all adults must report sexual offences against a child by another adult to police as soon as reasonably practicable after the belief is, or ought reasonably to have been, formed. Failure to make a report, without a reasonable excuse, is a criminal offence. This offence applies to all adults inclusive of students 18 years or older, as well as parents/guardians and volunteers at the school. A reasonable excuse not to make a report under the *Criminal Code Act 1899* includes that a report has already been made under the *Education (General Provisions) Act 2006* (reporting sexual abuse or likely sexual abuse) and the *Child Protection Act 1999* (reporting significant harm or risk of significant harm) as per this policy.

Failure to Protect¹²

Under section 229BB of the Code, all adults in positions of power or responsibility within institutions to reduce or remove the risk of child sexual offences being committed must take reasonable steps to protect children in their care from a child sexual offence. A failure to protect is an offence.

All staff, volunteers, parents, and students aged 18 or older must comply with sections 229BB and 229BC of the Criminal Code Act 1899. Following the reporting procedures in this policy ensures compliance and is considered a reasonable step under the Criminal Code.

Awareness

The school will inform staff, students and parents of its processes relating to the health, safety and conduct of staff and students in communications to them and it will publish these processes on its website¹³.

¹⁰ See *Child Protection Regulation 2023 (Qld)* s.4 "Information to be included in reports"

¹¹ *Criminal Code Act 1899 (Qld)* s.229BC

¹² *Criminal Code Act 1899 (Qld)* s.229BB

¹³ *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)* s.16(4)(a)



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These processes will include:

- placement on the school website and availability through the school administration;
- student induction and enrolment interviews;
- dissemination to students through pastoral care avenues including small group Connect Coaches and individual support staff sessions; and
- staff induction and ongoing engagement through staff meetings and professional development opportunities.

Information about child safety, reporting obligations, and staff/student responsibilities will also be reinforced through **annual professional development, refresher training, and regular policy review**, in line with the Child Safe Standards and legislative requirements.

Accessibility of Processes

All processes relating to the health, safety, and conduct of staff and students — including child protection, reporting obligations, and the handling of reportable conduct — are publicly accessible on the school website and available on request from the school administration. These processes are reviewed and updated regularly to ensure compliance with legislative requirements and best practice.

Training

The school provides comprehensive training to all staff, volunteers, contractors, and directors on processes relating to the health, safety, and conduct of staff and students, including child protection, mandatory reporting, and the Reportable Conduct Scheme.

Training occurs at induction, at the start of each school year using ISQ Child Protection Training Modules, and is refreshed annually during professional development days.

Training records, including completion certificates and in-house training registers, are securely stored in staff files both digitally and physically and are maintained for audit purposes.

Implementing the Processes

The school ensures that all processes relating to the health, safety, and conduct of staff and students are actively implemented and monitored. Compliance with these processes is audited annually, including adherence to child-safe standards and reporting obligations. Audit findings are addressed through continuous improvement measures. New staff are informed of the school's policies and procedures at induction, and current staff remain up-to-date through staff meetings, professional development sessions, and updates to training registers. Staff training registers are internally audited annually, prior to June 30.

Complaints Procedure

Any concerns or complaints regarding non-compliance with the school's processes — including child protection, mandatory reporting, or reportable conduct — may be submitted under the Burnett Youth Learning Centre Complaints Handling Policy. All complaints are treated confidentially, and staff, volunteers, and students are protected from reprisal or victimisation.



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Reporting Form

Private and Confidential

Report of Suspected Harm or Sexual Abuse

Date:
School:
School Phone:
School Email:
School Address:

DETAILS OF STUDENT/CHILD HARMED OR AT RISK OF HARM/ABUSE:	
Legal Name:	Preferred Name:
DOB:	Sex:
Year Level:	Cultural Background:
Primary language spoken:	
Aboriginal ☐ Torres Strait Islander ☐ Aboriginal and Torres Strait Islander ☐	
Does the student have a disability verified under EAP: Yes ☐ No ☐	Disability Category:
Student's Residential Address:	Phone:
	Student's Personal Mobile:

FAMILY DETAILS	
Parent/caregiver 1:	Relationship to Student:
Address (if different from student):	
Phone: (H):	(W): (M):
Parent/caregiver 2:	Relationship to Student:
Address (if different from student):	
Phone: (H):	(W): (M):
Is the student in out of home care? Yes ☐ No ☐	
Are there any Family Court or Domestic Violence orders in place? Yes ☐ No ☐ Unknown ☐	

PERSON ALLEGED TO HAVE CAUSED THE HARM OR ABUSE		
☐ Adult family member	☐ Child family member	☐ Other adult



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☐ Student/other child	☐ Unknown
PROVIDE ALL INFORMATION YOU HAVE WHICH LED TO THE SUSPICION OF HARM OR ABUSE (Attach extra pages if necessary).	
Details of any harm and/or sexual abuse to the student – please include: Time and date of the incident; location of the incident, source of information; details of person alleged to have caused the harm or sexual abuse; physical appearance of any injury; immediate and ongoing safety concerns; any disclosures made by student; any previous incidents of harm; behavioural indicators of harm; presence of any medical needs or developmental delays; and if the information relates to an unborn child, the alleged risk to the unborn child.	
Please indicate the identity and particulars of anyone else who may have information about the harm or abuse	
Additional information provided as an attachment YES ☐ NO ☐	

Name of staff member making report if not the Principal:		
Position:	Signature:	Date:
Principal:	Signature:	Date:
Principal's email address:		
Response requested by school:		

ACTION TAKEN		
Form was emailed to (please tick which agencies the form was sent to):	☐	Queensland Police Services (QPS), Bundaberg Phone: 131 444
	☐	Department of Families, Seniors, Disability Services and Child Safety. Child Safety Services Centre, Bundaberg. Phone: 07 4154 9700 Online Child Protection Guide https://secure.communities.qld.gov.au/cpguide/engine.aspx
	☐	Family and Child Connect Phone Number: 13 32 64 Web: https://www.familychildconnect.org.au Link: online referral form

(Adapted from EQ SP-4 Report of Suspected Harm or Risk of Harm)

Confirm receipt of emailed form and ensure original is stored in a secure location along with any other documentation collected for the purpose of this report.



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Child Protection and Complaints Officers Poster

Child Protection:

- Keeping our young people safe from harm is a team effort.
- If you or someone you know is at risk of harm, reach out to one of the school's Child Protection Officers.
- If you feel that making a complaint is the best course of action, please speak to one of our Child Protection Officers.

James Marsman

Principal



Craig Lear



Sharon Mason



Ian Purkis



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So how is The RC Scheme different to mandatory reporting?

Reportable Conduct Scheme vs. Mandatory Reporting

Comparing requirements for protecting children from harm



Reportable Conduct Scheme (RCS)



Purpose



Ensures **organisations** investigate and report **serious allegations** involving workers/volunteers. Focuses on **organisational accountability**.



Organisations (all sectors) and their **workers/volunteers**.



Serious misconduct by a worker/volunteer (sexual, physical, emotional, neglect etc.).



Org. reports internally, then to QFCC



Organisation-focused

Reporting of staff/volunteer misconduct

VS.

Mandatory Reporting



Purpose



Ensures **child protection authorities** are notified when a child is at **risk of harm**. Focuses on **protecting the child** directly.



Mandated professionals (teachers, doctors, nurses, police) in the course of their work.



Situations where a **child** is being harmed or **at risk of harm** (anyone can pose a risk).



Professionals must report directly to child protection.



Professionals must report directly to child protection.

Child-focused

Reporting of risk of harm to a child

Note: Both aim to protect children, but through different approaches and accountability-channels.

RCS: www.qfcc.qld.gov.au/childsafereportable-conduct-scheme
More Info: RCS:

Mandatory Reporting: www.qfcc.qld.gov.au/childsafereportable-conduct-scheme
More Info: RCS:



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Safety Responsibilities

Reportable Conduct & Child Safety in Queensland



Reportable Conduct Includes:

- ✓ Child Sexual Offence
- ✓ Sexual Misconduct Involving a Child
- ✓ Ill-Treatment of a Child
- ✓ Significant Neglect
- ✓ Physical Violence
- ✓ Emotional or Psychological Harm



When Allegations Arise:



Notify Head of Organisation



Internal Investigation ASAP



Notify QFCC in **3 Business Days**

✓ **\$17,000 Fine if Late**



Interim & Final Reports in **30 Days**



Key Updates:

- ★ Fast-Tracked Conduct Scheme
- ★ New Standards by **1 July 2026**
- ★ Stronger Rest Period Rules
- ★ Safer Queensland, Fresh Start

Staff Responsibilities:



Duty of Care



Identifying Hazards



Reporting Workflow



Staying Compliant



Staying Compliant

More Info: **QFCC Reportable Conduct Scheme**

www.qfcc.qld.gov.au/childsafereportable-conduct-scheme



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Standard 1

Child Safety Embedded in Leadership, Governance & Culture

- Child safety is everyone's responsibility
- Leadership sets the tone for speaking up
- Reporting concerns is encouraged and supported

Key message:

Culture determines whether child safety systems are used

Standard 2

Children Are Informed & Empowered

- Children may not use adult language
- Behaviour changes can signal concerns
- We listen calmly and take concerns seriously

Key message:

Children must feel safe to speak

Standard 3

Families & Communities Are Informed & Involved

- Families are partners in child safety
- Concerns from parents are taken seriously
- Openness builds trust and safety

Key message:

Transparency strengthens protection

Standard 4

Equity Is Upheld & Diverse Needs Are Respected

- Some children are more vulnerable
- Bias and assumptions can silence concerns
- We consider culture, disability, and individual needs

Key message:

Child safety looks different for different children

Standard 5

People Working With Children Are Suitable & Supported

- Professional boundaries protect everyone
- Staff are supported to raise concerns
- Concerns about behaviour are addressed early

Key message:

Suitability includes behaviour, not just checks

Standard 6

Processes to Respond to Complaints & Concerns Are Child-Focused

- Reporting is about protection, not accusation
- You are not expected to investigate
- Concerns are handled respectfully and consistently

Key message:

When in doubt, report

Standard 7

Staff & Volunteers Are Equipped With Knowledge & Skills

- Training supports confident decision-making
- Knowing the reporting workflow matters
- Ask questions if unsure

Key message:

Knowledge builds confidence to act

Standard 8

Physical & Online Environments Are Safe

- Supervision reduces risk
- Online spaces require clear boundaries
- Safety includes digital behaviour

Key message:

Safe environments don't happen by accident

Standard 9

Implementation of Child Safe Standards Is Regularly Reviewed

- Child safety practices are reviewed
- Feedback helps improve systems
- Reporting trends help identify risks

Key message:

Child safety is continuously improved

Standard 10

Policies & Procedures Are Documented & Accessible

- Clear reporting pathways remove confusion
- Policies support consistent responses
- Staff know where to find guidance

Final message:

Clear systems support safe action

**Child Safety: Embedded in Our Culture,
Reflected in Our Policies.**