



## CHILD PROTECTION POLICY QLD

**SUB CATEGORY:** Health, Hygiene and Safety

### POLICY GOAL

To ensure educators and other adults working with children have an awareness of child protection law and are able to act to protect children from harm.

### RATIONALE

As early educators we have a moral obligation to protect all children and young persons. As a service we have a requirement to inform educators and other adults working with children of their obligation under the Law. This policy outlines the practices to follow in the event of suspicion or disclosure of harm and steps to take to prevent harm from occurring.

Protecting children is about more than managing disclosure or suspicion of harm, it includes preventative and early intervention strategies. There are 3 ways the services can protect children

1. Response – this is usually after harm has occurred and is the most critical and least effective, it will only prevent further occurrences.
2. Early Intervention – Identifies families and children at risk, it is a targeted approach working with families and children to prevent abuse and is moderately effective.
3. Prevention – this is a whole of population approach to prevent harm before it occurs, it is the most effective but requires a change to the whole community. It is like the “Life be in it” campaign of the 80’s.

#### **Education and Care Services National Regulations:**

##### ***“84 Awareness of child protection law***

*The approved provider of an education and care service must ensure that nominated supervisors and staff members at the service who work with children are advised of—*

- (a) the existence and application of the current child protection law; and*  
*(b) any obligations that they may have under that law.”<sup>1</sup>*

#### **Education and Care Services National Law:**

##### ***“162A Persons in day-to-day charge and nominated supervisors to have child protection training***

*The approved provider of an education and care service must ensure that each nominated supervisor and each person in day-to-day charge of the service has successfully completed the child protection training (if any) required by or under the law of this jurisdiction, a Government protocol applying to the approved provider in this jurisdiction or otherwise required by this jurisdiction.*

#### **Quality Area 2 – National Quality Standards, Element 2.2.3**

*“Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.*

##### ***What Element 2.2.3 aims to achieve***

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<sup>1</sup> Education and Care Services National Regulations (version July 2020)

*Management, educators, family day care educator assistants and other staff members must be aware of current child protection policy and procedures, including their legal responsibilities, and be able to act when required to protect any child who is at risk of abuse or neglect.*

**National Law and National Regulations underpinning Element 2.2.3**

- 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
- Regulation 84 Awareness of child protection law

**Additional state/territory requirements**

*In addition to complying with the National Quality Framework, approved providers, educators and other staff may be required to report on incidents or suspected incidents involving children under other state and territory laws including child protection legislation.*

**Notifying physical or sexual abuse to the Regulatory Authority**

*The following guidance is for notifying physical and sexual abuse to the regulatory authority as required by the NQF. In addition to reporting an incident to the regulatory authority, it may be appropriate to report the matter under reportable conduct (e.g. Ombudsman), to child protection agencies or to the police. This is to meet other reporting requirements for approved providers, educators and service staff under different state and territory laws. For example, child protection laws or child safe standards may apply in your jurisdiction, in addition to your obligations under the National Quality Framework.*

*National Regulation 175(2)(d) and (e) require the approved provider to notify the regulatory authority of any allegations or incidents where they reasonably believe physical or sexual abuse of a child or children is occurring, while they are at or being cared for by an education and care service. The intent of the National Regulation is to ensure incidents and allegations of physical or sexual abuse by a staff member or other adult at the service are reported.*

*Incidents that occur between children may be notifiable, such as cases where one child has power over the other because of physical stature or an age difference.*

*Regulation 175(2)(d) and (e) do not relate to incidents and allegations of physical or sexual abuse of a child or children when they are not being cared for by an education and care service.”<sup>2</sup>*

**Notifications:**

| Type of Notification   | Responsible       | Timeframe     | Reference                                 |
|--|-------------------|---------------|---|
| Any incident where the provider reasonably believes that physical or sexual abuse of a child or children has occurred or is occurring while the child is being educated and cared for by the service | Approved provider | Within 7 days | Section 174(2)(c)<br>Regulation 175(2)(d) |
| Allegations that physical or sexual abuse of a child or children has occurred or is occurring while the child or children are being educated and cared for by the service                            | Approved provider | Within 7 days | Section 174(2)(c)<br>Regulation 175(2)(e) |

<sup>2</sup> “Guide to the National Quality Framework” Australian Children’s Education & Care Quality Authority Jan 2020

**Changes to mandatory reporting requirements in the Child Protection Act 1999 (Mandatory reporting – Mason’s Law) were passed by Parliament in September 2016**

*“Early childhood education and care (ECEC) professionals are now mandated by law to report child safety concerns to the department, where there is a reasonable suspicion that the child has suffered, is suffering, or is at unacceptable risk of suffering, significant harm caused by physical or sexual abuse, and there is not a parent willing and able to protect the child from harm.*

*ECEC professionals include staff from family day care, kindergarten, limited-hours care, long day care and after-school hours care. Individuals who are volunteers or under 18 years of age are not mandatory reporters.*

*ECEC professionals are not prescribed entities and cannot refer families to Family and Child Connect or an intensive family support service without their consent. If concerns about a family do not meet the legislative threshold for reporting to the department, ECEC professionals are encouraged to refer families to support services, with their consent.”<sup>3</sup>*

**“A child in need of protection:**

- *has suffered significant harm, is suffering significant harm, or is at an unacceptable risk of suffering significant harm and*
- *does not have a parent able and willing to protect the child from the harm.*

*Anyone may report to Child Safety a reasonable suspicion that a child **may** be in need of protection, or an unborn child may be in need of protection after they are born.*

*A reasonable suspicion can be formed when there is information to suggest that a child:*

- *has suffered significant harm, is suffering significant harm, or is at an unacceptable risk of suffering significant harm and*
- *may not have a parent able and willing to protect the child from the harm.*

*Mandatory reporters must report to Child Safety a reasonable suspicion that a child has suffered, is suffering or is at unacceptable risk of suffering significant harm caused by physical or sexual abuse and may not have a parent able and willing to protect them from the harm. Mandatory reporters should still report to Child Safety a reasonable suspicion a child may be in need of protection where the harm or risk of harm relates to any other type of abuse or neglect.*

**Family and Child Connect**

*Family and Child Connect provides information and advice to people seeking assistance for children and families where there are concerns about their wellbeing. Families who find themselves in need of support can also contact Family and Child Connect services for advice and help. The service is designed to support vulnerable families by assessing their needs and referring them to the most appropriate support service. Where a family has multiple or complex needs and are willing to access support, Family and Child Connect services refer them to an intensive family support service. ECEC professionals must seek the family’s consent prior to referring them to Family and Child Connect.”<sup>4</sup>*

**Information about Family and Child Connect Services**

<sup>3</sup> “Mandatory Reporting” Department of Child Safety, Youth and Women. (access on-line April 2020) <https://www.csyw.qld.gov.au/child-family/protecting-children/about-child-protection/mandatory-reporting>

<sup>4</sup> “Mandatory Reporting by Early Childhood Education and Care Professionals” (accessed on-line April 2020) <https://www.csyw.qld.gov.au/resources/dcsyw/child-family/protecting-children/info-sheet-1-mandatory-reporting.pdf>

***“Family and Child Connect can help with a range of family and parenting issues. We’ll talk with you about your situation and work out the type of support you might find helpful.***

*We can connect you to local services that can help with:*

- *managing your child's behaviour*
- *building better family relationships*
- *stopping any violence at home*
- *budgeting and managing money*
- *alcohol, drug or gambling problems*
- *housing, health care or other community or government services*

***You can use this service as often as you need. There is no limit and no cost. Every family is different so when you speak with us you will get advice and support specific to your situation. You can make contact by visiting us in person, calling 13 FAMILY (13 32 64) or by completing our online referral form.”<sup>5</sup> You can access locations here: <http://familychildconnect.org.au/>***

#### **Mandatory Reporting Facts:**

- *“Under the Child Protection Act 1999, mandatory reporters are required to report concerns about a child who may have experienced significant **physical** or **sexual abuse**.*
- *Additionally, mandatory reporters are required to report concerns about a child who may be experiencing neglect and emotional harm.*
- *The following are mandatory reporters:*
  - *Doctors*
  - *Registered nurses*
  - *Teachers*
  - *Police officers with child protection responsibilities*
  - *Child Safety employees and employees of licensed care services*
  - *Employees of the Public Guardian*
  - *Early childhood education and care professionals, from 1 July 2017*
- *The Queensland Law Reform Commission found that the early childhood education and care sector is uniquely positioned to observe and report concerns about physical and sexual abuse of children.*
- *Amendments to the mandatory reporting requirements in the *Child Protection Act 1999*(Mandatory reporting –Mason’s Law) were passed by Parliament in September 2016.*

#### ***“Who will be required to report harm?***

- *Early childhood education and care professional means an individual, other than a volunteer or an individual under the age of 18, who is:*
- *(b)any of the following under the Education and Care Services Act 2013:*
  - i. *an approved provider*
  - ii. *a supervisor for a QEC approved service*
  - iii. *an educator for a QEC approved service*

*Or*

- *Any of the following under the Education and Care Services National Law (Qld):*
  - *an approved provider*
  - *a nominated supervisor for an approved education and care service*
  - *an educator for an approved education and care service*
  - *a family day care coordinator for an approved family day care service*

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<sup>5</sup> Family and Child Connect website (accessed on-line April 2020)  
<http://www.familychildconnect.org.au/index.asp>

- *a family day care educator for an approved family day care service*

**Definitions under the Child Protection Act 1999:**

- A 'child' is an individual under 18 years
- A child in need of protection is a child who:
  - has suffered significant harm, is suffering significant harm, or is at unacceptable risk of suffering significant harm, and
  - does not have a parent able **and** willing to protect the child from harm
- A 'parent' of a child is the child's mother, father or someone else having or exercising parental responsibility for the child."<sup>6</sup>

**Online Child Protection Guide (CPG)**

*"The Queensland Child Protection Guide (CPG) is a tool to assist professionals' decision-making if concerns arise about a child who appears:*

- *to have experienced, or is likely to experience significant harm AND*
- *may not have a parent willing and able to protect them from harm.*

*The CPG will help professionals decide to report to the Department of Child Safety, Youth and Women (Child Safety) or refer to other service providers, to help families receive appropriate supports and services in a timely manner.*

***The CPG is intended to complement rather than replace an individual professional's critical thinking and does not prohibit a professional from any course of action they believe is appropriate.***

***NOTE: Call '000' and ask for the appropriate service to respond to an emergency and/or seek immediate medical or mental health care, if:***

***child has a serious illness or injury requiring immediate medical attention***

- ***a crime has just been or is about to be committed***
- ***a child has just caused or is about to cause serious harm to self or others.***

***When the situation is under control, proceed to using this CPG to guide your decision if required."***<sup>7</sup>

**What is Child Abuse**

The following information about abuse is from **the Department of Child Safety, Youth and Women QLD** and is provided to assist educators in understanding and identifying suspected harm;

*"There are four different types of child abuse:*

- *physical abuse*
- *sexual abuse*
- *emotional abuse*
- *neglect.*

*Child abuse can be a single incident, or can be a number of different incidents that take place over time. Under the Child Protection Act 1999, it does not matter how much a child is harmed, but whether a child:*

- *has suffered harm, is suffering harm, or is at risk of suffering harm*
- *does not have a parent able and willing to protect them from harm.*

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<sup>6</sup> "Understanding Mandatory Reporting" Qld Government Department of Child Safety, Youth and Women PowerPoint presentation (accessed on-line April 2020)

<https://www.csyw.qld.gov.au/resources/dcsyw/child-family/protecting-children/mandatory-reporting-eccec-presentation.pdf>

<sup>7</sup> "Online Child Protection Guide", Department of Communities, Child Safety, Youth and Women (accessed on-line April 2020) <https://secure.communities.qld.gov.au/cpguide/engine.aspx>

*Harm is defined as any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing (section 9 of the Child Protection Act 1999). For harm to be significant, the detrimental effect on a child's wellbeing must be substantial or serious, more than transitory and must be demonstrable in the child's presentation, functioning or behaviour.*

**Physical abuse**

*Physical abuse occurs when a child has suffered, or is at risk of suffering, non-accidental physical trauma or injury. Physical abuse can include:*

- *hitting*
- *shaking*
- *throwing*
- *burning*
- *biting*
- *poisoning.*

*Physical abuse does not always leave visible marks or injuries. It is not how bad the mark or injury is, but rather the act itself that causes injury or trauma to the child.*

**Sexual abuse**

*Sexual abuse occurs when an adult, stronger child or adolescent uses their power or authority to involve a child in sexual activity.*

*Sexual abuse can be physical, verbal or emotional and can include:*

- *kissing or holding a child in a sexual manner*
- *exposing a sexual body part to a child*
- *having sexual relations with a child under 16 years of age*
- *talking in a sexually explicit way that is not age or developmentally appropriate*
- *making obscene phone calls or remarks to a child*
- *sending obscene mobile text messages or emails to a child*
- *fondling a child in a sexual manner*
- *persistently intruding on a child's privacy*
- *penetrating the child's vagina or anus by penis, finger or any other object*
- *oral sex*
- *rape*
- *incest*
- *showing pornographic films, magazines or photographs to a child*
- *having a child pose or perform in a sexual manner*
- *forcing a child to watch a sexual act*
- *child prostitution.*

**Emotional abuse**

*Emotional abuse occurs when a child's social, emotional, cognitive or intellectual development is impaired or threatened. It can include emotional deprivation due to persistent:*

- *rejection*
- *hostility*
- *teasing/bullying*
- *yelling*
- *criticism*
- *exposure of a child to domestic and family violence.*

**Neglect**

*Neglect occurs when a child's basic necessities of life are not met, and their health and development are affected. Basic needs include:*

- *food*

- *housing*
- *health care*
- *adequate clothing*
- *personal hygiene*
- *hygienic living conditions*
- *timely provision of medical treatment*
- *adequate supervision.”<sup>8</sup>*

**“Signs of child abuse and neglect**

*A child who has been, or may be experiencing abuse may show behavioural, emotional or physical signs of stress and abuse.*

**Some general indicators of child abuse include:**

- *showing wariness and distrust of adults*
- *rocking, sucking or biting excessively*
- *bedwetting or soiling*
- *demanding or aggressive behaviour*
- *sleeping difficulties, often being tired and falling asleep*
- *low self-esteem*
- *difficulty relating to adults and peers*
- *abusing alcohol or drugs*
- *being seemingly accident prone*
- *having broken bones or unexplained bruising, burns or welts in different stages of healing*
- *being unable to explain an injury, or providing explanations that are inconsistent, vague or unbelievable*
- *feeling suicidal or attempting suicide*
- *having difficulty concentrating*
- *being withdrawn or overly obedient*
- *being reluctant to go home*
- *creating stories, poems or artwork about abuse.*

**Some indicators of neglect include:**

- *malnutrition, begging, stealing or hoarding food*
- *poor hygiene, matted hair, dirty skin or body odour*
- *unattended physical or medical problems*
- *comments from a child that no one is home to provide care*
- *being constantly tired*
- *frequent lateness or absence from school*
- *inappropriate clothing, especially inadequate clothing in winter*
- *frequent illness, infections or sores*
- *being left unsupervised for long periods.”<sup>9</sup>*

**Where there are concerns for the well-being of a child or young person the Nominated Supervisor can use the Child Protection Guide available at the Department Child Safety, Youth and Women website at**

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<sup>8</sup> “What is Child Abuse?” Department of Child Safety, Youth and Women website, Queensland Government (accessed on-line April 2020)

<https://www.csyw.qld.gov.au/child-family/protecting-children/what-child-abuse>

<sup>9</sup> “What is Child Abuse? - Brochure” Department of Child Safety, Youth and Women website, Queensland Government (accessed on-line April 2020)

<https://www.csyw.qld.gov.au/resources/dcsyw/child-family/protecting-children/child-abuse-brochure.pdf>

<https://www.csyw.qld.gov.au/about-us/partners/child-family/our-government-partners/queensland-child-protection-guide>

## **EMPLOYMENT AND VOLUNTEERS – BLUE CARD SYSTEM**

### **2020 changes – No Card, No Start**

*“In the past, paid employees have been allowed to start working with children while their blue card application was being processed. The new laws mean that, from 31 August 2020, paid workers must have a blue card (not a pending application) **before** they can work with children.*

*Volunteers, trainee students and people operating a business are already subject to No Card, No Start laws.*

*If your organisation employs blue card holders, this means that you will be prohibited from employing a person in child-related work unless:*

- *the person holds a valid blue card and you have linked the person’s blue card to your organisation.”<sup>10</sup>*

*“The changes include:*

- *[the No Card, No Start law](#)—you cannot work or volunteer in a position requiring a blue card until your application is approved and you get your card*
- *[a new rule for expiring cards](#)—if you don't renew by the expiry date, you will be subject to the No Card, No Start law and cannot work*
- *a requirement to notify us about [changes in your police information](#) as a card holder or applicant*
- *stricter requirements for people who rely on an exemption to work or volunteer with children—through the introduction of the terms [restricted person and restricted employment](#), and associated offences*
- *[a new frequency test](#)—if you only work 7 or fewer days in a calendar year, a blue card may not be required. This does not apply if you operate a business*
- *[an expiry date for exemption cards](#) for Queensland police and teachers, so they will need to be renewed if still required.”<sup>11</sup>*

### **The blue card system explained**

*“Blue Card Services administers the blue card system—Queensland’s Working with Children Check. All children in Queensland have a right to be safe and protected from harm. The blue card system regulates activities which are essential to children’s lives. These include child care, education, sport, cultural activities and foster care. We check and monitor people who work in these industries and help organisations to create safe environments for children. The blue card system is made up of 3 parts: screening, ongoing monitoring and risk management strategies.*

### **Blue Card Screening**

*The first part of the blue card system is the screening which is also known as the blue card check. This is to check if you are eligible to work with children.*

*The blue card check is more than a police check, it looks at:*

- *a charge or conviction for any offence in Australia, even if no conviction was recorded (this includes spent convictions, pending and non-conviction charges)*
- *child protection prohibition orders (both respondents and subjects to the application)*

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<sup>10</sup> Blue Card News Email regarding changes to blue card from August 2020

<sup>11</sup> “About the upcoming Changes”(accessed on-line July 2020)

<https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulating-industries-and-licensing/blue-card/system/review/summary>

- *disqualification orders*
- *reporting obligations under the Child Protection (Offender Reporting and Offender Prohibition Order) Act 2004 or Dangerous Prisoners (Sexual Offenders) Act 2003*
- *disciplinary information from certain organisations (this includes information about teachers, child care licensees and foster carers)*
- *police investigative information relating to allegations of serious child-related sexual offences, even if no charges were laid.*

*If your application is approved we will give you a blue card.*

*If your application is refused, we will not give you a blue card and you will not be able to work or volunteer with children. Before we make this decision, we may ask you for your side of the story through a submission.*

### **Ongoing monitoring**

*We get updates from the Queensland Police Service each day. These updates let us know if there has been a change to an applicant or card holder's police information. This means we can take immediate steps to protect children from harm.*

*We also monitor organisations and business operators to make sure they are complying with their obligations under the blue card system.*

### **Child and youth risk management strategies**

*Child-related organisations and people who run a child-related business need to have a child and youth risk management strategy. This strategy is to make sure your organisation is a safe place for children. We have resources available to help you to create a child and youth risk management strategy.”<sup>12</sup>*

*“You will need a blue card if you are a staff member of an education and care service or you will be doing any work in an [education and care service premises](#) while children are present.*

*In general, an education and care service is a service other than a school that provides regular education and care to children under 13—although there are other exemptions. Learn more about [education and care services](#).*

*This means a blue card is required for:*

- *a person who*
  - *provides education or assistance in an education and care service*
  - *works or volunteers at an education and care service while children are present*
  - *lives in a home where an education and care service is provided—including people who are not normally in the home while children are present*
  - *supervises a student's practical placement in an education and care service premises (e.g. assessing a student's work while they are doing a placement).*
- *a tradesperson whose usual work is performed while children are present (including entering the education and care service premises to consult with staff before doing any work)*
- *a student doing a practical placement in an education and care service.*

### **Exemptions**

*These people do not need a blue card to work at an education and care service:*

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<sup>12</sup> “The blue card system explained” Queensland Government (accessed on-line April 2020)  
<https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/system/system-explained>

- a parent volunteering at their child's education and care service
- a person doing work outside the operating hours at the education and care service premises (e.g. a tradesperson who only does work at night or on the weekend, and does not enter the premises while children are present).

*In certain circumstances, you won't need a blue card, including:*

### **Volunteers under the age of 18**

*You don't need a blue card if you are a **volunteer** under the age of 18.*

*If you will continue your volunteer work after you turn 18, you will need to apply for a blue card. We can accept your application 6 months before you turn 18. If your application is approved, your card will be issued on your 18th birthday.*

*You will need a blue card if you are paid for your work or are a student enrolled in a tertiary course (including certificate, TAFE and university courses) and need to do a practical placement.”<sup>13</sup>*

### **Frequency test and exemption cards**

*A person may not need a blue card if the regulated child-related work they are doing is not frequent. The frequency test tells us how long a person can work in regulated employment without a blue card, under certain circumstances.*

*The frequency test will check whether a person needs a blue card based on how much regulated work (paid or volunteer) they will do in a year.*

*You will not need a blue card if your regulated child-related work is **not more than 7 days in a calendar year**. If it is **more than 7 days**, a blue card is needed.*

*For this test, a 'day' includes a full day or part of a day (e.g. 2 hours of work on 1 day is considered to be a day). A 'calendar year' covers the period from 1 January to 31 December.*

*You will not be able to rely on the frequency test if you are either:*

- [a restricted person](#)
- a business operator.

*The new frequency test will only apply to volunteers, paid employees and students doing practical placements for their course.*

*There is no minimum frequency test for people who run a regulated child-related business—you will always need a blue card.*

*This new frequency test will replace all existing frequency tests.*

### **Exemption cards for Queensland police and teachers**

*Exemption cards are only held by police officers with the Queensland Police Service and teachers registered with the Queensland College of Teachers—and only required for work outside of a person's professional duties (e.g. if a police officer is a foster parent, or a teacher volunteers at the local sporting club).*

*Exemption cards will have expiry dates and be valid for 3 years. They will then expire if not renewed.*

*If your exemption card does not have an expiry date printed on it, you will need to renew it by **31***

***August 2023.***

*The No Card, No Start law does not apply to exemption card applicants. Exemption card applicants will be able to start in regulated child-related work as soon as they submit the [exemption card application form](#) to us.*

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<sup>13</sup> “Working or volunteering with children” Queensland Government (accessed on-line July 2020) <https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/required/working-or-volunteering#education>

If you have an existing exemption card, you will be able to start in new employment as soon as the employer [links you to their organisation](#) as an exemption card holder.  
There are no fees for exemption card applications and renewals.”<sup>14</sup>

#### **“Your obligations**

There are obligations applicants, card holders, organisations and business operators need to comply with. If you don’t comply with these obligations, you could be fined.

#### **Changes to personal and employment information**

You must let us know:

- **immediately** if your [personal details change](#)
- **immediately** if your [employment circumstances change](#)
- within 14 days if you [lose your blue card](#)
- before your blue card expires if you wish to [renew your blue card](#).

#### **Changes to police information**

You must let us **and your employer** know if:

- [your police information changes](#). You don’t have to tell your employer the details of any offence(s); only that a change has happened.

#### **Suspension of blue card or exemption card**

If your blue card or exemption card is suspended you must not:

- apply for, start, or continue child-related work; or
- start or continue a child-related business.

You must return your card to us **within 7 days**. Once the court finalises your charge, we will re-assess your eligibility to hold a blue card. We will tell you and your employer, volunteer organisation or education provider whether your card is continued or cancelled.

#### **Cancellation of blue card or exemption card**

If your blue card or exemption card is cancelled you must not:

- apply for, start, or continue child-related work; or
- start or continue a child-related business.

You must return your card to us **immediately**.”<sup>15</sup>

### **ORGANISATIONS**

#### **“Check if a blue card is valid**

If you are looking to employ a volunteer or paid employee, you can check that their blue card is valid. The information provided using this service is only correct as of the time that you complete the service. An employee’s blue card status can change at any time.

#### **Update your organisation's details with Blue Card Services**

You need to let us know if there are any changes to your organisation’s details so we can get in touch with you quickly when necessary.

#### **Link or unlink an employee**

You need to let us know when there are changes to your blue card workers’ employment status.

There is a form for when a blue or exemption card holder:

- [starts working with your organisation](#)
- [stops working with your organisation](#).

#### **Contact details**

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<sup>14</sup> “Frequency Test and Exemption Cards” Queensland Government (accessed on-line August 2020)  
<https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/system/review/frequency-test>

<sup>15</sup> “Rights and obligations under the blue card system” Queensland Government (accessed on-line April 2020)  
<https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/system/rights-and-obligations>

Fill in the [update organisation details form](#) to let us know about any changes to your organisation's:

- name
- address or contact details
- contact people (including when a contact person changes their name).<sup>16</sup>

***"To further strengthen the blue card system, we are introducing 2 new terms—'restricted person' and 'restricted employment'—as well as new offences, which mean certain people will not be able to rely on the current exemptions to work or volunteer with children.***

### **Restricted person**

A restricted person is a person who either:

- has been issued a negative notice
- has a suspended blue card
- is a [disqualified person](#)
- has been charged with a [disqualifying offence](#) that has not been finalised.

### **Restricted employment**

Restricted employment refers to the situations or exemptions that allow a person to work with children without a blue card, such as if they are:

- a volunteer parent
- a volunteer who is under 18
- paid or unpaid staff who work in regulated child-related employment for not more than 7 days in a calendar year
- a consumer at a child-related service outlet where they also carry out work at the outlet.

### **Offences**

It will be an offence for a restricted person to start or continue working or volunteering in restricted employment. The maximum penalty will be \$66,725 (500 penalty units) or 5 years in prison.

It will also be an offence for an employer to employ or continue to employ a restricted person in restricted employment if they know (or should reasonably know) that they are a restricted person. The maximum penalty will be \$26,690 (200 penalty units) or 2 years in prison.<sup>17</sup>

## **IMPLEMENTATION**

- It is essential that all employees are aware of their obligations as a mandatory reporter in Qld.
- Where there is concern for a child raised by an educator they should complete the Online Child Protection Guide with the Nominated Supervisor, this should be printed and kept in a confidential manner.
- Regardless of the outcome of the OPG, the educator or Nominated Supervisor may still decide to report to Child Safety should they have a concern, this guide compliments reporting procedures.
- All educators are responsible as mandatory reporters, not just Nominated Supervisors, whilst educators must discuss their concerns with the Nominated Supervisor and consider action required, each individual educator is responsible for reporting their concerns if the Nominated Supervisor does not act. In this event the manager or Approved Provider must also be notified.
- All educators must report concerns to child safety if they reasonably suspect that a child may be in need of protection, or that an unborn child may be in need of protection after they are born.

<sup>16</sup> "Organisations employing blue card workers" Queensland Government (accessed on-line April 2020) <https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/organisations>

<sup>17</sup> "Preventing certain people from relying on exemptions – Changes to the Blue Card System" Queensland Government (accessed on-line August 2020) <https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/system/review/restricted-person>

- Reports to child safety services can be done:
  - During normal business hours to the regional intake service – see contacts below or at <https://www.csyw.qld.gov.au/contact-us/departments-contacts/child-family-contacts/child-safety-service-centres/regional-intake-services>
  - after hours Phone 1800 177 135
  - online using the online report form <https://secure.communities.qld.gov.au/cbir/ChildSafety#>
  - if you believe a child is in immediate danger or in a life-threatening situation, contact the Qld Police Service by dialling 000
- Educators should support families in their parenting roles through providing information and contact details for support services where needed.
- Educators must establish strong communication and effective relationships with families and be aware of stresses placed on the family. Where stresses are identified educators must advise the Nominated Supervisor who will consider options to support the family. Some stressors that may contribute could include;
  - Loss of employment/financial stressors
  - Relocation to an area with little or no support from family/friends
  - Family breakdown
- Services should consider options which may support families including accessing Additional Child Care Subsidy where this is applicable.
- The Service will maintain a current list of local community resources that can provide information and support for children, families, educators, and other adults working with children in relation to children at risk of abuse and/or neglect.
- Where identified, Nominated Supervisors may support families to make contact with appropriate support services/agencies such as Family and Child Connect (parental consent required)
- Educators will work collaboratively with other authorities and professionals to support children who have specific protection needs.
- Early intervention strategies to support children include;
  - Teaching them to trust their “feelings”
  - Encouraging children to look after their friends/buddy
  - Building and maintaining open communication and trust with children so they feel they can communicate important messages to you
  - Involving families in activities – weekend diaries... what did you do on the weekend... encourages families to participate in activities together
- The service has a Child and Youth Risk Management Strategy which should be shared with educators. Posters should be displayed for families and educators should sign the Code of Conduct around children safe practices.

#### **Intake on Injury form process:**

##### **Procedure for Injuries that occurred prior to attending the centre eg home:**

Families must inform educators of any injuries/trauma sustained by their child outside of centre hours by completing an Intake form on arrival. This form details the circumstances of the injury, illness or trauma and the nature of the injuries sustained. Educators must ensure this form is checked and signed prior to Families leaving their child for the day and ensure the child is monitored as required. This form may be used for burns, broken limbs, severe nappy rash, previous hospital admissions etc.

#### **Suspicion and Disclosure**

- Educators have ‘reasonable grounds’ to suspect harm if;
  - A child tells you they have been harmed

- Someone else, for example another child, a parent or a staff member, tells you that harm has occurred or is likely to occur
- A child tells you they know someone who has been harmed (it is possible that they may be referring to themselves)
- You are concerned at significant changes in the behaviour of a child or the presence of new unexplained injuries
- You see the harm happening
- Where educators suspect that a child has been harmed, or is at risk of being harmed, here are some important things to remember:
  - be alert to any warning signs that a child is experiencing
  - observe the child and make written notes as soon as you begin to have concerns - pay attention to changes in their behaviour, ideas, feelings and the words they use
  - have gentle, non-judgemental discussions with the child - expressing your concern that a child looks sad or unwell can result in disclosures
  - do not pressure the child to respond and do not ask questions that put words into a child's mouth
  - assure the child that they can come and talk to you when they need to, and listen to them when they do
  - when a child is being abused it does not go away and usually becomes more serious over time
  - Report immediately to your Nominated Supervisor who will seek expert advice by contacting the [Child Safety Services](#) – numbers listed below.
  - Nominated Supervisors, Approved Providers or educators can use the online Child Protection Guide to determine the best course of action to take. If a report to Child Safety or a referral to Family and Child Connect is recommended, the online Child Protection Guide will generate the appropriate online form to be completed. The Child Protection Guide is available on the Department of Child Safety, Youth and Women website at <https://www.csyw.qld.gov.au/about-us/partners/child-family/our-government-partners/queensland-child-protection-guide>

**NOTE: you have a duty of care to follow through until you are happy with the process and response, If you believe it is an emergency don't use the Online Child Protection Guide, call 000 immediately or report by phone.**

### **Responding to disclosures of abuse**

**The role of educators is to LISTEN, REASSURE AND RESPECT:**

#### **“LISTEN**

- Move to a suitable environment, free of distractions.
- Be calm and patient—allow for the child or young person to be heard.
- Let the child or young person use their own words—avoid asking leading questions.
- Avoid “quizzing” the child or young person about details of the abuse.
- Don't be afraid of saying the “wrong” thing. Listening supportively is more important than what you say.

#### **REASSURE**

- Reassure the child or young person that it is OK that they have told you what's been happening.
- Address any concerns about the child or young person's safety.
- Reassure the child or young person that he or she is not at fault, and not the cause of any distress you may feel.

#### **RESPECT**

- Respect that the child or young person may only reveal some details.

- Acknowledge the child or young person's bravery and strength.
- Avoid making promises you can't keep—manage the child or young person's expectations.
- Explain to the child or young person that in order for them to be safe you will need to report their experience to someone else.”<sup>18</sup>

**Where there is an allegation of harm occurring at the service**

- If the suspected harm has occurred at the service and involves an educator or other adult working with children, the following must be followed by the Nominated Supervisor
  - Explain that your organisation has processes to ensure all abuse allegations are taken very seriously.
  - Ask about the wellbeing of the child.
  - Allow the parent/carer to talk through the incident in their own words.
  - Advise the parent/carer that you will take notes during the discussion to capture all details.
  - Explain to them the information may need to be repeated to authorities or others, such as the organisation's management or Child Safety Officer, the police or child protection.
  - Do not make promises at this early stage, except that you will do your best to keep the child safe.
  - Ask them what action they would like to take and advise them of what the immediate next steps will be.
  - Ensure the report is recorded accurately, and that the record is stored securely.
  - Advise the team member, volunteer or student of the allegation and allow them the opportunity to respond.
  - Ensure procedural fairness and natural justice is followed
    - the right to be heard fairly;
    - the right to an unbiased decision made by an objective decision maker; and
    - the right to have the decision based on relevant evidence
  - It may be appropriate to ask that educator to stand down from duties with children while the investigation is conducted and may be asked to “show cause”. If this occurs the team member should remain on full pay and may be relocated to another suitable position. The team member must be considered innocent of allegations until an investigation is concluded.
  - The Approved Provider and Nominated Supervisor must report any incident or allegation of physical or sexual abuse of a child or children which has occurred while the child was being cared for at the service within 7 days.

**When an allegation is made the following documents should be clearly maintained:**

- the allegation (an accurate and as close to verbatim account as possible of what has been said and by whom)
- the initial response to the person making the allegation, the alleged victim(s) and the employee who is the subject of the allegation
- consideration of the need to notify
- a plan detailing how the investigation is to be carried out, including whether any organisations require notifying

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<sup>18</sup> “Responding to children and young people's disclosures of abuse” Australian institute of family studies, child family community Australia, (accessed on-line April 2020)  
<https://aifs.gov.au/cfca/sites/default/files/disclosure-infographic.pdf>

- all interviews, including details of the questions and responses. This should also include the location of the interview, who was present and the start and finish times of the interview. Where possible, records should be verbatim, verified, signed and dated by all involved
- any decisions made, both during and at the conclusion of the investigation, including their rationale, the position and name of the person making the decision and the date the decision was made
- any personal contact, discussions or emails with anyone about the matter. This should include the date, details of the discussions, questions, advice and outcome, the name of the person making the contact, details of their position and where appropriate, the reason for the contact
- a summary report that details the allegation, the investigation process, the findings in relation to each allegation (including the rationale for the finding), the final assessment (which includes any final decision about the employee and the factors that have been considered) and any subsequent action that is to be or has been taken
- documents relating to notifications must be maintained and stored securely.

### Reporting

The Approved Provider and Nominated Supervisor must ensure all allegations and incidents of harm are reported:

- Allegations or incidents of physical or sexual harm occurring at the service to the Regulatory Authority
- Allegations, disclosures or suspicions of harm to a child to Child Safety Services, contact details including out-of-hours contacts are in this policy
- Any immediate harm call 000

### Staffing, including students and volunteers

- Note changes from 31<sup>st</sup> August 2020 in relation to working with children checks (Blue Card). Changes should be displayed and communicated to educators, a full list of resources, including checklists for implementation can be found at <https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/system/resources>
- Recruiting the most appropriate people for our service is an essential part of creating a safe and supportive environment for children and young people. Please refer to our Recruitment, Selection and Employment Policy.
  - o Referee checks must be completed for all new employees
  - o Nominated Supervisors must ensure all employees, students and volunteers have a valid blue card for working with children and take all reasonable steps to ensure that any person, including those in “restricted employment” are not a “restricted person”.
  - o Working with Children Checks should be linked and validated on-line for all staff members before their first shift and a record of the validation kept on their file. Linking can occur through the portal or using the **“Link an applicant/cardholder to this organisation form”**. This is the responsibility of the Nominated Supervisor.
  - o The Approved Provider or a relevant manager must complete an on-line check on the working with children status for the Nominated Supervisor and link them to the organisation. Linking can occur through the portal or using the **“Link an applicant/cardholder to this organisation form”**. This should be recorded on the Nominated Supervisor Working with Children Confirmation Form.
  - o The Nominated Supervisor must ensure that all people working or volunteering with children, including those in restricted employment are not a restricted person. Refer to

the definitions for restricted employment and restricted persons in the rationale or visit <https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/system/review/restricted-person>

- Employees, students and volunteers will be required to sign a statement that they are not a restricted person, this will be on Staff, student and volunteer detail forms and sign in registers for students/volunteers.
- The Nominated Supervisor is responsible for notifying changes to organisation details via the on-line portal or by contacting the team at Blue Card Services ph 1800 113 611.
- Individual employees, volunteers and students must notify Blue Card Services of any changes to details including address and contact details and any change to their eligibility for a blue card either on-line or by contacting the team at Blue Card Services ph 1800 113 611.
- Where a person is no longer employed at the service the Nominated Supervisor should update this in the portal or by submitting the Nominated Supervisor to complete an **“Applicant/cardholder no longer with organisation form”** when a person is no longer undertaking child-related activities with the service
- The Approved Provider or a relevant manager must take reasonable steps to check a card holder’s ID and then link them to the service through the Blue Card Organisation Portal before they can start work. This should be recorded on the Nominated Supervisor Working with Children Confirmation Form.
- Everyone must now have a valid blue card prior to commencing at the service in paid work or volunteering. In some instances, a Blue Card is not required, Nominated Supervisor must check with Blue Card Services if they are unsure. Some examples include;
  - People working with children for not more than 7 days in a calendar year will not need a blue card.
  - A volunteer parent of a child regularly receiving care at the child care centre who is not a restricted person. This should be captured on the volunteer sign in register and volunteer form.
- A child under 18 years of age, unless they are a paid employee or a trainee student doing a practical placement as part of their studies with an education provider.
- Nominated Supervisors must keep a Register including Blue Card information for:
  - blue card holders or applicants including:
    - employed staff
    - volunteers
    - students
    - those conducting regular maintenance at the service during operational hours
  - exemption card holders or applicants, and
  - individuals who do not require blue cards (e.g. volunteer parents).
- These records must be checked at least twice per year to ensure it is up-to-date and should include both paid and volunteer persons.
- Upon employment educators and other adults working with children including students and volunteers are made aware of this Child Protection Policy and their responsibilities.
- If suspected harm has occurred at the centre and involves an educator or other adult working with children the following must be followed by the Nominated Supervisor
  - Advise the team member, volunteer or student of the allegation and allow them the opportunity to respond.
  - Ensure procedural fairness and natural justice is followed

- the right to be heard fairly;
- the right to an unbiased decision made by an objective decision maker; and
- the right to have the decision based on relevant evidence
- it may be appropriate to ask the educator to stand down from duties with children while the investigation is conducted and may be asked to “show cause”. If this occurs the team member should remain on full pay and may be relocated to another suitable position. The team member must be considered innocent of allegations until an investigation is concluded.
- Where a complaint alleges that the safety, health or wellbeing of a child was or is being compromised or that the law has been breached the Approved Provider must report this to the Regulatory Authorities within 24hrs of the complaint under the Regulation.

#### **Blue Cards for those conducting maintenance and repairs at the service during operational hours.**

The following applies to those conducting maintenance or repairs at the service during operational hours:

- A blue card is needed if:
  - the company has a contract to do work on a regular basis at one or more child care centres
  - they regularly do gardening, handyman work etc
- Where the repair is not regular, for example an emergency plumbing issue, and work is carried out during operational hours it is not essential that the person conducting the work has a blue card however this is preferred when the option is available. Nominated Supervisors should request a person holding a positive notice attends the service where possible.
- Nominated Supervisors must add contractors to the Blue Card Register and valid their card or application on-line and keep a record of this.
- Those conducting maintenance and repairs must never be in a situation where they are left alone with children and educators must take extra precautions when work is being conducted including supervising bathroom areas.
- Those attending to complete maintenance or repairs who need to apply for a blue card should use the following;
  - if they are the business owner – self-employed or own the plumbing/electrical etc company then:
    - they complete the BCB Form for a business operator, and
    - they cannot commence regular maintenance until their card **arrives**
  - if they are a paid employee of the company doing the work then:
    - they do a BC form for paid employees
    - they can begin the work while it is being processed as long as you have a copy of the application

The preference is to ensure that all persons conducting work at the service during operational hours have a valid blue card.

#### **Training**

- All educators will engage in Child Protection Training at least every twelve months. This may be provided through a range of methods including on-line, in-house workshops, external training or

other means with the intent of ensuring educators and other adults working with children are aware of the current child protection law and their responsibilities.

- Nominated Supervisors will ensure that current information from recognised authorities will be made available to educators and other adults working with children throughout the year.
- Educators must be aware of the requirements of the Child and Youth Risk Management Strategy and families will be made aware through information provided by the service.
- The Nominated Supervisor and all educators who have signed an agreement to be a Responsible Person in Day to Day charge must have successfully completed the required child protection training.
- Records of all training and information provided to educators must be maintained.

**If you have a reason to suspect a child in Queensland is experiencing harm, or is at risk of experiencing harm, you MUST advise the NOMINATED SUPERVISOR. The Nominated Supervisor will contact a Child Safety Services' Regional Intake Service. Contact Details for local Child Safety Services' Regional Intake Services can be found at <https://www.csyw.qld.gov.au/contact-us/departments-contacts/child-family-contacts/child-safety-service-centres/regional-intake-services>**

|                                   |                     |
|-----------------------------------|---------------------|
| <b>South West (darling downs)</b> | Phone:1300 683 390  |
| <b>Far North Queensland</b>       | Phone:1300 684 062  |
| <b>North Queensland</b>           | Phone:1300 706 147  |
| <b>North Coast</b>                | Phone:1300 703 921  |
| <b>Brisbane</b>                   | Phone:1300 682 254  |
| <b>Central Queensland</b>         | Phone:1300 703 762  |
| <b>Ipswich</b>                    | Phone:1800 316 855  |
| <b>After Hours</b>                | Phone: 1800 177 135 |

**PLEASE NOTE THAT YOU HAVE A DUTY OF CARE UNTIL YOU ARE HAPPY WITH THE RESPONSE TAKEN IN REGARD TO EACH SITUATION. IF YOU ARE NOT HAPPY WITH THE STEPS TAKEN BY YOUR SUPERVISOR IN RELATION TO SUSPECTED OR POTENTIAL HARM TO A CHILD YOU MUST ACT. FOLLOW THE GRIEVANCE PROCEDURE TO SEEK FURTHER ASSISTANCE.**

## **COMMUNICATION AND CONSULTATION**

- Educators and families will have access to this policy at all times.
- Educators and families will be provided with opportunities to be involved in the review of this policy.
- This policy will be provided to educators, students and volunteers upon commencement.
- Updated information from recognised authorities will be made available to families, educators and others.

## **RELATED FORMS AND DOCUMENTS**

- Recruitment, Selection and Employment Policy
- Education Induction Checklist
- Blue Card Services Forms
- Injury on Intake Form
- Nominated Supervisor Working with Children Confirmation Form

## **SCOPE AND ENFORCEMENT**

The failure of any person to comply with this policy in its entirety may lead to;

- Termination of child enrolment
- Performance management of an employee which may lead to termination

## RECOGNISED AUTHORITIES AND DOCUMENTS WHICH GUIDE POLICY

- *Education and Care Services National Law Act 2010 (version Feb 2018)*
- *Education and Care Services National Regulations (version July 2020)*
- *"Guide to the National Quality Framework"* Australian Children's Education & Care Quality Authority Jan 2020
- *"Child Protection Act 1999"* updated Jan 2014 Queensland Government
- *"Code of Ethics", Early Childhood Australia (2016)*
- Department of Child Safety, Youth and Women – Child Safety Services website, Queensland Government (accessed on-line Dec 2019)  
<http://www.communities.qld.gov.au/childsafety/protecting-children/resources-and-publications>
- "Mandatory Reporting" Department of Child Safety, Youth and Women. (access on-line April 2020)  
<https://www.csyw.qld.gov.au/child-family/protecting-children/about-child-protection/mandatory-reporting>
- "Mandatory Reporting by Early Childhood Education and Care Professionals" (accessed on-line April 2020)  
<https://www.csyw.qld.gov.au/resources/dcsyw/child-family/protecting-children/info-sheet-1-mandatory-reporting.pdf>
- Rights and Obligations Blue Care Services Qld (accessed on-line April 2020)
- <https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/system/rights-and-obligations> "Online Child Protection Guide", Department of Child Safety, Youth and Women (accessed on-line April 2020)  
<https://www.csyw.qld.gov.au/about-us/partners/child-family/our-government-partners/queensland-child-protection-guide/online-child-protection-guide>
- *What is Child Abuse? - Brochure* Department of Child Safety, Youth and Women website, Queensland Government (accessed on-line April 2020)  
<https://www.csyw.qld.gov.au/resources/dcsyw/child-family/protecting-children/child-abuse-brochure.pdf>
- *"What is Child Abuse?"* Department of Child Safety, Youth and Women website, Queensland Government (accessed on-line April 2020)  
<https://www.csyw.qld.gov.au/child-family/protecting-children/what-child-abuse>
- "Responding to children and young people's disclosures of abuse" Australian institute of family studies, child family community Australia, (accessed on-line April 2020)  
<https://aifs.gov.au/cfca/sites/default/files/disclosure-infographic.pdf>
- "Understanding Mandatory Reporting" Qld Government Department of Child Safety, Youth and Women PowerPoint presentation (accessed on-line Apr 2020)  
<https://www.csyw.qld.gov.au/resources/dcsyw/child-family/protecting-children/mandatory-reporting-eccec-presentation.pdf>
- Family and Child Connect website (accessed on-line April 2020)  
<http://www.familychildconnect.org.au/index.asp>
- Regional Contacts (accessed on-line April 2020)  
<https://www.csyw.qld.gov.au/contact-us/departments-contacts/child-family-contacts/child-safety-service-centres/regional-intake-services>
- National Quality Framework Information Sheet *"Responsible Person Requirements for Approved Providers from 1 Oct 2017"* ACECQA National Quality Agenda Review 30 August 2017
- "KEY CHANGES TO NOTIFICATIONS, INCIDENTS AND COMPLAINTS FROM 1 OCT 2017" National Quality Agenda Review, ACECQA 30 August 2017

- “The blue card system explained” Queensland Government (accessed on-line April 2020)  
<https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/system/system-explained>
- “Apply for a blue card or exemption card” Queensland Government (accessed on-line April 2020)  
<https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/applications/apply>
- “Working or volunteering with children” Queensland Government (accessed on-line April 2020)  
<https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/required/working-or-volunteering#education>
- “Rights and obligations under the blue card system” Queensland Government (accessed on-line April 2020)  
<https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/system/rights-and-obligations>
- “Organisations employing blue card workers” Queensland Government (accessed on-line April 2020)  
<https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/organisations>
- Blue Card News Email regarding changes to blue card from August 2020
- “About the upcoming Changes”(accessed on-line July 2020)  
<https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/system/review/summary>
- “No Card, No Start for organisations” Blue card news Queensland Government (accessed on-line August 2020)  
<https://www.vision6.com.au/em/message/email/view?a=78234&id=1498834&k=6kOTb8uSiugLEqsyVO-4f-o6BQ1p6RaK2yRQVljet8>
- “Preventing certain people from relying on exemptions – Changes to the Blue Card System” Queensland Government (accessed on-line August 2020)  
<https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card/system/review/restricted-person>

**DATE CREATED:** November 2011

**REVIEW DETAILS:**

| Review Date  | Details of Changes   |
|--------------|--|
| Sept 2012    | Inclusion of early intervention strategies and duty of care to follow through on concerns until educator is happy with the response in relation to their concern.  |
| January 2013 | No changes made  |
| January 2014 | No changes made, sources updated where applicable  |
| July 2014    | Updated with new blue card system information and website<br><a href="http://www.bluecard.qld.gov.au/">http://www.bluecard.qld.gov.au/</a>   |
| January 2015 | Inclusions of volunteers on blue card register and requirement to submit form to advise Blue Card Services of a person ceasing to be employed or volunteer at the service.                                     |
| June 2015    | Addition of Intake on Injury form, sources updated where applicable  |
| January 2016 | Inclusion of the Child Protection Guide and on-line tool for use when harm is suspected. Clarification around blue card requirements for those working at the centre in roles such as maintenance and repairs. |

|                |   |
|----------------|---|
| May 2016       | The Approved Provider or a relevant manager must complete an on-line check on the working with children status for the Nominated Supervisor. This should be recorded on the Nominated Supervisor Working with Children Confirmation Form.   |
| December 2016  | Updated name of form for linking employee form "authorisation to confirm" to <b>"Link an applicant/cardholder to this organisation form"</b>  |
| May 2017       | Sources updated. <ul style="list-style-type: none"> <li>• Changes to Mandatory Reporting and "Mason's Law" included</li> <li>• Inclusion of Family and Child Connect information</li> <li>• Additional information regarding steps to taken when an allegation of child abuse is made including record keeping.</li> <li>• Information about use of the Online Protection Guide (OPG)</li> <li>• Information on responding to children when a disclosure is given</li> <li>• The service has a Child and Youth Risk Management Strategy which should be shared with educators. Posters should be displayed for families and educators should sign the Code of Conduct around children safe practices.</li> </ul>  |
| September 2017 | <ul style="list-style-type: none"> <li>• Blue Card Services (Dept of Justice and Attorney-General) visit <a href="http://www.bluecard.qld.gov.au/">http://www.bluecard.qld.gov.au/</a></li> <li>• Quotes from Blue Card services for Education and Care services and similar employment updated, including information on exemptions.</li> <li>• Some sources updated</li> <li>• Inclusion of additional reporting to regulatory authority for any incident or allegation regarding physical or sexual abuse of a child</li> </ul>  |
| May 2018       | <ul style="list-style-type: none"> <li>• Updated sources and quotes in Rationale</li> <li>• Changed reporting notifications in Implementation: <ul style="list-style-type: none"> <li>○ The Approved Provider and Nominated Supervisor must report any incident or allegation of physical or sexual abuse of a child or children which has occurred while the child was being cared for at the service within 7days.</li> </ul> </li> <li>• Documents relating to notifications to be kept<br/>Included in Implementation clear guidelines on reporting:<br/>The Approved Provider and Nominated Supervisor must ensure all allegations and incidents of harm are reported: <ul style="list-style-type: none"> <li>• Allegations or incidents of physical or sexual harm occurring at the service to the Regulatory Authority</li> <li>• Allegations, disclosures or suspicions of harm to a child to Child Safety Services, contact details including out-of-hours contacts are in this policy</li> <li>• Any immediate harm call 000</li> </ul> </li> </ul> <p>Included in Implementation under "Training"</p> <ul style="list-style-type: none"> <li>• The Nominated Supervisor and all educators who have signed agreeance to be a Responsible Person in Day to Day charge must have successfully completed the required child protection training.</li> <li>• Records of all training and information provided to educators must be maintained.</li> </ul> |
| March 2019     | <ul style="list-style-type: none"> <li>• Updated sources</li> </ul>   |
| December 2019  | <ul style="list-style-type: none"> <li>• Updated link for regional intake services as there was a website change, added Ipswich regional intake service</li> </ul>  |

|             |  |
|-------------|--|
|             | <ul style="list-style-type: none"> <li>• Updated government agency name from Department of Communities, Child Safety and Disability Services to Department of Child Safety, Youth and Women</li> <li>• Updated quotes in rationale to match new websites</li> <li>• All website links checked and updated to current</li> </ul>  |
| April 2020  | <ul style="list-style-type: none"> <li>• Updated sources and weblinks</li> <li>• Updated quotes in Rationale</li> <li>• Changed reference to Special Child Care Benefit to Additional Child Care Subsidy</li> <li>• Validate blue card “prior to first shift and on a regular, systematic basis”</li> <li>• Nominated Supervisor to complete an <b>“Link an applicant/cardholder to this organisation form” for all volunteers, students and paid employees</b></li> <li>• Nominated Supervisor to complete an <b>“Applicant/cardholder no longer with organisation form”</b> when a person is no longer undertaking child-related activities with the service</li> <li>• Nominated Supervisors or Approved Providers to complete the <b>“Updated Organisation Details Form”</b> to notify Blue Card Services of any changes to contact information</li> <li>• Updated some Regional Intake Service contact details</li> </ul> |
| August 2020 | <ul style="list-style-type: none"> <li>• Updated sources</li> <li>• No Card, No Start changes from 31<sup>st</sup> August included in Rationale and Implementation.</li> <li>• All persons working or volunteering must have a valid blue card before commencement, staff are no longer able to work while awaiting an application.</li> <li>• Information on restricted persons in restricted employment included and updated in logs and forms.</li> </ul>   |