



NATIONAL CHILD SAFETY REVIEW SUBMISSION

JUNE 2025

About the Front Project

The Front Project is a national, philanthropically-funded organisation that puts children and families at the centre. We work with the early childhood sector, government and business leaders to ensure the early childhood system lives up to what children and families want from it.

We believe in matching the quality of our nation's early childhood system with the high expectations we hold for all children. We want all families to have the opportunity to thrive, regardless of the challenges they face.

The Front Project works systematically to develop evidence-based, meaningful, and pragmatic policy solutions that create deep, sustained, and long-term change for greater impact.

Contact

info@thefrontproject.org.au

www.thefrontproject.org.au

Acknowledgement of Country

The Front Project respectfully acknowledges the Traditional Owners of the land on which we work and learn, and pay respect to Elders, past and present. Sovereignty has never been ceded. It always was and always will be, Aboriginal land.

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Introduction

The Front Project welcomes the chance to contribute to the National Child Safety Review. We're a national organisation focused on improving outcomes for young children, and we strongly support reforms that make early childhood education and care (ECEC) services safer for every child.

But child safety isn't just about regulation. It's about the whole system—how it's structured, funded, and supported. Safe environments rely on quality services, a well-trained workforce, and enough funding to do the job well. Right now, the system is under strain. For-profit providers now deliver 70% of long day care services—up from 60% in 2013—while not-for-profit providers are disappearing, especially in gentrifying areas. That shift has widened the gap between communities: children in low-income areas have 41% fewer long day care places per 100 children, and less access to providers who reinvest in quality and staff¹.

This matters for safety. Different provider types have different levels of support, training, and governance to keep children safe. A market-driven system can't guarantee consistent standards without stronger system-wide settings. If we want every child to be safe, we need reforms that tackle these structural issues—not just the rules, but the foundations.

There is a particular opportunity in this suite of reforms to go further than 'closing loopholes', and to set a standard for corporate governance in the ECEC sector. Approved Providers need to have a proactive approach to reducing child safety incidents, through, for example, looking for patterns among the times at which incidents happen, the workforce composition of services where incidents occur (in terms of qualifications, experience in the sector and so on), and taking action to reduce risks – even where this comes at increased cost of provision.

Business models that cannot accommodate the allocation of additional resources to areas critical for ensuring child safety should not be considered viable within the ECEC sector.

To this end, The Front Project encourages the Commonwealth and States and Territories to move quickly to bring together regulatory incident data sets with the rich data collected in the National Workforce Census, to undertake econometric analysis that would identify those variables most likely to be associated with safety incidents. This analysis would support improved risk management within Approved Providers (especially those operating multiple services), provide input to risk-based regulation, and give important information to policy makers.

In this submission, we respond to each of the six themes, outlining preferred options and key implementation considerations. We urge governments, departments and regulators to keep working with the sector to build a stronger, safer ECEC system that puts children's safety and wellbeing first.

Management of Digital Devices

We support **Option 2**, which would amend the National Law and Regulations to require services to implement clear policies and procedures on the use of digital devices and require any images and videos of children to be taken on service-issued devices only.

This approach offers a balanced, proactive solution to managing the risks associated with personal device use, while allowing for flexibility across diverse service types, settings, and contexts.

Digital devices, especially those capable of capturing images or video, pose significant risks to children's safety and privacy when used inappropriately. At the same time, technology can play a role in pedagogy and communication when used responsibly. Option 2 ensures that these devices are subject to robust internal governance, risk assessment, and educator training.

We believe this option will also:

- Encourage services to engage their teams in ongoing conversations about safety, ethics, and professional practice;
- Allow room for thoughtful exceptions (e.g. for assistive technology or urgent communication) under clear protocols;
- Facilitate service-level ownership of safe technology use, without imposing overly prescriptive restrictions that may hinder legitimate educational practice.

Implementation Considerations

Provision of Resources. The costs associated with implementing this requirement—including purchasing, maintaining, and securely storing digital devices—should be factored into the review of the ECEC service delivery price, or any future needs-based funding model. This ensures that implementation is financially sustainable and does not disproportionately burden under-resourced services. In the meantime, associated costs of equipment could be supported with grants or subsidies.

National guidance materials to support services in developing effective policies.

A national public awareness campaign to shift parent expectations about digital documentation in ECEC settings—framing reduced reliance on photos and videos as a child safety, educator workload, and quality-of-interaction issue. The campaign should highlight how constant device use increases risk, reduces educators' focus on children, and places undue pressure on staff to produce digital content rather than engage in real-time teaching and care.

Clear definitions of device types and appropriate use, to ensure consistency across the sector.

Support for professional learning that strengthens educators' capacity to uphold child safety in digital contexts.

Child Safety Training

We support **Options 4, 5, and 6** as a comprehensive, nationally consistent package of reform that addresses current inconsistencies and gaps in child safety and child protection training.

We support **Option 4**, which proposes legislative changes to require all individuals working directly with children—educators, nominated supervisors, students, volunteers, family day care (FDC) educators and coordinators—to complete child protection training. This is a necessary and overdue step toward ensuring a consistent minimum standard of child protection training across the entire ECEC workforce and it removes the reliance on individual jurisdictions.

We support **Option 5**, which proposes all staff and volunteers are aware of the existence and application of current child protection law and any obligations they may have under such law.

We also support **Option 6**, which would introduce a requirement for child safety training for all staff, including at the governance level, and the prescription of the content of child safety training and requiring regular updates or renewals. All staff, regardless of role or employment type, must be equipped to identify signs of harm, respond appropriately, and create environments that reduce the risk of abuse or neglect. Governance bodies play a vital role in setting the tone, culture, and accountability structures within ECEC services. Yet, under current settings, these individuals are often not required to undertake any child safety training. This represents a critical gap in the system.

Training for staff, volunteers, and people with governance responsibilities will:

- Ensure staff practice and governance responsibilities are exercised with a child safety lens;
- Embed a culture of safety and accountability at the top of each organisation;
- Reduce systemic and organisational risks that may otherwise be overlooked.

Implementation Considerations

Training must be embedded in a broader system. While we support the introduction of mandatory child safety training, training alone is not enough. Behaviour change is unlikely to result from one-off professional development sessions or compliance-driven modules. For reforms to be effective, training must be embedded within a broader system that reinforces child safety messages, supports ongoing reflection, and rewards desirable practice. This includes sustained coaching, leadership accountability, and ensuring alignment between training content and the realities of everyday practice.

Nationally endorsed training providers and materials. Establish a list of approved child protection training programs that meet national standards and are accessible to ECEC staff.

Support for Services. Provide resources and guidance to ECEC services to facilitate the implementation of mandatory training and renewal requirements. This should include support for staff to participate during paid working hours or payment for out-of-hours attendance. Tailored support should be considered for small and rural providers to access high-quality training at low cost, alongside multilingual and culturally responsive options—particularly for culturally and linguistically diverse communities and family day care educators.

Importantly, the cost of implementing these requirements should be factored into broader service delivery price and funding models. This includes recognising the additional support needs of services operating in disadvantaged or high-needs communities through a needs-based funding approach. Without appropriate and sustained funding, implementation risks being uneven and entrenching existing inequities.

There is also a clear opportunity for state governments to take a stronger role in coordinating communities of practice and shared learning across the sector on key safety and quality issues. At present, there is limited infrastructure or architecture to support this kind of professional collaboration at scale. States could invest in building this capability—particularly by leveraging existing Commonwealth-funded inclusion initiatives and networks—and create stronger localised systems of support that reinforce training with peer-led reflection, practice-sharing and leadership development.

Integration into quality assessment and regulation. Embed child safety requirements into the NQS assessment and compliance framework to ensure consistent, sector-wide accountability. This should include evaluating how services implement and maintain child-safe practices during assessment and rating visits, with clear guidance and training for authorised officers to assess these elements effectively.

Responding to Educator and Staff Member Conduct

Making inappropriate conduct an offence.

We support a combination of **Options 2 and 3** as the most comprehensive and effective regulatory settings. This includes:

- More communications and resources on encouraging approved providers to address appropriate and inappropriate conduct (Option 2).
- Introducing ‘inappropriate conduct’ as an offence applicable to approved providers, nominated supervisors, educators, other staff members, volunteers and FDC educators (Option 3).

Currently, there are significant inconsistencies across jurisdictions in how early childhood education and care services define, monitor, and respond to staff conduct issues. In many cases, the absence of mandatory codes of conduct and clear reporting obligations has resulted in delayed or inadequate responses to serious concerns. This inconsistency not only compromises child safety but also undermines public trust in the sector’s ability to safeguard children.

Option 2 should also place greater emphasis on the responsibilities of approved providers to undertake system-level analysis of conduct risks. This includes proactively identifying patterns across incidents—such as recurring concerns in particular rooms or times of day—and examining contextual factors like staffing levels, workforce composition, and staff tenure. Such analysis is critical to identifying systemic drivers of inappropriate conduct and taking early, preventative action.

Introducing nationally consistent conduct requirements will ensure that all ECEC services uphold clear, enforceable expectations for professional behaviour. All staff and providers should receive training on the purpose, content, and application of these policies to ensure a consistent understanding of expectations. Clear thresholds and protocols must also be established for reporting breaches to regulators, with guidance on appropriate internal responses. Importantly, any response to alleged misconduct must recognise and uphold industrial laws and the principles of natural justice—ensuring that staff are treated fairly, with due process and procedural clarity.

Implementation considerations

Clear national guidance and definitions. A consistent, sector-wide definition of “inappropriate conduct” is essential to avoid ambiguity and ensure fair and proportionate application across all roles, settings, and jurisdictions. Definitions should be clearly distinguished from “serious misconduct” or “reportable conduct” under other frameworks to avoid confusion and duplication.

Procedural fairness and alignment with industrial law. Any enforcement of inappropriate conduct offences must recognise existing workplace rights and be aligned with industrial law obligations. Responses to alleged breaches must be grounded in natural justice, with transparent procedures, opportunities to respond, right to representation and protections against unfair treatment.

Training and professional learning. Targeted training for providers, leaders, and staff is critical to support understanding of the new requirements. Training should cover recognising and responding to inappropriate conduct, internal reporting procedures, and staff rights during investigations or disciplinary processes.

Support for implementation across diverse service types. Services of different sizes and contexts—including small, rural, and culturally diverse services—will require tailored support to implement these reforms effectively. This includes templates, translated materials, culturally responsive guidance, and capacity-building.

Regulatory capability and consistency. Regulatory Authorities will require consistent training and tools to assess and respond to inappropriate conduct fairly across jurisdictions. Consideration should also be given to how offences will be enforced and what compliance pathways are available for different types of breaches.

Monitoring and review. As these reforms are rolled out, mechanisms should be put in place to monitor their impact, identify unintended consequences, and review implementation over time. This will support continuous improvement and safeguard against overly punitive or inconsistent application.

Acknowledge that more reporting is a positive step—it reflects improved awareness and safer cultures. The focus must shift to what services and regulatory authorities *do* with the information: early intervention, analysis of trends, and systemic improvement.

Ensure the availability of detailed, high-quality reporting data to enable pattern and risk analysis—both within individual organisations and across the system. Transparency and data-sharing between providers and regulators are critical for spotting systemic issues before they escalate.

Enhancing Regulatory Authorities' ability to share information with approved providers

We support **Options 3 and 4** which includes:

- Allow Regulatory Authorities to proactively share information about prohibited persons or suspended FDC educators with their current approved provider (Option 3).

- Permit Regulatory Authorities to inform approved providers about a staff member's current enforceable undertaking without needing a request (Option 4).

Currently, limitations on information sharing between regulators and providers create unnecessary risks. Providers may unknowingly retain or hire individuals who are subject to serious enforcement actions, such as prohibition notices, suspensions, or enforceable undertakings. This can lead to situations where children are exposed to harm that could have been prevented.

Implementation Considerations

Clear protocols and safeguards. Information-sharing powers must be exercised consistently and fairly, with clear thresholds and definitions for what constitutes a relevant risk or action.

Respect for privacy and procedural fairness. While prioritising child safety, reforms should also incorporate safeguards to protect individual privacy, uphold principles of natural justice, and avoid misuse of shared information.

National consistency. These powers should apply uniformly across jurisdictions to avoid fragmented practice and confusion among providers operating in multiple states or territories.

Provider guidance and support. Approved providers will need clear guidance on how to respond when they receive such information—including managing risks, meeting legal obligations, and supporting affected staff fairly.

Integration with compliance systems. Information-sharing mechanisms should be embedded into regulatory compliance tools and processes to support efficient, real-time notifications.

Resourcing and funding. Regulatory authorities will need enhanced systems to collect and share information.

Expansion of regulatory responses to educator and staff member conduct

We support a combination of **Options, 2, 3, 4 and 5** together with a show cause process to include:

- More communications and guidance to support providers to address appropriate and inappropriate conduct within employment contracts, Code of Conduct, policies and procedures (Option 2).

- Amend the National Law to allow Regulatory Authorities to issue time-limited suspension orders to educators, staff, and volunteers when a defined risk threshold is met (Option 3).
- Amend the National Law to allow Regulatory Authorities to impose supervision orders on approved providers when an educator's contravention of the law is linked to a provider's failure (Option 4).
- Amend the National Law to allow Regulatory Authorities to impose mandatory training or re-training for educators, staff members, and volunteers, with the cost borne by the individual (Option 5).

These changes would strengthen accountability, promote professionalism, and ensure child safety. They aim to support approved providers with clear guidance and resources to define and manage staff conduct expectations whilst providing regulatory authorities the ability to take swift action. There is also an emphasis on procedural fairness and support for educators through mandatory professional development and training, reinforcing high standards across the sector.

Option 4 is particularly significant in recognising that not all misconduct arises from individual failings alone. It enables regulators to distinguish between misconduct that results from individual poor behaviour and misconduct that is a foreseeable consequence of the way a service is managed—for example, inadequate staffing, weak supervision, or systemic neglect of risk indicators. This distinction ensures that providers are held accountable when the conditions they create contribute to misconduct, while also maintaining fair and proportionate responses for individual staff.

Implementation Considerations

Clear Guidance and Resources. Develop detailed and accessible resources for providers, including templates for employment contracts, codes of conduct, and policies.

Accountability and Oversight. Clear guidelines for when and how supervision orders should be applied to approved providers. This may involve developing a monitoring framework to track compliance and assess the effectiveness of supervision orders in addressing systemic failures. There should be safeguards in place to ensure that providers have the necessary support to address issues and improve their practices.

Provision of Mandatory Training. Implement a system for identifying and tracking individuals who require mandatory training or re-training. Ensure that the training is high-quality, relevant, and accessible.

Monitoring and Evaluation. Establish mechanisms to monitor the effectiveness of these changes, including collecting data on compliance, the outcomes of suspension or supervision orders, and the impact of mandatory training on staff behaviour.

Working with Children Checks

Requiring an approved WWCC prior to commencing paid or volunteer work at an education and care service.

We support **Options 2 and 3**. Requiring an approved Working with Children Check before commencing paid or volunteer work in ECEC services is a critical regulatory measure. This approach ensures that individuals are vetted for suitability prior to engaging with children, thereby reducing potential risks. Introducing this requirement nationally ensures consistency across all jurisdictions.

Requiring approved providers and Regulatory Authorities to be notified about changes in WWCC status.

We support **Options 2 and 3**. Requiring approved providers and regulatory authorities to be notified of any changes in an individual's WWCC status is a critical policy measure to enhance child safety, reducing the risk of unsuitable individuals remaining in the sector, and closes the loophole of differences across jurisdiction.

Implication considerations

Privacy and Data Protection. Ensuring that the sharing of WWCC status changes complies with privacy laws and protects individuals' personal information.

System Integration. Developing and integrating real-time notification systems may require technological upgrades and training for both providers and authorities.

Administrative Workload. Providers will need to allocate resources to monitor notifications and take appropriate actions.

Improving the Safety of the Physical Service Environment

Service and temporary waivers for the design of premises (to facilitate supervision of children).

We support **Option 3** to remove the ability for a service waiver to be applied for, whilst maintaining the ability to apply for a temporary waiver, with no impact on existing waivers. We believe this strikes the right balance between ensuring rooms and environments are fit for purpose in terms of safety and supervision, whilst recognising there are circumstances where temporary waivers are appropriate (i.e.: during a rebuild or renovation process, or in response to a natural disaster). Temporary waivers ensure that child and family access to a service is maintained, with the appropriate risk-mitigation measures in place. This option sends a strong policy signal that supervision-related design is an important part of child safety.

Implication considerations

Transition Support Needs. Services currently relying on design-related service waivers may require guidance, technical support, and potentially financial assistance to come into compliance once their existing waiver expires. Some services—especially those in older buildings, heritage sites, or with complex lease arrangements—may struggle to achieve compliance without support. And services in low-income areas may need additional support.

Requiring approved providers to assess not just the FDC residence, but areas near the residence.

We support **Options 2, 3, and 4**, which propose enhanced requirements for approved providers to assess not only the Family Day Care residence but also the surrounding areas. These measures are vital for ensuring the safety and wellbeing of children in FDC settings.

Policy Option 2: Mandating that approved providers assess areas adjacent to the FDC residence recognises that external environments can significantly impact child safety. Factors such as nearby bodies of water, busy roads, or unfenced properties can pose risks.

Policy Option 3: Requiring approved providers to document and maintain records of these assessments promotes accountability and facilitates ongoing monitoring. This documentation ensures that any identified risks are tracked and addressed promptly, and it provides a clear record for regulatory authorities to review during inspections or in response to incidents.

Policy Option 4: Implementing periodic reassessments of both the FDC residence and its surrounding areas acknowledges that environments can change over time. New hazards may emerge that could affect child safety. Regular reassessments ensure that providers remain vigilant and responsive to evolving risks, maintaining a consistently safe environment for children.

Implication Considerations:

Operational Impact. Providers may need to allocate additional time and resources to conduct comprehensive assessments and maintain documentation.

Training Needs. Staff may require information and training to effectively identify and evaluate potential hazards in the surrounding environment.

Regulatory Oversight: Regulatory authorities will need to establish clear guidelines and support mechanisms to assist providers in meeting these new requirements. This may include developing assessment templates and offering training sessions.

Enabling authorised officers to access a FDC residence or property, beyond the service premises, in specific instances or for specific purposes.

We support **Options 2 and 3**. By allowing targeted, regulated access to areas beyond the approved premises, this policy setting strikes a necessary balance between respecting the private nature of FDC residences and ensuring children are educated and cared for in safe, compliant environments.

Implication considerations

Privacy and Consent. Safeguards must be in place to ensure access is clearly limited to circumstances where there is reasonable cause—such as when risks to child safety are suspected, or when the area is being used in connection with the service.

Clear Regulatory Guidance. It will be essential to provide precise criteria defining the “specific instances or purposes” that justify expanded access, to prevent misuse or ambiguity and to support consistent practice across jurisdictions.

Training for Authorised Officers. Officers will need additional training to handle sensitive interactions with educators and families appropriately, balancing respectful engagement with enforcement of child safety requirements.

Legal and Procedural Safeguards. The regulatory framework should include procedural protections, such as notice requirements where appropriate, and guidance on documentation and conduct during such inspections.

Additional Recommendations

Effective identification, monitoring and regulation of ‘related providers.’

We support **Options 2, 3a and 3b**. Developing a more robust system to identify and record relationships between approved providers would enable regulators to detect patterns of non-compliance and systemic issues across affiliated services. This is particularly important as provider and company structures increase in complexity. A clearer understanding of these connections would support more effective oversight and intervention, helping regulatory bodies identify risks that may be missed when services are assessed individually.

Extending the limitation period for commencing proceedings under the National Law.

We support **Option 2**. This would better reflect the nature and complexity of child safety matters, where harm or non-compliance may not be immediately apparent, and investigations can be lengthy due to the sensitive nature of evidence gathering and procedural requirements. A longer limitation period ensures that providers and individuals remain accountable for their actions over a reasonable time frame, even where evidence emerges after a delay. However, extending the limitation period for commencing proceedings should complement—not replace—the need for urgent action in child safety matters.

Information sharing provisions for recruitment agencies.

We support **Options 2, 3, 4 and 5** as a comprehensive set of measures to strengthen information sharing provisions between regulatory authorities and recruitment agencies, recognising that labour hire arrangements are an increasing part of the ECEC workforce landscape. Recruitment agencies play a critical role in sourcing and placing educators and staff and must be held to the same child safety and quality assurance expectations as direct employers.

Option 2, allowing regulatory authorities to share compliance and enforcement information directly with recruitment agencies will help prevent individuals with concerning histories or ongoing investigations from being repeatedly re-engaged across different services.

Option 3, defining obligations for recruitment agencies to maintain appropriate standards in screening, record keeping, and ongoing monitoring of staff will bring them in line with approved providers and services. This step will reduce the risk of unsuitable individuals being placed in roles with access to children.

Option 4, mandating two-way information sharing between services and recruitment agencies will close critical gaps in communication. For example, if a service terminates a placement due to behavioural or safety concerns, that information should be relayed to prevent re-placement elsewhere.

Implementation considerations:

Agency Registration for Oversight. Agencies should be required to register with, or be known to, the Regulatory Authority to ensure they meet standards for secure and appropriate information handling.

Clear Protocols for Privacy and Use. Robust guidelines to govern how shared information is managed, ensuring data privacy and specifying permissible use.

Support During Implementation. Transitional support and clear guidance provided to agencies to assist with compliance as new obligations are introduced.

Defined Scope and Procedural Fairness. Clearly define what information must be shared—such as substantiated misconduct or active investigations—and include safeguards to protect procedural fairness for individuals involved.

Centralised and Consistent Reporting. Explore the creation of centralised reporting mechanisms to streamline information flow, improve consistency, and enhance transparency across jurisdictions.