



Australian Government
Department of Home Affairs

Child Safety and Wellbeing Policy Statement



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A message from our Senior Leaders – OUR CHILD SAFEGUARDING APPROACH

The Department of Home Affairs, including the Australian Border Force (the department), strives every day to safeguard and uphold the rights of children.

Every child has the right to an environment that is safe, supportive, and free from harm.

This statement reaffirms our dedication to upholding those rights; it outlines the principles and processes we have in place to embed child safety across all areas of our work – from policy development and service delivery, to partnerships, programs and operations both within Australia and overseas.

This statement builds on the *National Principles for Child Safe Organisations* and the *United Nations Convention on the Rights of the Child*. It outlines the standards, behaviours and governance mechanisms that underpin our approach to child safeguarding, and supports all staff, contractors, and partners to understand their role in upholding these commitments.

The department plays a critical role in supporting the prosperity, security, and unity of Australia. Central to our mission ‘Building our nation, securing our future,’ is our commitment to safeguarding children and young people. Ensuring their rights, voices and best interests are respected and at the forefront of everything we do.

Our work often impacts the lives of children, directly and indirectly. With that comes a profound responsibility to ensure that our people, systems, and decisions protect children from harm, respect their dignity, and promote their participation in matters that affect them. We are committed to, where practicable, creating spaces where children and young people are listened to, where their views are sought and valued, and where their experiences help shape stronger, safer outcomes across our communities.

As a department we have the lowest tolerance for failure to protect children from harm. Child safety is everyone’s responsibility. By embedding child safeguarding in our daily practice, we strengthen not only our policies, programs and operations, but also the trust placed in us by the Australian community.

We are proud to endorse this policy statement and reaffirm the department’s shared commitment to ensuring that every child and young person we engage with – directly or indirectly – is safe, respected, and heard.

We ask you all to actively engage with the statement, model the positive behaviours identified within it, and embed it in your everyday work.

1. PURPOSE

The department takes the safety, wellbeing and protection of children seriously.

The purpose of this policy statement is to provide guidance to all staff, contractors and service providers on how to promote the safety and wellbeing of children in all aspects of the department's work – it also supports the department in implementing the requirements of the [Commonwealth Child Safe Framework](#).

It outlines the principles, processes and guidance available to staff to ensure that the department takes all practicable steps to eliminate or reduce harm to children. The policy statement also outlines our commitment to promoting children's wellbeing, while respecting, empowering and supporting them to thrive and participate in the community.

This policy statement:

- sets a clear strategy for a strong child safe culture
- outlines the principles and approaches which guide staff actions and behaviours when interacting with or progressing work that could impact children
- aligns with the [Commonwealth Child Safe Framework](#) and the recommendations of the [Child Protection Panel](#) and supports the department in its implementation of Australia's international obligations under the [United Nations Convention on the Rights of the Child](#) (UNCRC)
- provides guidance to ensure child-related risks are effectively controlled in line with the department's [Risk Management - Policy Statement \(SM-1607\)](#)
- provides a consistent basis for business areas to embed child safeguarding in their own policies, procedural instructions and standard operating procedures
- is accessible department-wide to promote transparency and accountability.

The policy statement is supported by a number of procedural instructions and operating standard procedures, which provide further guidance and information for business areas on how they must promote the safety and wellbeing of children. These documents, although specialised, are consistent with the principles and guidance set out within this policy statement.

2. SCOPE

2.1. In scope

All staff have a responsibility to scope and understand their child safeguarding responsibilities in every aspect of their work. Some child safeguarding obligations are shared responsibilities and some fall to individuals in particular high-risk roles (for example in immigration detention-related roles). This policy statement applies to all departmental employees, contractors and third-party service providers (staff) who could have a direct or indirect engagement with or impact on a child in the course of carrying out their duties.

Staff deployed to foreign countries or working outside Australia also have child safeguarding responsibilities and are expected to observe, as far as possible, the policies set out within this policy statement.

Offshore staff are required to proactively seek an understanding of the child protection and child welfare related obligations and laws in their respective jurisdiction. Offshore staff are also encouraged to ensure they are aware of the supports and authorities that are available to them locally should they identify child protection or safety related issues.

2.2. Out of scope

Decisions affecting children made by governments of regional processing countries or countries of return or readmission are out of scope for this policy statement.

3. POLICY STATEMENT

3.1. Our child safeguarding commitments

The department is committed to being a child safe organisation – this means all staff must:

- ensure children feel and are safe, protected and respected:
 - **Safe:** children must be safe from any form of abuse, neglect, maltreatment or exploitation while in our care and engaging with our people and programs.
 - **Protected:** children must be protected from any adverse outcomes when they raise concerns or make complaints about any perceived threat to their general wellbeing.
 - **Respected:** children must be treated with dignity, in accordance with their own distinct rights and needs, while recognising their additional vulnerabilities.
- contribute to a strong child safe culture with clear expectations, policies and practices, championed at all levels of our organisation, and in every activity conducted by the department.
- treat children’s best interests as a primary consideration in the development and implementation of programs, policies and operations.
- monitor and develop our policies and environments to promote child safeguarding and to minimise risks to children.
- identify and address child related risks, and respond to child-related concerns, disclosures of abuse allegations or suspicions of harm as soon as practicable.
- treat children as individuals, by considering their particular needs, circumstances and vulnerabilities, respecting their self-agency and listening to their views or interests and whenever they express concerns or other worries.

Our promise

- We strive to keep children safe and protect them from harm in all of our operations, policies and programs.
- We will ensure children’s voices are heard when taking actions that affect their lives.

3.2. What children can expect from us

A child in our care, involved in our programs, or affected by our work, can expect to feel and be safe, protected and respected.

Children engaging with or impacted by our work will:

- feel safe and will be protected from any form of abuse, maltreatment or exploitation, including any physical, sexual, emotional or online abuse.
- feel respected and be treated fairly, regardless of their age, culture, beliefs or ability.
- be heard and have their views, opinions and/or requests taken seriously – including when they disclose abuse or make complaints about any actual or potential threats that affect them.
- be meaningfully included and considered in any decision or action which may impact or affect them, with their views listened to, respected, and given appropriate weight in line with their age and maturity. This includes their individual circumstances and needs, including their right to education.
- receive communications in a way that they understand, including information about their right to privacy or information access rights.

3.3. Our approach

Our approach is informed by and fully aligns to the [Commonwealth Child Safe Framework](#) (see summary box below).

Our approach also implements the intent of, and is compliant with, relevant authorising legislation and the international conventions that underpin the rights of children and child safeguarding (see section [Attachment C](#) for further information).

The Commonwealth approach

The [Commonwealth Child Safe Framework](#) is a whole-of-government policy that sets minimum standards for Australian Government entities to create and maintain behaviours and practices that are safe for children.

It sets out four core requirements that the department must implement when developing or delivering policies, programs (including service delivery) and operations:

Requirement 1 – Risk Assessments and mitigation

- Undertake risk assessments annually in relation to business area activities, including with contracted entities, to identify the level of responsibility for, and contact with, children, evaluate the risks to child safety, and put in place appropriate strategies to manage the identified risks.

Requirement 2 – Training and compliance

- Establish and maintain a system of training and compliance to make staff aware of, and compliant with, the [Commonwealth Child Safe Framework](#) and relevant legislation including Working with Children Checks (WWCC)/Working with Vulnerable People Checks and mandatory reporting requirements.

Requirement 3 – National Principles for Child Safe Organisations

- Adopt and implement the [National Principles for Child Safe Organisations](#) (the National Principles).

Requirement 4 – Annual reporting – Child Safety Statement

- Publish an annual Statement of Compliance with the Commonwealth Child Safe Framework including an overview of the department's child safety risk assessment (conducted under Requirement 1).

The department's approach to giving effect to these core requirements is outlined in the following sections of this policy statement.

Where necessary more detailed information about the requirements (including application in specific circumstances and guiding information) is provided in Procedural Instructions and supporting documents (see section [Attachment B](#), for further information).

All staff should familiarise themselves with the broader suite of child safeguarding materials and any work area-specific instructions.

3.4. Core Requirement 1 – Risk Assessment and Mitigation

3.4.1. Risk Management

The department's *Risk Management Framework* supports staff to meet these risk management responsibilities. As per the [Risk Management - PS \(SM-1607\)](#), the department has the:

- lowest tolerance for failure to protect children and vulnerable people from harm and safeguard their wellbeing, and all reasonable actions must be undertaken to reduce such risks.
- lowest tolerance for the misuse of immigration and citizenship programs to facilitate child exploitation, serious criminality, or to jeopardise national security.

Accordingly, this should be reflected in all the department's policies, information material, contracts and procurement documents, and operations which could impact a child.

Business areas are required to identify and mitigate risks to prevent the likelihood of harm to any children who may be impacted by their work.

Child Safeguarding Risk and Assurance cycle

The Child Safeguarding Risk and Assurance Cycle (the Risk and Assurance Cycle) is conducted annually in accordance with the requirements of the [Commonwealth Child Safe Framework](#).

The Risk and Assurance Cycle collects information and captures evidence to assess how effectively the department is implementing the requirements of the [Commonwealth Child Safe Framework](#). This assists in tracking the department's child safeguarding activities, processes and risk management and informs the annual performance statement which is published on the department's website.

The Risk and Assurance Cycle:

- **reviews** all business area information relating to risk, controls, training, compliance, continuous improvement, and culture.
- **evaluates** whether the department and its contracted providers are compliant with the Commonwealth Child Safe Framework, including the 10 National Principles.
- **identifies** child safeguarding issues and areas of non-compliance relating to risk, controls, training, compliance, continuous improvement and culture.
- **recommends** ways to strengthen the department's credentials and align with the Commonwealth Child Safe Framework and National Principles in the context of the department's work environment.
- bolsters ability to **innovate** and deliver continuous improvements to child safeguarding and wellbeing in the Home Affairs environment.

The department is required to conduct an annual organisational-wide risk assessment to evaluate risks to child safety and implement strategies to manage those risks. They demonstrate that child safety and wellbeing is embedded in organisational leadership, governance and culture. It plays an important role in creating a child safe environment where people consider, identify and address risks to children before and as they arise.

The Child Wellbeing Strategy and Capability Section coordinates the annual Child Safeguarding Risk and Assurance Cycle to meet Requirements 1 and 4 of the Commonwealth Child Safe Framework. As part of this cycle all SES Band 2s or equivalent are required to provide a Child Safeguarding Statement of Compliance (SoC), which requires them to confirm they have:

- assessed and put in place risk mitigation strategies in relation to child-related risks.
- put in place a process/system to monitor child safety compliance against the Commonwealth Child Safe Framework and
- promoted a child safe culture in alignment with the Commonwealth Child Safe Framework.

To undertake the SoC, SES Band 2s should follow the department's [Risk Management - PS \(SM-1607\)](#) and [Risk Management - PI \(SM-6971\)](#) and can refer to the National Office of Child Safety's [Child Safety Risk Management](#) resources for additional child-related risk guidance.

In addition, SES Band 2s are also required to complete a consideration checklist and provide documentary evidence of their level of contact, interaction or impact on children as well as conduct a child safety risk assessment. SES Band 2s need to accept any residual child-related risk and if a child-related risk is deemed to be high or extreme and is outside risk tolerance it must be escalated to an SES Band 3 or the Secretary respectively as per the [Risk Management - PS \(SM-1607\)](#).

The SoC should be accompanied by the business area's risk register or supporting documentation that it has considered, assessed and put in place mitigation strategies against child-related risks. It is not necessary to have a separate child-related risk register; however, if a business area has several child-related risks they might like to have a stand-alone child related risk register.

The SoC and risk assessments provided by business areas also provide insight and opportunities for continuous improvement in the department's governance arrangements, allowing identification of issues and where course correction may be required to be communicated to Executives and business areas.

For more information on the Assurance Program please contact the Child Wellbeing Strategy and Capability Section: childwellbeing@homeaffairs.gov.au.

Enterprise risk management

Child Wellbeing is recognised as a critical risk control within the department's Enterprise Risk Management framework. This control ensures the department meets its child protection and wellbeing obligations and responsibilities. The Child Wellbeing Strategy and Capability Section supports staff to fulfil their responsibilities to identify, manage, and report child protection and wellbeing concerns. The Child Wellbeing Strategy and Capability Section also proactively identifies and manages risks to child wellbeing by maintaining robust safeguards, including employment screening requirements such as the Working with Children Check (WWCC) and monitoring the effectiveness of training. By treating child wellbeing as a critical control, it contributes to the department's ability to actively manage its enterprise risks and enables the department to continue delivering its objectives.

For further guidance on risk assessments, see:

- [Risk Management - PS \(SM-1607\)](#)
- [Risk Management - PI \(SM-6971\)](#)
- [Risk assessments | National Office for Child Safety](#), and
- [Child Safety Risk Management Resources | National Office for Child Safety](#).

3.4.2. Child safeguarding in departmental procurement

To reflect the department's commitment to child safety, measures have been implemented to promote the protection of children in the services and activities we fund. The decision to apply the Commonwealth Child Safe Framework to funded third parties is at the discretion of the relevant Accountable Authority.

It is recommended that, where appropriate, business areas impose child safety requirements consistent with the Commonwealth Child Safe Framework on any individuals or organisations they fund to provide services directly to children, or for activities that involve contact with children that is a usual part of, and more than incidental to, the funded activity. These requirements should be imposed in written form, including, but not limited to, funding through grants and procurements.

The Child Wellbeing Strategy and Capability Section is a mandatory consultation point for business areas engaging in procurement activities which involve indirect or direct contact with children. This ensures that the department is building child safety into procurement and contract management processes.

Contract management

When the service delivery could impact a child, departmental contract managers must provide service providers with a copy of the Commonwealth Child Safe Framework and ensure service providers provide evidence in their service delivery practice and procedures that they adhere to and implement the department's requirements, aligning with the department's commitment to child safety. This is to ensure that third party entities and their contracts demonstrate consideration of child safety risks, vulnerabilities and protections for the safeguarding of children.

Child safety clauses

Child safety clauses impose obligations upon third party entities through written agreement, usually through the contract or deed.

When a business area is establishing a contract for the delivery of a child-related service, the type of child safety clause required in the contract must be considered. This can vary depending on the service type, frequency and associated child-related risks.

Child safety clauses are a risk control which provides consistency and assists the department to measure compliance with the [Commonwealth Child Safe Framework](#) and this policy statement (Child Safety and Wellbeing – PS (SM-7088)).

Child safety clauses can be adapted and are guided by: [Child Safeguarding requirements for Departmental Procurement - PI \(VM-6822\)](#).

3.5. Core requirement 2 – Training and compliance

3.5.1. Employment screening and training for child-impact roles

The department has established systems of training and compliance, to support staff awareness and compliance with the [Commonwealth Child Safe Framework](#), the department's Child Safety and Wellbeing Policy Statement (SM-7088) and other legislation related to children.

Training

For all staff to be well equipped in understanding their obligations against the relevant legal and child safeguarding frameworks, appropriate training must be made available, with completion being mandatory for staff in child-impact or contact roles.

The [Child Safeguarding Essentials](#) and [Working in a child-related role](#) eLearning packages are mandatory for all department employees in child-impact roles or child-contact roles, to support the department's requirement to be child safe.

Staff who are employed through contracted services are required to complete the [Child Safeguarding Essentials](#) training in accordance with relevant contractual obligations.

For further information please refer to the [Employment Screening for Child-related Roles - PI \(DM-930\)](#) or contact the Child Wellbeing Strategy and Capability Section: childwellbeing@homeaffairs.gov.au.

Staff are also encouraged to access the free eLearning courses about human rights, building a culture of accessibility and inclusion in the workplace, and the National Principles for Child Safe Organisations: [Free eLearning courses | Australian Human Rights Commission](#).

Australian Government, the department and working with children screening

All departmental staff are required to possess an Australian Government Security Vetting Agency security clearance and Australian Border Force workers must also maintain an Employment Suitability Clearance (ESC).

Additionally, all Australian state and territories require anyone who works or volunteers with children be screened for their suitability to do so.

The department mandates that all departmental staff, ABF officers and contracted service providers in child-related positions obtain and maintain Working with Children Check (WWCC) clearances in the state or territory in which they are working. Likewise, where a state or territory does not process the WWCC application of a contracted service provider, a national police check can be used as an alternative (with the exception of SA).

Departmental staff and ABF officers must apply for a WWCC from the relevant state or territory screening authority and follow that state's or territory's process for applying for a WWCC. When WWCC clearance is obtained, departmental staff and ABF officers in child-related positions must:

- update and upload the relevant clearance information in easySAP, and
- advise that they hold a WWCC by sending a copy of the WWCC card and mandatory declaration form to hrhelp@homeaffairs.gov.au. Refer to [Employment Screening for Child-related Roles - PI \(DM-930\)](#) for the mandatory declaration form. HR Help will then attach the copies to the departmental staff member or ABF officer's personnel file.

The name of the check, requirements, and the application process is different in each state and territory. As WWCCs or Working with Vulnerable People Checks are not transferable between states and territories, staff moving from one state or territory to another or working across state or territory boundaries will need to have the appropriate clearance checks and screenings for each separate jurisdiction.

Any departmental staff, ABF officers or contracted service providers whose application for a WWCC is suspended, cancelled or denied, or who are disqualified from applying for a WWCC, cannot be employed in a child-contact role.

For further information:

- [Working with Children Checks | SharePoint](#)
- [Working with children checks | Australian Criminal Intelligence Commission](#).

Child Protection Mandatory Behaviours Declaration (the Declaration)

The department requires that a Declaration be signed by any staff in a child-contact role. The individual acknowledges their understanding of their obligations when interacting with or responding to matters which may impact a child. Refusal to sign the Declaration will result in the individual being unable to commence work or remain in a child-contact role. Breach of the Declaration would result in an investigation to consider whether the matter constitutes the need for a potential breach of the APS Code of Conduct investigation or other relevant integrity framework policies and procedures, or if sufficiently serious, criminal prosecution.

The declaration can be found in the Employment Screening for Child-related Roles - PI (DM-930). Once signed and completed, staff are required to send the completed declaration to their supervisor/manager and HR Help to attach the copies to personnel file (departmental and ABF workers only) and personnel file for contracted service providers.

Offshore requirements

Staff deployed to foreign countries or working outside Australia must meet employment screening requirements relating to working with children according to the relevant country's domestic law.

For more information on the department's Employment Screening requirements, please refer to: [Employment Screening for Child-related Roles - PI \(DM-930\)](#) and confirm with your manager.

3.5.2. Compliance with reporting and managing child-related incidents

The department is committed to addressing child-related incidents, allegations and complaints in a timely and effective manner. All staff are expected to report child protection incidents and manage them appropriately, to safeguard children and their wellbeing.

Departmental or contracted workers must report all child-related incidents and concerns to their supervisor and should also seek the guidance of their business area's own standard operating procedures. Relevant business areas should be notified of any child-related incident or concern for their action, including to prevent any unnecessary escalation of the concern. Relevant business areas are also responsible for rectifying any systemic issues which may have contributed to child-related incidents. The broader issues of the incident should be considered for further prevention and appropriate risk reduction strategies implemented. This is an important step to reduce the likelihood of further harm to any other children.

Reporting obligations

In Australia, certain people working in child-related professions are identified as mandatory reporters under state and territory legislation and are required by law to report known or suspected current child abuse and neglect to government authorities. In addition to the Commonwealth, each state and territory has its own laws about who must report and under which circumstances.

In some jurisdictions, there are 'failure to report' laws specifically related to child sexual abuse. These laws generally make it a criminal offence for an adult to fail to report known or reasonably suspected child sexual abuse. Depending on the legislation, this obligation may apply to the general public or be limited to adults in particular roles or occupations.

Each state and territory has differing methods of receiving information about child abuse and neglect. For more information on each jurisdiction's reporting obligations please refer to:

- [QLD – Department of Families, Seniors, Disability Services and Child Safety](#)
- [NSW – Department of Communities and Justice](#)
- [VIC – Department of Families, Fairness and Housing](#)
- [ACT – Children, Youth and Families](#)
- [TAS – Department for Education, Children and Young People](#)
- [SA – Department for Child Protection](#)
- [NT – Department of Children and Families](#)
- [WA – Department of Communities.](#)

The mandatory requirement for departmental (including ABF officers) to report any child protection incident ('child protection incident' is further explained below) is in accordance with the [Reporting Child-related Incidents - PI \(DM-5858\)](#) and in addition to obligations imposed by state and/or territory legislation to make a report of a child protection incident. Departmental staff must report all child-related incidents (both child protection incidents and child welfare concerns) to their supervisor in accordance with the business area's standard operating procedures and using the relevant departmental system utilised by their business area.

Any incident (or concern) involving a child is considered a child-related incident and could be categorised as a child protection incident or a child welfare concern. An incident could be one or multiple (cumulative) concerns, relating to the safety and wellbeing of a child.

Child protection versus a child welfare concern

Child protection incidents

The department recognises that some staff, because of their professional qualifications and/or role, may be mandatory reporters under the relevant state or territory legislation. However, the department expects all staff to report a child protection incident to the relevant state or territory authorities irrespective of whether they are a mandatory reporter.

Child protection incidents need to be reported in accordance with the relevant state or territory legislation. While the threshold for harm will vary from state to state, it will generally be required that there be a reasonable belief or suspicion that:

A child has suffered or is likely to suffer significant harm because of physical, sexual, emotional/psychological abuse and/or neglect.

More information about abuse and neglect is here: [What is child abuse and neglect? | Australian Institute of Family Studies](#)

AND

The child's parent/guardian/caregiver have not protected or are unlikely to protect the child from that harm.

The department's policy position, as per [Reporting Child-related Incidents - PI \(DM-5858\)](#), states that in matters of child protection, priority should be placed on the mitigation of risk to a child, noting that even if a notification by itself does not result in state and territory child welfare authority (STCWA) intervention, it may contribute to a more holistic understanding of the child's circumstances, including child safety risks, for future assessments.

If there is doubt about whether information meets the threshold for a concern to be reported to the relevant STCWA, staff should discuss the situation with their supervisor or contact Child Wellbeing Strategy and Capability Section for advice and support: childwellbeing@homeaffairs.gov.au.

Any notifications should be advised to the Child Wellbeing Strategy and Capability section for their situational awareness: childwellbeing@homeaffairs.gov.au.

When concerns relate to an alleged perpetrator of abuse, who may also (or instead) pose a risk more generally to all children, staff may be required to report these concerns to the police, depending on the relevant state or territory legislation. Even if the staff member is not a mandatory reporter, in most states and territories it is a criminal offence for any adult not to report suspected sexual abuse of a child. In some jurisdictions this requirement extends to other forms of abuse such as physical assault or neglect.

Even if the staff member is not required by law to report, consideration should be given as to whether it should occur as a matter of policy.

Child welfare concerns

Child welfare concerns which do not meet thresholds for reporting set by the state or territory child welfare authority legislation still require child safeguarding actions. When there may still be a level of risk to a child's health, welfare or development, this must be reported to the relevant business area, so the relevant internal responses can be initiated for the child's safety and wellbeing. This could include a referral for additional services, support, or consideration in future decision-making. For example, if a family or unaccompanied child is:

- experiencing significant parenting problems that may be affecting the child's development
- experiencing an accidental injury or medical issue
- under pressure due to a family member's physical or mental illness, substance abuse, disability or bereavement.

For further guidance on reporting child-related incidents, please refer to: [Reporting Child-related Incidents - PI \(DM-5858\)](#) or the [Make a report | National Office for Child Safety](#).

IGOC minors

If a non-citizen child (under 18 years) is under the guardianship of the Minister for Home Affairs (i.e. the Minister is their legally recognised guardian) through provisions in the *Immigration (Guardianship of Children) Act 1946* (Cth), they are an IGOC minor. To determine whether a non-citizen minor falls within the scope of the IGOC Act and, therefore, under the Minister's guardianship, a Confirmation of IGOC Status process must be conducted by UHM and Guardianship section (uhm.guardianship@homeaffairs.gov.au).

If there is any concern for their safety and wellbeing, including if there is a child protection incident or concern, custodians of IGOC minors must advise the IGOC delegate (uhm.guardianship@homeaffairs.gov.au) in addition to referrals to the appropriate safety or welfare authorities, including when the minor is the subject or perpetrator of violence or abuse or of allegations of violence or abuse.

For further information please see [Guardianship of certain non-citizen minors - PS \(VM-6457\)](#) or contact UHM and Guardianship Section: uhm.guardianship@homeaffairs.gov.au.

Online safety

If the child-related incident is concerning online or other digital harm such as grooming, cyberbullying or sharing of intimate or other non-consensual content then the child or their parents/guardians can make a report to the [eSafety Commissioner](#). Depending on the immigration program, staff may be required to provide information or other support to assist the child, or their parents/guardians, to navigate the process of reporting.

If an adult who has access to children in the department's care is suspected of possessing or making child abuse material this indicates a risk to the children around them and must be reported to police and child protection authorities, as well as internally (please see the guidance above).

For further guidance on child-related incidents occurring online please refer to: [Reporting Child-related Incidents - PI \(DM-5858\)](#). For guidance on interacting with children, refer to: [Best Practice for Interacting with Children - PI \(BC-764\)](#) and to discuss a case, contact the Child Wellbeing Strategy and Capability Section: childwellbeing@homeaffairs.gov.au.

3.6. Compliance with record keeping and information gathering requirements

3.6.1. Record keeping

All staff must comply with the requirements of the department's [Records Management - PS \(TI-1094\)](#), noting that records must be confidential and access must be limited to a 'need to know' basis.

Full and accurate records must be created about all incidents, responses and decisions affecting child safety and wellbeing. This may include records of interviews, welfare discussions and the receipt of a child's views or any other verbal feedback or complaint.

Departmental staff are required to document and record all material in a manner that enables ease of retrieval, continuity of evidence and integrity of records that can be accessed now and for as long as required in accordance with the *Archives Act 1983*. Consideration must also be given to the [National Archives of Australia General Records Authority 41](#) which states the length of time documents relating to children, child sexual abuse incidents and allegations must be held. For more information, contact records management: records@homeaffairs.gov.au.

Information gathering, use and disclosure and the Privacy Act 1988

The privacy of all persons, including children, must be protected in accordance with the *Privacy Act 1988* (the Privacy Act) and the Australian Privacy Principles (APPs).

Similar to how the personal information of an adult is handled, the use and disclosure of personal information of a child must be consistent with the primary purpose for which it was collected (where the individual's consent for the further use or disclosure has not been given). Without informed consent, a secondary use (i.e. any purpose other than the primary purpose for which the department collected the personal information) will need to fall within one of the exceptions contained in APP 6.

Consent

The Privacy Act does not specify an age after which an individual can make their own privacy decision. Australian law recognises that competence varies in young people and that some minors are capable of making their own decisions about how their personal information is handled. As a general rule, a child has the capacity to consent if they have the maturity to understand what is being proposed. If they lack maturity, it may be appropriate for a parent or guardian to consent on their behalf.

Consent is only effective if the child understands what they are consenting to. Using plain English, basic terminology or infographics should be considered to communicate to a child what they are consenting to and what their privacy rights are if they wish to make a complaint. Further guidance on consent and children and young people can be found at [Children and young people | OAIC](#).

Exceptions

There are a number of exceptions that may permit a secondary use, including:

- if the individual would reasonably expect the department to use or disclose the information for the secondary purpose, and the secondary purpose is related to the primary purpose of collection (or directly related for sensitive information)
- the use or disclosure is required or authorised by an Australian law or court/tribunal order
- a [permitted general situation](#) exists (such as a serious public health or safety threat)
- the department reasonably believes that the use or disclosure is reasonably necessary for one or more enforcement related activities conducted by the department or an enforcement body (such as the police).

APP 6.2(c) provides an exception where a 'permitted general situation' exists in relation to the secondary use or disclosure of the information by the department. Section 16A of the Privacy Act lists seven permitted general situations. The permitted general situations include where:

- it is **unreasonable** or **impracticable** for the department to obtain the individual's consent to the use or disclosure
- the department **reasonably believes** the use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety of any individual, or to public health or safety (s16A (1), Item 1).

If there is a legitimate need to disclose information about a child and it is necessary to rely on one of the exceptions set out in APP 6, for that disclosure to be lawful, further advice must be obtained from privacy@homeaffairs.gov.au.

For information about the Privacy Act and the Australian Privacy Principles, please refer to the: [The Privacy Act | OAIC and Australian Privacy Principles | OAIC](#).

For case-by-case advice, refer to Privacy team: privacy@homeaffairs.gov.au or the Child Wellbeing Strategy and Capability Section: childwellbeing@homeaffairs.gov.au.

3.7. Core requirement 3 – National Principles for Child Safe Organisations

The [National Principles for Child Safe Organisations](#) set out a nationally consistent approach to promoting a culture of child safety and wellbeing within organisations. These principles were established as a result of the recommendation from the *Royal Commission into Institutional Responses to Child Sexual Abuse*, which identified that all organisations should act with the best interests of the child as a primary consideration.

More information can be found on the National Office for Child Safety's website.

The National Principles guide our approach to creating an environment where children engaging with or impacted by the department's decisions, programs, policies and operations feel safe, valued and respected.

To support the department in giving effect to the National Principles and to contextualise it for staff, the department has established 10 child safeguarding principles that should underpin decisions and action of all staff in all that we do and form the basis of the department's child safeguarding culture.



3.7.1. Children’s right to have their best interests to be considered

In accordance with Australia’s obligations under article 3(1) of the *United Nations Convention on the Rights of the Child* (CRC), in all relevant actions and decisions concerning children undertaken by the department, the best interests of the child must be a (not ‘the’) primary consideration.

Staff are required to embed the consideration of children’s best interests into all policies and operations. All such considerations must be discussed with relevant staff, including managers, and recorded for future reference and scrutiny, if required. Nevertheless, in certain circumstances the operation of domestic law may mean there is no scope to consider the best interests of a child. For example, a visa processing officer assessing a child applicant against the criteria for a protection visa cannot treat the best interests of the child as a primary consideration because it is not one of the legislative criteria for a visa grant and to do so may be a jurisdictional error.

For further guidance and support on the consideration of the best interest of a child, please contact the Child Wellbeing Strategy and Capability Section: childwellbeing@homeaffairs.gov.au.

3.7.2. Individualised and family-focused approach to child wellbeing

The department raises awareness and promotes safeguarding and wellbeing to families and relevant stakeholders and should do this in an individualised and family-focused manner.

An individualised approach contrasts a one-size-fits-all approach, where everyone receives the same treatment or experience, regardless of individual differences. This acknowledges the diverse and variable needs and circumstances of families, including the different abilities and cultural needs of children.

A family-focused approach highlights the centrality of the family to children's wellbeing by recognising the positive protective influence of family routines, dynamics and culture. Children's sense of safety and wellbeing is inextricably linked to the safety and wellbeing of their family members. This approach also recognises parents' rights to exercise authority, autonomy and competence in relation to their children.

The department respects the right of parents or guardians to make decisions on their child's behalf and act in their child's best interests. The department will not intervene in decisions made by a parent or guardian about a child unless a child is being harmed or there is a risk of harm to the child.

3.7.3. Children's right to be heard, understood and respected – Independent Observer Role

Under Article 12 of the CRC, children have the right to have their views listened to and taken seriously in all matters affecting them, with their opinions given due weight according to their age and maturity.

It is **mandatory** that an Independent Observer be present for all interviews or meetings related to the department, where necessary with any child who does not have their parent or guardian present. Interviews or meetings for which an Independent Observer must be present include but are not limited to:

- interviews to support visa applications or decision notifications
- interviews to determine or resolve immigration status
- the Age Determination Assessment Process
- meetings to discuss detention placement or variation
- interactions with the detention service provider for some sensitive functions, such as the return of property to a child following release of the property from, for example, the Australian Federal Police or the transfer of a child from an Alternative Place of Detention to a correctional facility.

The department's interactions with a child must be fair and reasonable and their rights observed. The provision of an Independent Observer during interviews with children engaged in departmental processes is a practical safeguard which supports the department's commitment to act consistently with Australia's international obligations.

Independent Observers may also attend interviews and meetings between accompanied children and the department and/or other agencies if there are concerns about the child's parent/guardian's capacity or willingness to act in the best interests of the child.

There must be no actual, perceived, or potential conflict of interest for the Independent Observer. They must not have a prior relationship with the child or, where possible, with the department. For example, the person performing the Independent Observer role must not be responsible for or involved in the facilitation of supervision or daily care for the minor being interviewed or undertake a care or support role for any individual involved in the interview.

For further guidance, see the following procedural instructions: [Independent Observer for interviews involving children - PI \(DM-6505\)](#) and [Maritime Environment – Unaccompanied Minor Observer and Support Person roles - PI \(DM-5545\)](#).

3.7.4. Children's right to access education

The department is committed to facilitating children's access to education. School-aged children, regardless of their immigration status, need to be provided access to education commensurate with Australian community standards and as required by relevant state or territory legislation while their immigration status is being resolved. Depending on the relevant state or territory, 5 to 17 years of age is generally considered the 'compulsory school age' range.

School-aged children in immigration detention or certain immigration programs (e.g. Unaccompanied Humanitarian Minors Program (UHM) and Status Resolution Support Services (SRSS)) will:

- have access to education in accordance with the standards set by the state or territory in which they reside, regardless of their immigration status, disability or learning needs
- start school in accordance with the school-age mandated by the relevant state or territory
- be provided an education that considers the best interests of the child.

All children aged 3 to 5 years old who are in immigration detention facilities will be provided access to education programs, such as pre-school, kinder groups or playgroups, to support their growth and development.

Families in residence determination with children under the compulsory school age will be given information about early childhood education programs and community play groups that their children may be eligible to attend in line with community standards.

The department recognises the important role that parents/guardians have in planning for a child's school enrolment and education. For families in the community, the primary responsibility for supporting children to access education rests with parents. However, the department also recognises that some families may need greater support to access education for their children, and the department has a role to identify and support those families who require additional assistance. The department engages with relevant state and territory agencies to enable access to education for school-aged children in immigration detention and certain immigration programs, where visa criteria is met.

Education for children on a removal pathway

When individuals and families have exhausted all avenues to remain lawfully in Australia they are expected to depart. Australia's commitments and obligations under the CRC and the *International Covenant on Economic Social and Cultural Rights* to facilitate access to education for school-age children do not amount to a right to remain in Australia if a person has no other lawful authority to stay. Instead, these obligations are considered along with other countervailing rights and interests, including the integrity of the migration program and the protection of the Australian community in exercising relevant decisions during removal planning.

When a departmental officer determines that a planned removal activity can be lawful and expeditious in addition to accommodating school schedules or milestones, it may be in the best interests of any children involved for the department to facilitate this.

For more information see:

- [Detention Services Manual – Minors and guardianship – Education of minors in immigration detention - PI \(DM-609\)](#)
- [Status Resolution Support Services - Operational Procedures Manual \(TRIM ADD2019/851168\)](#).

3.8. Core Requirement 4 – Annual Reporting – Child Safety Statement

By 31 October each year, the department is required to publish an annual child safety statement which outlines the outcome of the department's child safety risk assessment and compliance with the Commonwealth Child Safe Framework over the previous year.

At a minimum, the statement is required to include:

- a statement of the department's commitment to child safety
- a description of the department's interaction with children as part of its operations
- the outcome of the department's child safety risk assessment (e.g. the overarching risk rating identified in [Core Requirement 1 - Risk Assessment and Mitigation](#)) and actions taken to mitigate these risks
- information on whether the department is compliant with the Commonwealth Child Safe Framework and any measures introduced to improve compliance going forward
- an outline of any child safety initiatives undertaken in the reporting year and
- an outline of any measures taken by the department to apply child safety measures to funded third parties.

The department's annual Child Safeguarding Risk and Assurance cycle (as outlined in [Core Requirement 1 - Risk Assessment and Mitigation](#)) provides internal assurance of compliance with the Commonwealth Child Safe Framework child safeguarding requirements and identifies areas for continuous improvement.

The department's annual Child Safety Statement can be found at [Our commitment | Department of Home Affairs](#).

4. ACCOUNTABILITIES AND RESPONSIBILITIES

Role	Description
Secretary	<p>The agency head and accountable authority.</p> <p>Section 1.4 of the Commonwealth Child Safe Framework (Second Edition), <i>'Application of the Framework'</i> states that <i>'Accountable Authorities of Commonwealth entities are responsible for the implementation of the Framework within their entity.'</i></p> <p>In practice, the Secretary is responsible for:</p> <ul style="list-style-type: none"> • demonstrating and promoting a positive child safe culture within the Portfolio • defining and implementing the department's approach to child safeguarding • ensuring the department's child related risks are effectively controlled and informed by the department's Risk Management Framework and the <u>Commonwealth Child Safe Framework</u>.
Chief Risk Officer (CRO)	<p>The Chief Risk Officer is responsible for promoting structured and transparent risk management, governance, and decision-making and assurance practices across the department. This includes the management of child safety and wellbeing risks.</p> <p>The CRO is an adviser to the Enterprise Management Committee for proactive Enterprise risk management and provides advice to the Accountable Authority on Home Affairs' management of risk.</p>
Senior Executives	<p>Senior Executives are responsible for reviewing, monitoring and managing risks within their respective business units and for ensuring they meet the Child Safeguarding Statement of Compliance, and championing and embedding a child safeguarding culture.</p>
First Assistant Secretary, Executive Coordination	<p>Responsible for:</p> <ul style="list-style-type: none"> • ensuring the currency of this Policy Statement • directing business areas to meet review period deadlines for this Policy Statement • confirming that this Policy Statement aligns with strategic objectives • ensuring that the development and implementation of this Policy Statement complies with the department's Policy and Procedure Control Framework.
Assistant Secretary, Performance, Governance and Inquiries	<p>Responsible for:</p> <ul style="list-style-type: none"> • implementing this Policy Statement and associated documents • overseeing the Branch's collaboration with business areas to incorporate the consideration of the best interests of children into new and existing policies, templates and procedures • reviewing and updating this Policy Statement and associated documents • confirming that, during the development of the Policy Statement obligations are considered, and requirements of workers are clearly set out • conducts annual assurance activities to measure the implementation progress of the requirements under the <u>Commonwealth Child Safe Framework</u>.

Role	Description
Branch Heads	<p>Responsible for:</p> <ul style="list-style-type: none"> • promoting awareness of this Policy Statement and associated documents, including staff's requirements and obligations especially those working in child-related roles • ensuring business area documents and business practices align with this Policy Statement and associated documents.
Child Wellbeing Strategy and Capability Section	<p>Child Wellbeing Strategy and Capability Section focuses on the safety and wellbeing of children, prioritising children's best interests when designing, developing and delivering policies and activities by building organisational capacity in line with Australia's domestic and international child-related commitments.</p> <p>Child Wellbeing Strategy and Capability Section is responsible for:</p> <ul style="list-style-type: none"> • designing and driving the cultural change required to make the department, including the ABF a child safe organisation • guidance on mandatory child safeguarding requirements for departmental activities and programs, including through being a mandatory consultation point for: <ul style="list-style-type: none"> – consultations on policy statements, procedural instructions, standard operating procedures and other supporting material in the department – procurement processes when establishing contracts and deed variations relating to children entered into by the department, including the ABF, which concern child-related work. • the design, development, implementation and review of the department's Child Wellbeing and Safety Policy Statement and its associated policies, procedures and program control mechanisms • the development and delivery of training for officers required to identify and manage child protection and wellbeing matters • undertaking quality assurance reviews of learning solutions to ensure they remain fit for purpose e.g. Annual organisational wide child safety risk assessment and periodically conducting audits of child-related information (e.g. Working With Children Checks (WWCCs) of staff in child-related roles) • supporting the department's engagement with relevant state and territory child welfare authorities for child protection incidents or concerns • providing departmental officers and contracted service providers with advice about complex child-related matters • providing national coverage and support on child-related issues and assisting staff with advice, training and assurance. This role is undertaken by Child Wellbeing Strategy and Capability Section's Child Wellbeing Officers, who can assist staff and contracted service providers to understand how to meet their child safeguarding obligations • managing the annual Risk and Assurance Cycle. <p>Contact: childwellbeing@homeaffairs.gov.au</p> <p>National Redress Scheme</p> <ul style="list-style-type: none"> • Child Wellbeing Strategy and Capability Section is responsible for maintaining the department's responsibilities under the National Redress Scheme, responding to the National Redress Scheme on behalf of the department and facilitating survivor-focused and trauma-informed apologies. Child Wellbeing Strategy and Capability Section also works closely with Legal Group on child abuse related claims. <p>Contact: redress.scheme@homeaffairs.gov.au</p>

Role	Description
Contract Managers	Responsible for: <ul style="list-style-type: none"> ensuring contracted service providers comply with the requirements of this Policy Statement and associated documents ensuring that the requirements of this Policy Statement and associated documents are included in departmental contracts with contracted service providers.
Department of Home Affairs officers (including Australian Border Force) and Contracted Service Providers	Responsible for ensuring compliance with this Policy Statement and associated documents.
Integrity & Professional Standards (Employment Screening)	Responsible for conducting employment suitability assessments to ensure staff hold the appropriate security clearance.
Supervisors / Managers	Ensure staff in child-related roles comply with the WWCC and training requirements.
All Staff	All staff are required to: <ul style="list-style-type: none"> identify, manage, monitor, measure and report child-related risk in accordance with the department's Risk Management Framework demonstrate and promote a strong and positive child-safe culture, including by listening and prioritising the needs of children to create the conditions and culture for risks to be identified, reported and managed when they occur, including responding to disclosures of child abuse or exploitation. As managers, ensure workers in their span of control understand their child safeguarding obligations, including where to find the department's Child Safety and Wellbeing Policy Statement.
Independent Visitor	Comply with all departmental policies regarding the wellbeing of children and any duties or obligations placed on visitors generally

5. VERSION CONTROL

Version number	Date of issue	Author(s)	Brief description of change
V 2.0		Child Wellbeing Strategy and Capability Section	<p>This is a new Policy Statement which is in line with the Commonwealth Child Safe Framework, and consolidates information from the following policy statements which will be made obsolete:</p> <ul style="list-style-type: none">• Child Safeguarding Framework - PS (BE-916)• Best Interests of the Child - PS (DM-5721)• Education Policy - PS (DM-918)• Employment Screening for Child-related Roles - PS (DM-917)• Independent Observer for Interviews involving Minors - PI (DM-6506)• Reporting child-related incidents - PS (DM-928)

ATTACHMENT A – DEFINITIONS

Term	Acronym (if applicable)	Definition
Child or minor		<p>A child refers to anyone under the age of 18, consistent with the CRC as well as subsection 4(b) of the <i>Family Law Act 1975</i> (Cth).</p> <p>Note: some state/territory jurisdictions adopt different definitions of ‘child’ (refer to ‘minor’). More information can be found on the Australian Institute of Family Studies website. See Australian legal definitions: When is a child in need of protection? Australian Institute of Family Studies (aifs.gov.au).</p>
Child abuse and neglect		<p>Child abuse and neglect is commonly divided into five subtypes:</p> <ul style="list-style-type: none"> • physical abuse • emotional or psychological abuse • neglect • sexual abuse or exploitation • exposure to family violence. <p>The World Health Organization (2006, p.9)¹ defines child abuse and neglect as:</p> <ul style="list-style-type: none"> • All forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child’s health, survival, development or dignity in the context of a relationship of responsibility, trust or power. <p>For more information see: What is child abuse and neglect? Australian Institute of Family Studies (aifs.gov.au).</p>

1 World Health Organization, (2006), Preventing child maltreatment: A guide to taking action and generating evidence. Geneva: WHO

Term	Acronym (if applicable)	Definition
Child-contact role		<p>A child-contact role is work in which contact with children is a usual part of, and more than incidental to, the individual's employment duties including:</p> <ul style="list-style-type: none"> • direct physical contact • face-to-face contact • verbal communications • written communication • electronic and online communication; or • any other contact defined by the National Standards for Working with Children Checks as well as relevant state or territory Working with Children Checks or Working with Vulnerable People Checks legislation. <p>'More than incidental' refers to contact that is expected as part of the role, even if it occurs occasionally. Staff members or contractors who engage in occasional child-contact still share the responsibility to meet the departmental requirements of child-contact roles.</p> <p>These roles include staff or contracted service providers who provide services, including health, education and social services, or those who supervise children and young people in an immigration program or children and young people in immigration detention, or those who are engaged by the department or a sub-contractor to provide transport for children.</p> <p>States and territories have different terms for and definitions of a 'child-contact role'. For example, it is called 'child-related work' in Vic, NSW and SA and 'child-related employment' in WA.</p>
Child-related incident		<p>A child-related incident can be a child protection incident or a child welfare concern.</p> <p>Any safety or wellbeing incident involving a child in immigration detention or a departmental immigration program in Australia, including a known occurrence of child abuse or the reasonable suspicion that child abuse is occurring or may occur in the future. A child-related incident includes any child protection incidents that have occurred in the past and/or overseas prior to a child arriving in Australia.</p>
Child-impact role		<p>Roles that make policies, practices and decisions that may impact children.</p> <p>Though direct contact with children may not occur here, individuals in child-impact roles also bear the responsibility to meet departmental requirements to uphold child safeguarding. This involves completing the Child Safeguarding Essentials and Working in a Child-related role eLearning modules.</p>

Term	Acronym (if applicable)	Definition
IGOC delegate		<p>Officers of the Commonwealth and state and territory governments who have delegated powers under the IGOC Act.</p> <p>Note: the kinds of powers delegated to officers are subject to individual roles and position, which are specifically outlined by an instrument of delegations (see ADF2022/394448 on TRIM or ADMIN 25/178 on LEGEND for the current Instrument).</p>
IGOC minor		<p>An unaccompanied minor who, as defined under section 4AAA of the Immigration (Guardianship of Children) Act 1946 (the IGOC Act):</p> <ul style="list-style-type: none"> enters Australia as a non-citizen; has not turned 18; intends, or is intended, to become a permanent resident of Australia; and did not enter Australia in the charge of, or for the purposes of living in Australia under the care of, a parent, a relative who is 21 years of age or over, or an intending adoptive parent. <p>And who, as a result, is under the guardianship of the Minister for Home Affairs.</p>
Mandatory reporter		<p>A member of a class of persons upon whom a state or territory's legislation imposes an obligation to report a child protection incident; that is (broadly) to notify the appropriate child protection authority of concerns, suspicions or beliefs of threats to the welfare of a child. For information about mandatory reporters refer to the relevant legislation for the respective state or territory or refer to the Reporting Child-related Incidents - PI (DM-5858).</p>
Performance reporting		<p>In the context of record keeping in line with the principles of child safeguarding, 'performance reporting' is recording what has occurred, by whom and explaining the what, the why, and the how. It is a narrative of a person's experience, milestones and achievements.</p>
Safeguarding		<p>The term 'safeguarding' relates to action undertaken by the department to promote children's safety and their wellbeing. Safeguarding measures aim to ensure staff working with children in the department's care can protect them from exposure to harm and maintain their wellbeing. Safeguarding practices might include:</p> <ul style="list-style-type: none"> undertaking child safeguarding inquiries into incidents to improve the department safeguarding practices considering risk factors to children when carrying out actions or making decisions
State or territory child welfare authority	STCWA	<p>Includes any organisation, body or agency of a state or territory to which state or territory legislation requires notifications of child protection incidents to be made to.</p>
Third Party service providers		<p>Any entity the department funds directly or indirectly through sub-contracting arrangements.</p>

Term	Acronym (if applicable)	Definition
Transaction reporting		'Transaction reporting' is a record of transactional data used to keep track and manage day-to-day operations. The record will contain information about an action/movement of a person, the time and location of that action. The purpose is usually as an accountability record concerning the person whose duty it was to monitor a person's behaviour.
Unaccompanied minor		A non-citizen minor who arrives in Australia without being in the charge of, or for the purposes of living in Australia under the care of, a parent or legal guardian as recognised under Australian law but who is not captured by the IGOC Act (such that they are not under the guardianship of the Minister for Home Affairs).
Volunteer		A person who willingly provides their time for the common good and without financial gain.

ATTACHMENT B – RELATED DOCUMENTS

Policy Statements

- [Records Management - PS \(TI-1094\)](#)
- [Risk Management - PS \(SM-1607\)](#)

Procedural Instructions

- [Best Practice for Interacting with Children - PI \(BC-764\)](#)
- [Child Safeguarding requirements for Departmental Procurement - PI \(VM-6822\)](#)
- [Employment Screening for Child-related Roles - PI \(DM-930\)](#)
- [Establishing a child-related operating context in departmental activities and programs - PI \(DM-6165\)](#)
- [Independent Observer for interviews involving children - PI \(DM-6505\)](#)
- [Maritime Environment – Unaccompanied Minor Observer and Support Person roles - PI \(DM-5545\)](#)
- [Reporting Child-related Incidents - PI \(DM-5858\)](#)
- [Risk Management – PI \(SM-6971\)](#)

ATTACHMENT C – RELATED LEGISLATION, FRAMEWORKS AND TREATIES

Relevant legislation to all topics covered in this Policy Statement

- *Migration Act 1958 (Cth)*
- *Migration Regulations 1994 (Cth)*
- *Immigration (Guardianship of Children) Act 1946 (Cth)*
- *Australian Border Force Act 2015 (Cth)*
- *Privacy Act 1988 (Cth)*
- *Public Service Act 1999 (Cth)*
- *Archives Act 1983 (Cth)*
- *Work Health and Safety Act 2011 (Cth)*
- *Public Interest Disclosure Act 2013 (Cth)*
- *Family Law Act 1975 (Cth)*
- *Australian Human Rights Commission Act 1986 (Cth)*
- *National Redress Scheme for Institutional Child Sexual Abuse Act 2018*
- *Criminal Code Act 1995*

State legislation – relevant to incident reporting

- *Children and Young People Act 2008 (ACT)*
- *Children and Young Persons (Care and Protection Act) 1998 (NSW)*
- *Care and protection of Children Act 2007 (NT)*
- *Child Protection Act 1999 (Qld)*
- *Children's Protection Act 1993 (SA)*
- *Children, Young Persons and their Families Act 1997 (Tas)*
- *Children, Youth and Families Act 2005 (Vic)*
- *Children and Community Services Act 2004 (WA)*

Relevant frameworks and treaties to all topics covered in this Policy Statement

- *Safe and Supported: The National Framework for Protecting Australia's Children 2021–2031*
- *Convention on the Rights of the Child*
- *Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography*
- *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict*

ATTACHMENT D – CONSULTATION

Internal consultation

- All-staff consultation as per Section 10, Enterprise Agreement 2024–27
- Onshore Detention Division
- Executive Coordination Division
- Immigration Programs Division
- Immigration Compliance Division
- Integrity Security & Assurance Division
- National Operations Division
- National Cyber Security Coordination Division
- People Division
- Procurement Property & Contracts Division
- Legal Division
- Chief Medical Officer

External consultation

- Australian Human Rights Commission
- Commonwealth Ombudsman
- Australian Red Cross



